

ENFORCEMENT DEGREE OF THE PREVENTION OF MARINE POLLUTION ACT

Presidential Decree No. 20722, Feb. 29, 2008
Amended by Presidential Decree No. 21185, Dec. 24, 2008
Presidential Decree No. 21414, Dec. 31, 2008
Presidential Decree No. 21622, Jul. 7, 2009
Presidential Decree No. 21882, Dec. 14, 2009
Presidential Decree No. 21964, Dec. 31, 2009
Presidential Decree No. 22151, May 4, 2010
Presidential Decree No. 22449, Oct. 14, 2010
Presidential Decree No. 22467, Nov. 2, 2010
Presidential Decree No. 22706, Mar. 9, 2011
Presidential Decree No. 23158, Sep. 22, 2011
Presidential Decree No. 23297, Nov. 16, 2011
Presidential Decree No. 23964, Jul. 20, 2012
Presidential Decree No. 23966, Jul. 20, 2012
Presidential Decree No. 24207, Nov. 27, 2012
Presidential Decree No. 24443, Mar. 23, 2013
Presidential Decree No. 24517, Apr. 22, 2013
Presidential Decree No. 24627, jun. 17, 2013
Presidential Decree No. 25050, Dec. 30, 2013
Presidential Decree No. 25639, Sep. 24, 2014
Presidential Decree No. 25758, Nov. 19, 2014
Presidential Decree No. 25840, Dec. 9, 2014
Presidential Decree No. 25860, Dec. 16, 2014
Presidential Decree No. 25943, Dec. 30, 2014
Presidential Decree No. 25985, Jan. 6, 2015
Presidential Decree No. 26220, Apr. 29, 2015
Presidential Decree No. 26473, Aug. 3, 2015

Article 1 (Purpose)

The purpose of this Decree is to provide for matters delegated by the Marine Environment Management Act and matters necessary for the enforcement thereof.

Article 2 (Sea Areas under Jurisdiction)

"Sea areas prescribed by Presidential Decree" in subparagraph 20 (a) of Article 2 of the Marine Environment Management Act (hereinafter referred to as the "Act") means the following:

1. Sea areas, where the Republic of Korea has jurisdiction over the preservation of their marine environment in accordance with the United Nations Convention on the Law of the Sea;
2. Environmental management sea areas under Article 15 (1) of the Act.

Article 3 (Harbors under Jurisdiction)

"Harbors prescribed by Presidential Decree" in subparagraph 20 (b) of Article 2 of the Act means any of the following: *<Amended by Presidential Decree No. 21882, Dec. 14, 2009; Presidential Decree No. 21964, Dec. 31, 2009>*

1. International trade ports and coastal ports under Article 3 (1) of the Harbor Act;
2. National harbors under subparagraph 3 of Article 2 of the Fishing Villages and Fishery Harbors Act.

Article 4 (Scope of Sea Areas)

The term "sea areas determined by Presidential Decree" in Article 3 (1) 1 of the Act means any of the following:

1. Internal waters under Article 3 of the Territorial Sea and Contiguous Zone Act;
2. Sea areas, where the Republic of Korea has jurisdiction over the preservation of their marine environment in accordance with the United Nations Convention on the Law of the Sea.

Article 5 (International Cooperation Programs, Programs Eligible for Support, etc.)

(1) The international cooperation programs referred to in Article 6 (4) of the Act shall be as follows: *<Amended by Presidential Decree No. 24517, Apr. 22, 2013>*

1. A program needed to implement international agreements on the preservation and management of the marine environment, prevention of marine pollution, and improvement of ship energy efficiency, in domestic systems;
2. An international cooperation program with international organizations related to the preservation and management of the marine environment, prevention of marine pollution, and improvement of ship energy efficiency;
3. International joint R&D and surveys related to the preservation and management of the marine environment, prevention of marine pollution, and improvement of ship energy efficiency;
4. International exchanges of personnel and information related to the preservation and management of the marine environment, prevention of marine pollution, and improvement of ship energy efficiency;
5. A program related to international conferences and academic seminars on the preservation and management of the marine environment, prevention of marine pollution, and improvement of ship energy efficiency;

6. Other international cooperation programs deemed necessary to preserve and manage the marine environment, prevent marine pollution, and improve ship energy efficiency.

