



ENFORCEMENT DECREE OF THE HOT SPRING ACT

Wholly Amended by Presidential Decree No.22320, Aug. 4, 2010
Amended by Presidential Decree No.22626, Jan. 17, 2011

Article 1 (Purpose)

The purpose of this Decree is to provide for matters delegated by the [Hot Spring Act](#) and matters necessary for its enforcement.

Article 2 (Standards for Ingredients of Hot Spring)

"Standards prescribed by Presidential Decree" under [Article 2 \(1\) of the Hot Spring Act](#) (hereinafter referred to as the "Act") means a case where a hot spring fulfills all the standards for ingredients as prescribed in each of the following subparagraphs, causing no harm to a person when used for drinking or bathing:

1. Nitrate nitrogen (NO₃-N) content shall not exceed than 10mg/L;
2. Tetrachloroethylene (C₂Cl₄) content shall not exceed than 0.01mg/L;
3. Trichloroethylene (C₂HCl₃) content shall not exceed than 0.03mg/L.

Article 3 (Scope of Hot Spring Hole Protection Zone and Procedures of Designation)

(1) "Area where it is deemed necessary to develop a hot spring which is smaller than the scale prescribed by Presidential Decree" at the former part of [Article 5 \(1\) of the Act](#) means an area deemed necessary to develop by designating a hot spring hole protection zone of less than 30,000 square meters.

(2) When the head of a *Sil/Gun/Gu* (referring to the head of an autonomous *Gu*; hereinafter the same shall apply) intends to apply for approval of the designation of a hot spring hole protection zone under the former part of [Article 5 \(1\) of the Act](#), he/she shall submit an application form attaching the following documents to the Special Metropolitan City Mayor, Metropolitan City Mayor or *Do* Governor. In such cases, the Special Metropolitan City Mayor, Metropolitan City Mayor or *Do* Governor shall confirm the land registration map and forest land map in a planned zone through joint utilization of administrative information pursuant to [Article 36 \(1\) of the Electronic Government Act](#):

1. A development plan for small-scale hot springs;
2. A land record in a planned zone;
3. A statement of investigation by a specialized hot spring examination institution, into the hot spring resources in the planned zone;
4. A statement of his/her opinion about its effects on the nearby hot springs and the conditions of the surroundings including the natural environment, etc.

(3) When the Special Metropolitan City Mayor, Metropolitan City Mayor or *Do* Governor intends to approve the designation of a hot spring hole protection zone under the former part of [Article 5 \(1\)](#) or under [Article 6 \(2\) of the Act](#), he/she shall consider the following matters:

1. Whether the area is fit for the development of a small-scale hot spring in the light of proper pumping amount and development potential;
2. Use of the land and surface area of a site which can be developed;
3. The kind and size of facilities;
4. The effects on the nearby hot springs and the conditions of the surroundings including the natural environment, etc.

Article 4 (Designation of, or Application for Approval of, Hot Spring Hole Protection Zone upon Application by Rightful Priority Utilizer of Hot Spring)

(1) Where a rightful priority utilizer of a hot spring intends to apply for the approval of designation of a hot spring hole protection zone to the Special Metropolitan City Mayor, Metropolitan City Mayor or *Do* Governor under the forepart of [Article 6 \(2\) of the Act](#), he/she shall submit an application form attaching the documents set forth in each subparagraph of [Article 3 \(2\)](#) to the Special Metropolitan City Mayor, Metropolitan City Mayor or *Do* Governor. In such cases, the Special Metropolitan City Mayor, Metropolitan City Mayor or *Do* Governor shall confirm the land registration map and forest land map in a planned zone through joint utilization of administrative information pursuant to [Article 36 \(1\) of the Electronic Government Act](#).

(2) Where a rightful priority utilizer of a hot spring intends to apply for the designation of a hot spring hole protection zone to the Governor of a Special Self-Governing Province under the forpart of [Article 6 \(2\) of the Acts](#), he/she shall submit an application form attaching the documents set forth in each subparagraph of [Article 3 \(2\)](#) to the Governor of a Special Self-Governing Province. In such cases, the Governor of a Special Self-Governing Province shall confirm the land registration map and forest land map in a planned zone through joint utilization of administrative information pursuant to [Article 36 \(1\) of the Electronic Government Act](#).

Article 5 (Standards, etc. for Designating Hot Spring Hole Protection Zone)

(1) The hot spring hole protection zone under the former part of [Article 5 \(1\)](#) and [Article 6 of the Act](#) shall be designated, considering the appropriate amount to be pumped each day, to the area falling under any of the following subparagraphs, which is not designated as a hot spring source protection district under [Article 10-2 \(4\) of the Act](#) (hereinafter referred to as "hot spring source protection district"). In such cases, the land owned by the rightful priority utilizer of a hot spring shall be in excess of 50/100 in the area expected to be developed:

1. An area which requires small-scale development of hot spring in view of environmental situations such as the given conditions of urban planning and current conditions of buildings;
2. An area where it is deemed that small-scale development of hot spring is adequate in view of the use and shape of land, local conditions, existence or nonexistence of the existing hot springs, etc.

(2) The Governor of a Special Self-governing Province or the head of a *Si/Gun/Gu* shall, when he/she intends to revoke the designation of any hot spring hole protection zone pursuant to [Article 5 \(3\) of the Act](#), hear the opinions of the local residents including the rightful priority utilizer of a hot spring.

Article 6 (Examinations by Specialized Hot Spring Examination Institution)

(1) The examination by a specialized hot spring examination institution under [Article 5 \(5\) of the Act](#) for designation of a hot spring hole protection zone pursuant to the former part of [Article 5 \(1\)](#) and [Article 6 of the Act](#) and the examination by a specialized hot spring examination institution under [Article 10 \(2\) 2 of the Act](#) for formulation of a hot spring development plan pursuant to [Article 10 \(1\) of the Act](#) (hereinafter referred to as "development plan") shall clearly include the matters set forth in each of the following subparagraphs. In such cases, the latter part of subparagraph 2 shall be limited only to the examination for formulating the development plan:

1. Location and current conditions of a hot spring hole;
2. Appropriate amount to be pumped each day of a hot spring hole. In such case, where the appropriate amount to be pumped each day is one thousand tons or more each day, such amount shall be confirmed by at least two hot spring holes, and where it is less than one thousand tons each day, it shall be confirmed by at least three hot spring holes;
3. Status of water level fluctuation in the hot spring hole;
4. Temperature and ingredients of yields of hot spring water.

(2) A specialized hot spring examination institution shall, when it examines the appropriate amount to be pumped each day under paragraph (1) 2, confirm whether the appropriate amount to be pumped of a hot spring hole other than the one for which a report on the hot spring discovery is accepted, is not less than 150 tons each day.

Article 7 (Formulation, etc. of Development Plan)

(1) "Area where deemed necessary to develop a hot spring having a scale not smaller than the standards prescribed by Presidential Decree" in the main sentence of [Article 10 \(1\) of the Act](#) means an area where deemed necessary to develop hot spring by designating a hot spring source protection district with a scope of 30 thousand square or more meters.

(2) When formulating a development plan pursuant to the main sentence of [Article 10 \(1\) of the Act](#), the Governor of a Special Self-Governing Province or the head of a *Si/Gun/Gu* may, when it is deemed necessary for the efficient supply of hot spring water, include therein the matters concerning the construction and operation of a water supply network for each hot spring hole for the hot spring utilization facilities in consultation with the owner of the land where the hot spring holes are located.