(2) Co-participating organizations in international cooperation programs referred to in Article 6 (4) of the Act shall be as follows: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24517, Apr. 22, 2013>

1. National and public research institutes;

2. Schools defined in Article 2 of the Higher Education Act;

3. Government-funded research institutes established under the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutes, Etc. and the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes, Etc.;

4. Research institutes governed by the Specific Research Institutes Support Act;

5. The Korea Marine Environment Management Corporation established under Article 96 of the Act;

6. The Marine Environment Preservation Association established under Article 125 of the Act;

7. The Korea Ship Safety Technology Authority established under Article 45 of the Ship Safety Act;

8. The classification corporation established under Article 60 (2) of the Ship Safety Act;

9. Other institutions and organizations designated and publicly announced by the Minister of Oceans and Fisheries.

(3) The Minister of Oceans and Fisheries may support the organizations referred to in paragraph (2) which participate in international cooperation programs under paragraph (1), pursuant to Article 6 (4) of the Act, with a budget, etc. needed for international joint R&D, international exchange of professionals and information, attraction of or participation in international conferences, etc. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

Article 6 (Building and Operation of Marine Environmental Information Networks, etc.)

(1) Pursuant to Article 11 (1) of the Act, the Minister of Oceans and Fisheries shall be provided with the results of marine environment measurements under Article 9 of the Act and the results of marine environment-related research and survey projects to build and operate marine environmental information networks that can help standardize marine environmental data, and integrate and manage information dispersed among organizations. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(2) Where an organization referred to in Article 5 (2) carries out a project with the budget of a national organization or local government (hereinafter referred to as "national organization, etc."), it shall submit a business plan to the relevant national organization, etc. In such cases, the relevant organization shall conduct marine environment-related observation, research and survey in a systematic manner, and provide the national organization, etc. with the data computerized to be suitable for building and operating the marine environmental information networks within one year after the completion of such observation, research and survey.

Article 7 (Organization Subject to Accuracy Control)

The term "institutions prescribed by Presidential Decree" in Article 12 (1) of the Act means any of the following:

1. Marine pollution impact assessment institutions under Article 77 (1) of the Act;
2. Assessment agents under Article 86 (1) of the Act;
3. Institutions or organizations which carry out the measurement or analysis of the marine environment with the budget of the State, local governments, or national or public research institutes.

Article 8 (Cancellation of Certification of Measuring and Analysis Capabilities)

The term "cases which fall under the grounds prescribed by Presidential Decree" in Article 13 (3) 3 of the Act means cases where no record of measurement or analysis exists for one year after the acquisition of measuring and analyzing capabilities certification.

Article 9 (Establishment and Implementation, etc. of Comprehensive Plans for Marine Environment)

(1) The Minister of Oceans and Fisheries shall establish a comprehensive plan for marine environment (hereinafter referred to as "comprehensive plan") pursuant to Article 14 (1) of the Act, stating the details of annual projects. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23158, Sep. 22, 2011; Presidential Decree No. 24443, Mar. 23, 2013>*

(2) The heads of relevant central administrative agencies, the Mayor of a Special Metropolitan City, Mayors of Metropolitan Cities, Do Governors, and the Special Self-Governing Province Governor (hereafter referred to as "heads of the relevant administrative agencies" in this Article) who are notified of a comprehensive plan pursuant to Article 14 (4) of the Act shall establish and implement yearly action plans for the matters under their jurisdictions, and evaluate the results thereof. In such cases, the heads of the relevant administrative agencies shall submit the yearly action plans and performance report to the Minister of Oceans and Fisheries by the end of each January. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

(3) The Minister of Oceans and Fisheries shall integrate and analyze the action plans and performance report submitted pursuant to paragraph (2) and notify the heads of the relevant administrative agencies thereof. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

(4) The Minister of Oceans and Fisheries may revise a comprehensive plan after deliberation by the Marine Fishery Development Committee under Article 7 of the Framework Act on Marine Fishery Development where necessary to do so or where requested by the head of a relevant administrative agency. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21622, Jul. 7, 2009; Presidential Decree No. 24443, Mar. 23, 2013>*

Article 10 (Restrictions on Installation of Facilities in Environmental Preservation Sea Areas, etc.)

(1) The environmental preservation sea areas designated under Article 15 (1) 1 of the Act are as mentioned in attached Table 1.

(2) The specially-managed sea areas designated under Article 15 (1) 2 of the Act are as mentioned in attached Table 2.