(3) When the head of the head of a *Si/Gun/Gu* intends to apply for the approval of a development plan under the main sentence of [Article 10 \(1\) of the Act](#), he/she shall submit an application form attaching the documents set forth in each of the following subparagraphs to the Special Metropolitan City Mayor, a Metropolitan City Mayor, or a *Do* Governor. In such case, the Special Metropolitan City Mayor, the Metropolitan City Mayor, or the *Do* Governor shall confirm the land registration map and forest land map in a planned area through joint utilization of administrative information pursuant to [Article 36 \(1\) of the Electronic Government Act](#):

1. Geographical conditions;

2. Reasons for the designation of a hot spring source protection district;
 3. A land record in a planned district;
 4. A report on the findings of investigation of the hot spring resources within the intended area by a specialized hot spring examination institution;
 5. A report on the findings of investigation into the validity of the surface area of the planned district and a statement on the findings of economic feasibility study;
 6. Interrelation with local development plans.
- (4) When the Special Metropolitan City Mayor, a Metropolitan City Mayor, or a *Do* Governor intends to approve of a development plan or when the Governor of a Special Self-Governing Province intends to formulate a development plan, matters set forth in each of the following subparagraphs shall be put into consideration:
1. Proper pumping amount per day of the hot spring hole;
 2. Placement of facilities, etc. for the efficient utilization of hot springs;
 3. Suitability of surrounding environment;
 4. Relation with other local development plans;
 5. Effects on the ecosystem such as water pollution due to the development of hot spring.

Article 8 (Application for Approval, etc. of Development Plan by Rightful Priority Utilizer of Hot Spring)

(1) The rightful priority utilizer of a hot spring intends to apply for the approval of a development plan under the proviso to [Article 10 \(1\) of the Act](#), he/she shall submit an application form attaching the documents set forth in each subparagraph of [Article 7 \(3\)](#) to the Special Metropolitan City Mayor, a Metropolitan City Mayor, or a *Do* Governor. In such cases, the Special Metropolitan City Mayor, the Metropolitan City Mayor, or the *Do* Governor shall confirm the land registration map and forest land map in a planned area through joint utilization of administrative information pursuant to [Article 36 \(1\) of the Electronic Government Act](#):

(2) When the Special Metropolitan City Mayor, a Metropolitan City Mayor, or a *Do* Governor receives an application for the approval of a development plan from the rightful priority utilizer of a hot spring, he/she shall, within 60 days from the date of the receipt of the application, make a decision whether or not to approve it pursuant to the main sentence of [Article 10 \(1\) of the Act](#): *Provided*, That where documents for application for designation submitted by the rightful priority utilizer of a hot spring is incomplete, he/she may request to supplement it within a fixed period, and such period to supplement the application documents for approval shall not be included in the period for deciding whether to approve the development plan.

(3) Where the rightful priority utilizer of a hot spring has applied for approval of a development plan and where it is confirmed that the head of a *Sil/Gun/Gu* has no intention to formulate a development plan, the Special Metropolitan City Mayor, a Metropolitan City Mayor, or a *Do* Governor shall not inquire the head of a *Sil/Gun/Gu* on his/her opinion on the relevant development plan.

Article 9 (Alteration of Development Plan)

(1) Where it falls under any of the following subparagraphs, a rightful priority utilizer of a hot spring (limited only to the case of subparagraph 1) or the head of a *Sil/Gun/Gu* may apply for approval by the Special Metropolitan City Mayor, a Metropolitan City Mayor, or a *Do* Governor after altering a development plan: in case of subparagraph 1, the application for approval shall be made only after altering the development plan)

1. Where any matter set forth in any subparagraph of [Article 10 \(2\) of the Act](#) are changed;
2. Where it is inevitable to enlarge the surface area for hot spring development or scale of hot spring source protection district due to increase of hot spring utilization facilities or any other causes;
3. Where it is deemed desirable to reduce the area of hot spring development or the scope of hot spring source protection district due to reduction of the proper pumping amount per day of a hot spring hole or a natural disaster, etc.;
4. Where a modification is inevitable due to conspicuous change of conditions compared with those at the time of designation of a hot spring source protection district.

(2) Where no application for approval of the alteration pursuant to paragraph (1) is made in spite of that a development plan needs to be altered due to occurrence of matters set forth in each subparagraph of paragraph (1), the Special Metropolitan City Mayor, a Metropolitan City Mayor, or a *Do* Governor may request the head of *Sil/Gun/Gu* to apply for the approval of alteration of the development plan. In such case, the head of *Sil/Gun/Gu* shall conform to such request unless there is a special reason.