(3) "Facilities determined by Presidential Decree" in Article 15 (2) of the Act means: <Amended by Presidential Decree No. 21964, Dec. 31, 2009; Presidential Decree No. 22449, Oct. 14, 2010>

1. A facility, the daily waste discharge quantity of which is at least 2,000 cubic meters: Provided, That facilities which cause wastewater discharged by the relevant facilities to flow into the wastewater terminal treatment facilities and public sewage treatment facilities or those which treat the wastewater under the criteria lower than those for the water quality of discharged water under the statutes applicable to the relevant region shall be excluded;

2. Piers, breakwaters, bridges, sluice gates or structures, which require permission from the relevant administrative authorities for construction, reconstruction, expansion or modification pursuant to Article 8 (1) 1 of the Public Waters Management and Reclamation Act.

(4) Facilities, the installation or modification of which is restricted pursuant to Article 15 (4) of the Act, mean any of the following: <Amended by Presidential Decree No. 21964, Dec. 31, 2009; Presidential Decree No. 22449, Oct. 14, 2010>

1. A facility, the daily waste discharge quantity of which is at least 1,000 cubic meters: Provided, That facilities which cause wastewater discharged by the relevant facilities to flow into the wastewater terminal treatment facilities and public sewage treatment facilities or those which treat the wastewater under the criteria lower than those for the water quality of discharged water under the statutes applicable to the relevant region shall be excluded;

2. Piers, breakwaters, bridges, sluice gates or structures, which require permission from the relevant administrative authorities for construction, reconstruction, expansion or modification pursuant to Article 8 (1) 1 of the Public Waters Management and Reclamation Act;

3. Facilities for licensed fisheries under Article 8 of the Fisheries Act.

(5) When the Minister of Oceans and Fisheries intends to impose restrictions on the installation or modification of facilities in environment preservation sea areas or specially-managed sea areas pursuant to Article 15 (2) or (4) of the Act, he/she shall publicly announce the details and duration of such restrictions after consulting with the heads of the relevant central administrative agencies. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

Article 11 (Sea Areas Subject to Total Pollution Load Control)

(1) The sea areas subjected to total pollution load control pursuant to Article 15 (3) and (4) of the Act shall be specially-managed sea areas which exceed the marine environmental standards under Article 8 (1) of the Act, and thus deemed likely to cause serious damage to the health and property of residents or to the birth and breeding of living organisms and designated by the Minister of Oceans and Fisheries in consultation with the heads of the relevant central administrative agencies, Metropolitan City Mayor, Do Governor, Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor"). <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(2) In designating sea areas subject to total pollution load control under paragraph (1), the sections of the rivers and their tributaries published pursuant to Article 12 (1) of the Enforcement Decree of the Act on Water Management and Resident Support in the Nakdong River Basin, Article 10 (1) of the Enforcement Decree of the Act on Water Management and Resident Support in the Geum River Basin, and Article 10 (1) of the Enforcement Decree of the Act on Water Management and Resident Support in the Yeongsan and Seomjin River Basins and affected river basins shall be excluded.

Article 12 (Items of Total Pollution Load Control, etc.)

(1) The Minister of Oceans and Fisheries shall determine items of total pollution load control under Article 15 (4) of the Act, from among the following items, by comprehensively considering the marine environmental standards under Article 8 (1) of the Act, state of utilization of sea areas, state of water quality, etc. and by consulting with the Mayors/Do Governors having jurisdiction over the sea areas subject to total pollution load control: *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

1. Chemical oxygen demand;
2. Nitrogen;
3. Phosphorus;
4. Heavy metals.

(2) To implement total pollution load control for the items detailed in paragraph (1), the Minister of Oceans and Fisheries shall establish basic directions for total pollution load management, which include the following (hereinafter referred to as "basic directions") and inform the Mayors/Do Governors having jurisdiction over specially-managed sea areas designated pursuant to Article 11 (1) thereof: *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

1. Items of total pollution load control and target water quality;
2. Methods of examining the sources of pollution and calculating pollution loads;
3. Allotment of pollution loads by river area, administrative district and source of pollution;
4. Criteria for approving a basic plan for the total pollution load management system, which is established by a Mayor/Do Governor pursuant to paragraph (3);
5. Criteria for approving action plans for the total pollution load management system established by Metropolitan City Mayors or the heads of Sis and Guns (excluding the heads of Guns in Metropolitan Cities; hereinafter the same shall apply) pursuant to paragraph (4);
6. Minor matters not requiring approval to revise a basic plan for the total pollution load management system and action plans therefor, which are established pursuant to paragraphs (3) and (4).

(3) The relevant Mayor/Do Governor shall establish a basic plan for the total pollution load management system (hereinafter referred to as "basic plan"), which includes the following in accordance with the basic directions under paragraph (2) and obtain approval therefor from the Minister of Oceans and Fisheries. The same shall apply where he/she intends to revise the basic plan (excluding revisions to minor matters referred to in paragraph (2) 6): *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree*

No. 24443, Mar. 23, 2013>

1. Details of regional development plans;
2. Allotment of pollution loads to each local government having jurisdiction;
3. Total pollution load discharged from regions and sea areas and plans for the reduction thereof;
4. Pollution load additionally discharged as a result of a regional development plan and plan for the reduction thereof.

(4) Any Metropolitan City Mayor or the head of a Si or Gun shall establish an action plan for the total pollution load management system (hereinafter referred to as "action plan") in accordance with the basic plan and submit it to the Minister of Oceans and Fisheries, obtaining approval from the Minister of Oceans and Fisheries in the case of Metropolitan City Mayors and approval from a Mayor/Do Governor in the case of the heads of Sis or Guns. The same shall apply where he/she intends to revise the action plan (excluding revisions to minor matters referred to in paragraph (2) 6). *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

(5) The Minister of Oceans and Fisheries may conduct research, examinations, etc. necessary for establishing a basic plan and action plans, and demand that the results thereof be reflected in such plans, and Mayors/Do Governors or the heads of Sis or Guns shall comply with such demand, except under extenuating circumstances. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

(6) The Minister of Oceans and Fisheries may organize and operate a council comprised of relevant experts, etc. to determine and adjust items of total pollution load control and target water quality, and conduct research and examinations on the implementation of total pollution load control, etc. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

Article 13 (Allotment of Pollution Load to Each Business Place, etc.)

(1) To achieve and maintain the target water quality determined in the basic directions, the Minister of Oceans and Fisheries may request the Minister of Environment to allot pollution loads or designate discharge quantities to any of the following facilities: *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

1. A wastewater terminal treatment facility subject to the criteria for the water quality of discharged water under Article 12 (3) of the Water Quality and Aquatic Ecosystem Conservation Act;
2. A facility subject to the criteria for the water quality of discharged water (limited to public sewage treatment facilities, excreta treatment facilities, and private sewage treatment facilities) under Article 7 of the Sewerage Act;
3. A purification facility subject to the criteria for the water quality of discharged water under Article 13 of the Act on the Management and Use of Livestock Excreta.

(2) When requesting the Minister of Environment to allot pollution loads or designate discharge quantities pursuant to paragraph (1), the Minister of Oceans and Fisheries shall forward the basic plan and action plans to the Minister of Environment. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential*

Decree No. 24443, Mar. 23, 2013>

(3) Upon receipt of a request to allot pollution loads or designate discharge quantities pursuant to paragraph (1), the Minister of Environment may do so by final outfall or unit period.

(4) Any Metropolitan City Mayor, or any head of a Si or Gun may, where deemed necessary to achieve or maintain the target water quality set by the basic directions, allot pollution loads or designate discharge quantities by final outfall or unit period for facilities (limited to private sewage treatment facilities) subject to the permissible discharge levels under Article 32 of the Water Quality and Aquatic Ecosystem Conservation Act and criteria for the water quality of discharged water under Article 7 of the Sewerage Act.

(5) The Minister of Environment, any Metropolitan City Mayor, or the head of a Si or Gun shall hear from interested persons when allotting pollution loads or designating discharge quantities pursuant to paragraph (3) or (4).

(6) Any person for whom a pollution load is allotted or a discharge quantity is designated pursuant to paragraph (3) or (4) shall measure pollution loads and discharged quantities, as prescribed in the Water Quality and Aquatic Ecosystem Conservation Act, the Act on the Management and Use of Livestock Excreta or the Sewerage Act, and record and keep the results of such measurements conscientiously.