(3) When the rightful priority utilizer of a hot spring (in a case limited to paragraph (1) 1 only) or the head of a *Sil/Gun/Gu* intends to apply for the approval of an alteration of a development plan under

the paragraph (1), he/she shall submit an application form attaching each of the following documents to the Special Metropolitan City Mayor, a Metropolitan City Mayor, or a *Do Governor*. In such cases, the Special Metropolitan City Mayor, the Metropolitan City Mayor, or the *Do Governor* shall confirm the land registration map and forest land map in a planned area through joint utilization of administrative information pursuant to [Article 36 \(1\) of the Electronic Government Act](#):

1. Geographical conditions;
2. Reasons for its designation or alteration;
3. A land record in a planned area;
4. A statement of investigation of the hot spring resources within the intended area by a specialized hot spring examination institution;
5. A report on the results of investigation into the validity of the surface area of the planned district and a statement on the result of economic feasibility study;
6. Relation with other local development plans.

(4) The Governor of a Special Self-Governing Province may alter a development plan where there occurs any of the causes set forth in each subparagraph of paragraph (1): *Provided*, That the development plan shall be subject to alteration falling under paragraph (1)1.

(5) "Minor matter that is prescribed by the Presidential Decree" in the proviso of [Article 10 \(4\) of the Act](#) means the case where a hot spring development area, or a planned area under a development plan, or a hot spring resource protection district is expanded or narrowed within the scope of 10 percent of the respective surface areas.

Article 10 (Request for Revocation of Approval for Development)

(1) Where any case falling under any of the subparagraphs of [Article 10 \(5\) of the Act](#) occurs, the head of a *Sil/Gun/Gu* may file a request accompanied by an inspection report compiled by a specialized hot spring examination institution (limited to the case of [Article 10 \(5\) 1 of the Act](#)) and the result of the hearing of opinions of district residents including the rightful priority utilizer of a hot spring with the Special Metropolitan City Mayor, the Metropolitan City Mayor or the *Do Governor* for cancellation of the approval for a development plan.

(2) Where the Special Metropolitan City Mayor, the Metropolitan City Mayor or the *Do Governor* intends to cancel the approval for a development plan upon request of the head of a *Sil/Gun/Gu* under paragraph (1) due to causes set forth in [Article 10 \(5\) 1 of the Act](#), an inspection report of a specialized hot spring examination institution compiled pursuant to [Article 10 \(7\) of the Act](#) may substitute an inspection report of a specialized hot spring examination institution compiled pursuant to paragraph (1).

Article 11 (Consulting Committee for Development of Hot Springs)

(1) In order to provide advice requested by the Governor of a Special Self-Governing Province or the head of a *Sil/Gun/Gu*, on major matters concerning the development of hot springs under [Article 10 of the Act](#), such as the receipt of reports on the finding of hot springs under [Article 21 of the Act](#), etc., the consulting committee for the development of hot springs may be set up under the control of the Governor of a Special Self-Governing Province or the head of a *Sil/Gun/Gu*.

(2) Matters concerning the organization, function, and operation of the consulting committee for the development of hot springs shall be pre-scribed by Municipal Ordinance of the local government concerned.

Article 12 (Legal Fiction as Authorization or Permission)

"Infrastructures prescribed by Presidential Decree" in [Article 10-2 \(4\) of the Act](#) means the facilities referred to in the [Article 2 \(1\) of the Enforcement Decree of the National Land Planning and Utilization Act](#).

Article 13 (Application for Approval of Excavation)

(1) If any person intends to obtain permission to excavate land under the provisions of [Article 12 \(1\) of the Act](#), he/she shall submit an application attaching documents set forth in each of following subparagraphs to the Governor of a Special Self-Governing Province or the head of *Sil/Gun/Gu*. In case of the latter part of [Article 12 \(1\) of the Act](#), he/she may decide to submit the application without the documents of subparagraphs 1, 2 and 4:

1. A written agreement with the land owner on performing the excavation (limited to anyone who intends to excavate the land that is owned by any other person);
2. A cadastral map and a woodland map to show the location of the district to be excavated;
3. A plan for the excavation and restoration of the land (attached with a design drawing);
4. A report on the findings of the survey verifying whether the relevant land is endowed with hot spring resources provided for in the provisions of [Article 12 \(3\) of the Act](#).

(2) The Governor of a Special Self-Governing Province or the head of *Sil/Gun/Gu* shall, upon receiving an application filed for the excavation permission provided for in paragraph (1), confirm

whether the applicant holds the ownership of the land to be excavated as at the date on which the application is filed by making the common use of the administrative information provided for in [Article 36 \(1\) of the Electronic Government Act](#).

(3) If any person who intends to excavate a land with the approval of the land owner under [Article 12 \(2\) of the Act](#), he/she shall submit the Governor of a Special Self-Governing Province or the head of a *Si/Gun/Gu* an approval form for the land excavation wherein the number of land lot, classification of land, surface area, purpose and period of usage are specified. In such cases, the period for which the land owner agrees for the land excavation shall be not less than one year.

(4) If any person who intends to apply for an extension of a permission for land excavation under [Article 12 \(5\) of the Act](#), he/she shall submit an application for the extension of the permission attaching an approval form of the land owner for the land excavation to the Governor of a Special Self-Governing Province or the head of a *Si/Gun/Gu* within 30 days before expiry date of the effective period. In such cases, the agreed period specified in the approval form of land excavation shall be the same with or longer than validity of a permission that he/she intends to extend.

Article 14 (Amount and Time of Deposit of Performance Guarantee for Restoration to Original State)

(1) Any person who obtains a permit for utilization of a hot spring under [Article 16 of the Act](#) or any person who reports on a hot spring discovery under [Article 21 of the Act](#) shall, at the time of approval or report, deposit a performance guarantee in cash or with any letter of guarantee or securities, etc. set forth in the following subparagraphs pursuant to [Article 13 \(3\) of the Act](#):
<Amended by Presidential Decree No. 22626, Jan. 17, 2011>

1. A payment guarantee issued by a finance company falling under any of the following categories:
 - (a) A bank under the [Banking Act](#);
 - (b) The Korea Development Bank under the [Korea Development Bank Act](#);
 - (c) The Export-Import Bank of Korea under the [Export-Import Bank of Korea Act](#);
 - (d) The Industrial Bank of Korea under the [Industrial Bank of Korea Act](#).
2. A surety insurance policy issued by an insurance company under the [Insurance Business Act](#);
3. A guarantee letter issued by a corporation falling under any of the following categories:
 - (a) A mutual-aid association under the [Framework Act on the Construction Industry](#);
 - (b) An electric contractors' financial cooperative under the [Electric Constructors' Financial Cooperative Act](#);
 - (c) A credit guarantee fund under the [Credit Guarantee Fund Act](#);
 - (d) A technical credit guarantee fund under the [Korea Technology Credit Guarantee Fund Act](#);
 - (e) The Korea Housing Guarantee Company under the [Housing Act](#);
 - (f) An information and communications financial cooperative under the [Information and Communications Construction Business Act](#);
 - (g) The Credit Union under the [Engineering Industry Promotion Act](#);
 - (h) A mutual aid association under the [Industrial Development Act](#).
4. A certificate of term deposit issued by a financial company or the communications agency;
5. A beneficiary certificate issued by a trust business entity under the [Financial Investment Services and Capital Markets Act](#).

(2) Amount of a performance guarantee shall be the cost of expense required for restoration, and detail standards for the guarantee amount shall be prescribed by Ordinance of the Ministry of Public Administration and Security.

(3) Deposit period of a performance guarantee shall be as follows:

1. In case of a permission for utilization of a hot spring under [Article 16 of the Act](#): from the date of permission for utilization of a hot spring to the date on which one year lapses after the permission loses effect or is revoked;
2. In case of a report on hot spring discovery under [Article 21 of the Act](#): from the report date of hot spring discovery to the acceptance date of the report on hot spring discovery.