(7) With respect to facilities which have discharged pollutants in excess of the allotted pollution loads or designated discharge quantities provided for in paragraph (3), the Minister of Oceans and Fisheries may request the Metropolitan City Mayor, or the head of a Si or Gun having jurisdiction over such facilities to take necessary measures, such as the improvement of treatment facilities. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

(8) Any Metropolitan City Mayor or the head of a Si or Gun may, in cases of discharging pollutants in excess of the pollution load allotted or discharge quantity designated pursuant to paragraph (4) or at the request of the Minister of Oceans and Fisheries under paragraph (7), order the relevant business entity to take measures, such as the improvement of facilities, setting the deadline therefor, and a person who has received such order shall comply therewith. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

(9) The methods and procedures for issuing an order for taking measures, confirmation of the performance of such an order, etc. under paragraph (8) shall be determined and publicly announced by the Minister of Oceans and Fisheries. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

Article 14 (Evaluation of Performance of Total Pollution Loads Control, etc.)

(1) Any Metropolitan City Mayor or the head of a Si or Gun shall evaluate the implementation of the action plans for the preceding year as publicly announced by the Minister of Oceans and Fisheries and report thereon to the Minister of Oceans and Fisheries (hereinafter referred to as "evaluation report"). In such cases, the head of a Si or Gun shall submit such report through the competent Mayor/Do Governor. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

(2) Where deemed necessary to achieve the purpose of total pollution load control after reviewing the evaluation report submitted pursuant to paragraph (1), the Minister of Oceans and Fisheries may request the Metropolitan City Mayor or the head of the relevant Si or Gun to formulate and implement necessary actions or countermeasures. In such cases, the Metropolitan City Mayor or the head of a Si or Gun shall comply with such request, except under extenuating circumstances. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(3) Any Metropolitan City Mayor, or the head of a Si or Gun shall prepare and keep a ledger of total pollution load control, as prescribed by the Minister of Oceans and Fisheries, to ascertain the increase and decrease in sources of pollution. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

Article 15 (Financial Support, etc.)

(1) The State may give preference to local governments or business entities which implement total pollution load control, over the other local governments or business entities, in providing subsidies, loans, or support to help them cover expenses incurred in improving facilities required to implement total pollution load control.

(2) No head of a relevant administrative agency shall grant approval, permission, etc. for the following to local governments which have exceeded the pollution loads allotted to each local government under Article 12 (3) or have failed to establish and implement the basic plan or action plans without just ground: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23297, Nov. 16, 2011; Presidential Decree No. 24443, Mar. 23, 2013>

1. Performance of urban development projects under Article 2 (1) 2 of the Urban Development Act;
2. Development of industrial complexes defined in subparagraph 8 of Article 2 of the Industrial Sites and Development Act;
3. Development of tourist sites and tourism complexes defined in subparagraphs 6 and 7 of Article 2 of the Tourism Promotion Act;
4. Installation of facilities of at least the size determined by Ordinance of the Ministry of Oceans and Fisheries.

(3) If the head of a relevant administrative agency violates paragraph (2), or a Metropolitan City Mayor or the head of a Si or Gun who implements total pollutant load control fails to comply with a request under Article 14 (2) without just ground, the Minister of Oceans and Fisheries or the head of the relevant central administrative agency may suspend or reduce financial support or take other necessary measures. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

Article 16 (Details of Master Plans for Environment Management Sea Areas)

Matters necessary for managing environment management sea areas determined by Presidential Decree pursuant to Article 16 (1) 5 of the Act shall be as follows: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23158, Sep. 22, 2011; Presidential Decree No. 24443, Mar. 23, 2013>

1. Evaluating and managing the implementation of a basic plan for environment management sea areas and a plan for the management of each sea area;
2. Matters concerning total water pollutant load control in sea areas;
3. Matters concerning the management of water quality, deposited substances and ecosystems in sea areas;
4. Establishment of investment plans for environmental improvement in sea areas;
5. Matters concerning the expansion of environmental capacity in sea areas, such as dredging of sediments and creation of artificial habitats;
6. Provision of technical and financial support needed for the installation, operation and management of facilities to prevent marine pollution and improve the marine environment;
7. Matters concerning publicity and education on the preservation of the marine environment;
8. Other matters deemed necessary by the Minister of Oceans and Fisheries.

Article 17 (Organization of Project Management Task Force)

The project management task force referred to in Article 16 (4) of the Act shall be composed of the following persons: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. Public officials belonging to the Ministry of Oceans and Fisheries;
2. Public officials belonging to relevant central administrative agencies and local governments;
3. Experts, etc. in the management of the marine environment, etc. from academic circles, research institutes, etc.

Articles 18 through 23 Deleted. <by Presidential Decree No. 21622, Jul. 7, 2009>

Article 24 (Marine Environmental Improvement Measures Taken by Sea Area Management Authority)

(1) The details of marine environmental improvement measures which a sea area management authority may take, pursuant to Article 18 (1) 1 through 3 of the Act, are as mentioned in each of the following subparagraphs:

1. Installation of containment booms for marine floating debris and silt screening system;
2. Collection and disposal of various kinds of pollutants, such as marine wastes in ocean space;
3. Collection and disposal of pollutants in sea areas with deposited pollutants.

(2) Where it is deemed that improvement is required in the installation and operation of wastewater terminal treatment facilities, and excreta or livestock wastewater treatment facilities, any sea area management authority may request the heads of relevant administrative agencies to take necessary measures. In such cases, the heads of the relevant administrative agencies shall comply therewith, unless any extenuating circumstance exists.

Article 24-2 (Marine Environmental Improvement Measures to be Taken by Minister of Oceans and Fisheries)

"Where a sea area or zone subject to marine environmental improvement measures referred to in paragraph (1) extends over the jurisdictions of at least two Mayors/Do Governors or in any other cases prescribed by Presidential Decree" in the former part of Article 18 (2) of the Act means any of the following cases:

1. Where a sea area or zone subject to marine environmental improvement measures belongs to the jurisdictions of at least two Mayors/Do Governors;
2. Where it is deemed necessary to urgently implement marine environmental improvement measures due to a disaster, etc.

Article 25 (Calculation of Marine Environmental Improvement Charges Imposed on Ocean Waste Discharge Business Entities)

(1) The marine environmental improvement charge for discharging wastes into the sea by ocean waste discharge business entities under Article 19 (1) 1 of the Act shall be calculated using the following arithmetic formula:

The quantity of waste discharged into the sea (cubic meter) × amount of a charge imposed per unit × imposition coefficient.

(2) The quantity of waste discharged into the sea in the formula in paragraph (1) shall be based on the statement of disposal results under Article 72 (1) of the Act.

(3) The amount of a charge imposed per unit and imposition coefficients by the kinds of wastes under Article 19 (3) of the Act shall be as shown in attached Table 3. <Presidential Decree No. 23158, Sep. 22, 2011>

Article 25-2 (Calculation of Marine Environmental Improvement Charges Imposed on Ships, etc.)

(1) "Pollutants at least in the quantity prescribed by Presidential Decree" under Article 19 (1) 2 of the Act are as shown in attached Table 3-2.

(2) A marine environmental improvement charge imposed on pollutants under paragraph (1) shall be calculated using the following arithmetic formula: Provided, That where the quantity of pollutants discharged into the sea is not less than one million liters, 75/100 of the calculated amount shall be reduced with respect to the portion exceeding one million liters: The quantity of pollutants discharged into the sea (liter) × amount of a charge imposed per unit × imposition coefficient.

(3) The quantity of pollutants discharged into the sea in the arithmetic formula in paragraph (2) shall be calculated by deducting the removed or remaining quantity after discharge, from the loaded or stored quantity before discharge (in cases of fuel oil of a ship, including the quantity used during the voyage of the ship from the loaded quantity): Provided, That in unavoidable cases where the remaining quantity cannot be known due to submersion or damage of a ship, the remaining quantity may be calculated by using the hydrodynamic principle, etc., taking into account the kinds of pollutants and weather conditions.

(4) "Cases prescribed by Presidential Decree" under Article 19 (2) 3 of the Act means cases where pollutants emitted outside sea areas and territorial waters prescribed in Article 3 (1) 1 and 2 of the Act have not flowed into the same sea areas and territorial waters. <Newly Inserted by Presidential Decree No.