(4) The Governor of a Special Self-Governing Province or the head of *Si/Gun/Gu* shall return a performance guarantee, when a person who is obligated to reinstate under [Article 13 of the Act](#) completes the restoration or when the deposit period of a performance guarantee is matured.

(5) Where the Governor of a Special Self-Governing Province or the head of *Si/Gu* conducts reinstatement by himself/herself under the main sentence of [Article 13 \(3\) of the Act](#) in lieu of a person who is obligated to reinstate, he/she shall raise a claim to such obligor for a deficit when the amount of the performance guarantee is insufficient, or shall return the balance to him/her without delay when there remains a balance after use of the performance guarantee.

Article 15 (Application for Installation of and Permission for Power Equipment)

Any person who intends to obtain a permit to install power equipment under [Article 14 \(1\) of the](#)

Act shall submit the head of *Si/Gun/Gu* an application for permission attaching a design drawing of the power equipment.

Article 16 (Permission to Develop Groundwater)

Groundwater may be developed with the permission of the Governor of a Special Self-Governing Province or the head of a *Si/Gun/Gu* as provided in the proviso to [Article 15 \(1\) of the Act](#) only when the situation falls under one of the following subparagraphs:

1. When it is used for business of public facilities;
2. When it is used for irrigation;
3. When the person with permission to utilize hot spring water deems it necessary for the convenience of hot spring-users;
4. Where it is intended to use no more than 30 tons per day on a pumping amount basis.

Article 17 (Permission to Utilize Hot Spring)

(1) Any person who intends to obtain a permit to utilize hot spring as referred to in [Article 16 \(1\) of the Act](#) shall file an application (including an application in the form of an electronic document) to the Governor of a Special Self-Governing Province or the head of a *Si/Gun/Gu* attaching the following documents (including electronic documents). In such cases, the Governor of a Special Self-Governing Province or the head of a *Si/Gun/Gu* who has received an application for permission for bathing purposes shall confirm a certified copy of the register of real estate through common utilization of the administrative information pursuant to [Article 36 \(1\) of the Electronic Government Act](#).

1. A plan for the utilization of the hot spring;
2. A document on water quality examination or a copy thereof as provided in [Article 19 of the Act](#);
3. A document of the present condition of the hot spring hole (including the results of a pumped water test);
4. A contract for hot spring supply contracts or a copy thereof (limited to such cases where the person who applies for permission to utilize a hot spring does not own a hot spring hole);

(2) The amount of a hot spring water to be pumped which may be permitted for utilization pursuant to [Article 16 \(1\) of the Act](#) shall be determined by the head of a relevant local government according to the size of the hot spring utilizing facilities within the scope of the appropriate amount to be pumped.

(3) When any person who fulfills all the requirements of the following subparagraphs applies for a permission for utilization of a hot spring under [Article 16 \(1\) of the Act](#), the Governor of a Special Self-Governing Province or the head of *Si/Gun/Gu* shall grant a permission for a temporary utilization of the hot spring until a hot spring hole protection zone is designated under the forepart of [Article 5 \(1\)](#) or [Article 6 \(2\) of the Act](#) or a hot spring source protection district is designated under the main sentence of [Article 10-2 \(4\) of the Act](#).

1. The applicant shall be the rightful priority utilizer of the hot spring;
2. The applicant shall be the person who has existing hot spring utilizing facilities such as those relevant to public bath facilities or lodging business facilities (referring to the facilities of the lodging business or public bath business referred to in [Article 2 of the Public Health Control Act](#) and the facilities referred to in each subparagraph of [Article 2 \(1\)](#) of the Enforcement Decree of the same Act) in an area where a hot spring hole protection zone or a hot spring source protection district is designated or proposed to be designated.

(4) Where a permission is granted for temporary utilization of hot spring until a hot spring hole protection zone or a hot spring source protection district is designated under paragraph (3), the amount to be pumped shall not exceed 50/100 of the appropriate amount to be pumped each day.