23158, Sep. 22, 2011>

(5) The amount of a charge imposed per unit and imposition coefficients by the kinds of pollutants under Article 19 (3) of the Act shall be as shown in attached Table 3-3. <Amended by Presidential Decree No. 23158, Sep. 22, 2011>

(6) Deleted. <by Presidential Decree No. 23158, Sep. 22, 2011>

Article 26 (Imposition and Collection of Marine Environmental Improvement Charges)

(1) The Minister of Oceans and Fisheries shall calculate and impose the marine environmental improvement charges under Article 19 (1) 1 and 2 of the Act (hereinafter referred to as "charges") pursuant to the following classification and issue a notice of payment by the 15th day of the month following the relevant quarter or the month in which such charge is calculated, as determined by Ordinance of the Ministry of Oceans and Fisheries: <Amended by Presidential Decree No. 21964, Dec. 31, 2009; Presidential Decree No. 24443, Mar. 23, 2013>

1. Article 19 (1) 1 of the Act: Each quarter;

2. Article 19 (1) 2 of the Act: Upon discharging the pollutants.

(2) Deleted. <Amended by Presidential Decree No. 21964, Dec. 31, 2009>

(3) Such charges shall be paid by the last day of the month in which a notice of payment is served.

(4) Notwithstanding paragraphs (1) and (3), where an ocean waste discharge business terminates in the middle of a quarter, a notice of payment for the relevant quarter may be issued within 15 days from the date on which the Minister of Oceans and Fisheries becomes aware of such termination. In such cases, the deadline for payment for the relevant quarter shall be 15 days from the date on which a notice of payment has been served. <Amended by Presidential Decree No. 21964, Dec. 31, 2009>

Article 27 (Payment of Charges in Installments)

(1) Any person who intends to pay charges in installments pursuant to Article 19 (4) of the Act shall submit a written application therefor (including applications in electronic documents) to the Minister of Oceans and Fisheries within five days from the receipt of a notice of payment. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23158, Sep. 22, 2011; Presidential Decree No. 24443, Mar. 23, 2013>

(2) Where any of the following applies to a person obligated to pay charges, the Minister of Oceans and Fisheries may permit the person to pay them in installments. In such cases, the Minister of Oceans and Fisheries shall notify the person in writing as to whether permission is granted: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. Where a charge payable exceeds ten million won;

2. Where the person has sustained a substantial loss in his/her property due to a natural disaster or accident.

(3) Where any of the following applies to a person obligated to pay a charge who has received a notice of permission to pay the charge in installments, the Minister of Oceans and Fisheries may cancel such permission and collect the amount of charges related to the installment payment at once. In such cases, the

Minister of Oceans and Fisheries shall inform the person, in writing, of the decision: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. Where the person fails to make installment payment by the prescribed deadline;
2. Where it is deemed impracticable to collect the full amount of charges related to the installment payment by the prescribed deadline as the person falls under any of the subparagraphs of Article 14 (1) of the National Tax Collection Act, or due to causes similar thereto.

Article 28 (Calculation of Amount for Installment Payment, etc.)

(1) The number of installment payments under Article 27 (2) shall not exceed three times and the deadline for the first installment payment shall be the last day of the month in which a notice of payment of the relevant charge is served. <Amended by Presidential Decree No. 21964, Dec. 31, 2009>

(2) The total amount of installment payments under paragraph (1) shall be, in principle, equated monthly, and the deadline for each installment payment shall be the last day of each month. <Newly Inserted by Presidential Decree No. 21964, Dec. 31, 2009>

(3) Any person obligated to pay charges in installments shall pay interest calculated based on the balance computed by subtracting the installment payment amounts paid until the immediately preceding installment payment or the sum of installment payments from the total amount of installment payments for the number of days during a period from the day following the deadline for the immediately preceding installment payment to the deadline for each installment payment. In such cases, such interest shall be calculated by multiplying the amount to be paid by annual interest rate of 6%.

Article 29 (Adjustment of Charges)

(1) In any of the following cases, the Minister of Oceans and Fisheries shall adjust a charge through recalculation, however, if there is a difference between the amount paid already and the amount of payment adjusted, he/she shall reimpose or refund the difference: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. Where a charge is imposed on a wrong person or the wrong method of calculation is employed;
2. Where the amount of an installment payment and the interest thereon are miscalculated;
3. Where the amount of a charge is erroneously imposed due to other causes.

(2) When the Minister of Oceans and Fisheries intends to impose an adjusted charge or refund a charge pursuant to paragraph (1), he/she shall issue a notice of the amount, deadline and place of payment, and other necessary matters in writing. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

Article 30 (Application for Adjustment of Charges)

(1) When any of the subparagraphs of Article 29 (1) applies to a person who has received a notice of payment of a charge or obtained permission to pay a charge in installments, he/she may apply for the adjustment of the charge within 30 days from the receipt of such notice or permission.