(5) "Industrial or public facilities prescribed by Presidential Decree" in the proviso to [Article 16 \(2\) of the Act](#) means the facilities set forth in the following subparagraphs:

1. Fish farming facilities under subparagraph 21 (a) of the attached Table 1 of the [Enforcement Decree of the Building Act](#);
2. Green houses for flowers and potted plants under subparagraph 21 (g) of the attached Table 1 of the [Enforcement Decree of the Building Act](#);
3. Facilities for manufacturing cosmetics under subparagraph 1 of [Article 2 of the Cosmetics Act](#) and functional cosmetics under subparagraph 2 of the same Article;
4. Facilities for manufacturing drugs under subparagraph 4 of [Article 2 of the Pharmaceutical Affairs Act](#), therapeutic devices under subparagraph 7 of the same Article, and over-the-counter drugs under subparagraph 9 of the same Article;
5. Facilities for tourist accommodation business under [Article 3 \(1\) 2 of the Tourism Promotion Act](#) or facilities for amusement facility business under subparagraph 6 of the same paragraph;
6. Facilities for golf course, skiing ground and swimming pool under the attached Table 1 of the Enforcement Decree of the Installation and Utilization of Sports Facilities Act.

Article 18 (Prohibition of False or Exaggerated Label or Advertisement related to Hot Spring)

(1) False or exaggerated label or advertisement pursuant to [Article 16 \(4\) of the Act](#) shall refer to any label or advertisement which is far from the reality or excessively overstated.

(2) Any label or advertisement under paragraph (1) shall be in accordance with subparagraphs 1 and 2 of [Article 2 of the Act on Fair Labeling and Advertising](#).

Article 19 (Request for Investigation for Granting Permission)

When the Governor of a Special Self-Governing Province or the head of *Si/Gun/Gu* deems it necessary to provide permission under [Article 12 \(1\), 14 \(1\) or 16 \(1\) of the Act](#), he/she may ask any specialized hot spring examination institution to investigate or examine it.

Article 20 (Observation of Hot Spring Resources)

(1) In order to investigate the real conditions of hot spring resources and fluctuation of water level under [Article 24-2 \(1\) of the Act](#), the Minister of Public Administration and Security shall install at least one hot spring resource observation system at every hot spring hole protection zone or hot spring source protection district.

(2) The Minister of Public Administration and Security shall observe at all times and keep a record of the fluctuation of hot spring water level, amount of utilized hot spring water, temperature of hot spring water, etc. through the hot spring observation system installed under paragraph (1).

Article 21 (Matters to Be Entered in Articles of Association, etc.)

(1) Matters falling under each of the following subparagraphs shall be entered in the articles of association of the Hot Spring Association (hereinafter referred to as the "Association") provided for in [Article 27 \(5\) of the Act](#):

1. The objectives of its establishment;
2. Its name;
3. The location of its principal office;
4. The details of its business;
5. The qualifications of its members;
6. The fixed number of its officers, their terms of office and ways to elect them;
7. The composition of its general meeting and matters to be resolved thereby;
8. The composition of its board of directors and matters to be resolved thereby;
9. Matters concerning its assets and accounting;
10. Matters concerning the composition and organization of the Association;
11. Procedures for amending its articles of association.

(2) The Association shall submit its work plan and the written budget detailing receipts and disbursements to the Minister of Public Administration and Security on or before every fiscal year commences.

Article 22 (Fees)

(1) Fees as prescribed in [Article 31 of the Act](#) shall be as follows: *Provided*, That where the examination of water quality or ingredients is entrusted to the Hot Spring Association under [Article 19 \(2\) of the Act](#), the fee determined by the entrusted institution concerned shall be paid to such entrusted institution:

1. Permit to excavate land under the forepart of [Article 12 \(1\) of the Act](#): 60 thousand won per hole;
2. Permit to enlarge a hot spring gush nozzle or deepen its depth under the latter part of [Article 12 \(1\)](#): 30 thousand won per hole;
3. Permit to install power equipment under [Article 14 \(1\) of the Act](#): 30 thousand won per unit;
4. Permit to change power-driven equipment: 15 thousand won per unit;
5. Utilization permission of a hot spring under [Article 16 \(1\) of the Act](#): 100 thousand won per transaction.
6. Examination of water quality under [Article 19 \(1\) of the Act](#): the amount prescribed by Municipal Ordinance of a local government concerned within the scope of 20 thousand won per transaction considering the items of water quality examination, etc.;
7. Examination of ingredients under [Article 19 \(1\) of the Act](#): The amount prescribed by Municipal Ordinance of the relevant local government of not more than two million won per transaction, considering the cost, etc. of examination of ingredients.

(2) Where an entrusted institution intends to determine the fees under the proviso of the provisions other than subparagraphs of paragraph (1), it shall set up a standard therefor and obtain an approval of the Governor of a Special Self-Governing Province or the head of a *Si/Gun/Gu*. The same shall also apply where it intends to change approved standards.

(3) The fees as prescribed in paragraph (1) shall be paid by the revenue stamp of the relevant *Si/Gun/Gu*. *Provided*, That the Governor of a Special Self-Governing Province or the head of a

Si/Gun/Gu may have it paid by means of electronic currencies, electronic settlement, etc. through information and communication networks.

ADDENDA <Presidential Decree No. 22320, Aug. 4, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on August 5, 2010.

Article 2 (Applicable Examples of Standards for Ingredients of Hot Spring)

The amended provisions of [Article 2](#) shall apply from the hot spring for which a report on hot spring discovery is first filed after this Decree enters into force.

Article 3 (Transitional Measures concerning Scope of HotSpring Source Protection District)

Notwithstanding the amended provisions of [Article 3](#) (1), the previous provisions of [Article 4](#) (1) shall apply to the area where an application for designation of hot spring hole protection zone is received or where a hot spring hole protection zone is designated before this Decree enters into force.

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

Where an application for designation of a hot spring source protection district or an application for approval of a hot spring development plan is received before this Decree enters into force, the previous provisions shall apply in designating the hot spring source protection district or granting an approval for the hot spring development plan.

Article 5 (Transitional Measures concerning Agreement for Excavation)

(1) As to the effective period of an agreement on performing excavation works submitted under previous provisions of [Article 7](#) (1) 1 before this Decree enters into force, the previous provisions of [Article 7](#) (3) shall apply.

(2) Where the period from the day following the effective date of an agreement for excavation works until the expiry date of the permission for excavation works under [Article 12](#) (5) of the Act and [Article 2](#) of Addenda of the Act No. 10005 on amendment of the [Hot Spring Act](#) is less than one year, the agreement for excavation works may be submitted specifying the approved period shall be until the expiry date of the permission for excavation, notwithstanding the amended provisions of the latter part of [Article 13](#) (3).

Article 6 (Transitional Measures concerning the Citation of Other Acts and subordinate statutes)

A "bank" under the amended provisions of [Article 14](#) (1) 1 (a) shall be deemed as a finance company until November 17, 2010.

Article 7 (Transitional Measures concerning Permission for Utilization of Hot Spring)

(1) Where permission for utilization of a hot spring is applied for under [Article 16](#) (1) before this Decree enters into force, the former provisions of [Article 10](#) (4) and (5) shall apply to the permit to temporarily utilize a hot spring, notwithstanding the amended provisions of [Article 17](#) (3) and (4).

(2) Any person who has received a permit for temporary utilization of a hot spring under the previous [Article 10](#) (4) and (5) shall be deemed to have received the permit for the utilization under the amended provisions of [Article 17](#) (3) and (4).

(3) Any person who is deemed to have obtained a permit for utilization of a hot spring under paragraph (2) of the Addenda of Presidential Decree 15107 on the amendment of [Enforcement Decree of the Hot Spring Act](#) shall be deemed to have received a permit to utilize a hot spring under this Decree.

Article 8 Omitted.

ADDENDA <Presidential Decree No. 22626, Jan. 17, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.