(2) Upon receipt of an application for adjustment filed under paragraph (1), the Minister of Oceans and Fisheries shall inform the relevant applicant or a person who has newly become subject to the payment of

the charge of the processing results within 30 days, and if there is a difference between the amount already paid and the amount of payment adjusted, he/she shall reimpose or refund the difference pursuant to Article 29 (2). <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(3) No application for adjustment under paragraph (1) shall affect a deadline for payment of charges.

Article 31 (Letter of Reminder)

The amount of charges and additional dues to be paid, and the deadline and place of payment shall be stated in the letter of reminder under Article 20 (1) of the Act.

Article 32 (Surcharges)

(1) Surcharges imposed under Article 20 (1) of the Act shall be equivalent to 3% of the charge in arrears: Provided, That where a person liable to pay the charge pays such charge in arrears within one week after the lapse of a deadline for payment, surcharges payable shall be equivalent to 1% of the charge in arrears.

<Amended by Presidential Decree No. 22706, Mar. 9, 2011; Presidential Decree No. 24207, Nov. 27, 2012>

(2) No surcharges shall be paid in installments.

Article 33 (Projects Related to Charges)

The term "projects determined by Presidential Decree" in subparagraph 8 of Article 21 of the Act means any of the following:

1. Project concerning the enforcement and support of measures for the reduction of marine pollution;
2. Project to assist civil organizations working to ensure better conservation and management of the marine environment and prevention of marine pollution.

Article 34 (Marine Space)

The scope of marine space under Article 22 (2) of the Act is as shown in attached Table 4.

Article 35 (Designation and Publication of Specialized Inspection Institutions)

(1) "Specialized inspection institution" in Article 23 (4) of the Act means any of the following institutions designated and publicly announced by the Minister of Oceans and Fisheries: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. National and public research institutes;
2. Research institutes attached to universities defined in subparagraph 1 of Article 2 of the Higher Education Act;
3. Government-funded research institutes established under the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutes, Etc. and the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes, Etc.;
4. Testing and inspection institutions acknowledged under Article 23 of the Framework Act on National Standards;
5. Other institutions or organizations whose capability to provide specialized inspection service is acknowledged.

(2) The detailed evaluation method, items, and criteria, operation standards, etc., necessary for the procedures of application and requirements for the designation of specialized inspection institutions under paragraph (1) shall be determined and publicly announced by the Minister of Oceans and Fisheries.

<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

Article 36 (Ocean Waste Collection and Disposal Plans)

(1) The Minister of Oceans and Fisheries shall establish an ocean waste collection and disposal plan under Article 24 (1) of the Act every five years. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21622, Jul. 7, 2009; Presidential Decree No. 24443, Mar. 23, 2013>*

(2) Ocean waste collection and disposal plans referred to in paragraph (1) shall include the following:

1. The quantity and estimated quantity of waste discharged or flowing in by kind and source of pollution;
2. Matters concerning the reduction of generation of wastes, such as preventing wastes from flowing into the sea;
3. Matters concerning the basic directions of the ocean waste collection and disposal plan;
4. Matters concerning the expansion of the ocean waste collection and disposal capacity;
5. Matters concerning cooperation between private and government sectors;
6. Funding plans.

(3) Any Mayor/Do Governor shall establish and promote a yearly action plan for the ocean waste collection and disposal plan under paragraph (1) and submit the yearly action plan and performance report to the Minister of Oceans and Fisheries by the end of January each year. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

Article 37 (Examination and Measurement Activities)

(1) Any sea area management authority shall examine and measure the quantity of discharge and influx of wastes by kind and source of pollution in order to efficiently establish and implement comprehensive plans for marine environmental management and ocean waste collection and disposal plans.

(2) Any sea area management authority may request the heads of relevant agencies to grant access to entrance-restricted zones under their jurisdiction, submit necessary data, or provide support for examination and measurement activities under Article 24 (2) of the Act. In such cases, the heads of the relevant agencies shall comply with such request, except under extenuating circumstances.

(3) Any sea area management authority shall conduct examinations and measurements under Article 24 (2) of the Act each year, and where a Mayor/Do Governor is a sea area management authority, he/she shall report the result thereof to the Minister of Oceans and Fisheries by the end of February of the following year. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

Article 38 (Cost-Bearing by Polluters, etc.)

(1) The scope of expenses for the collection, disposal or keeping of wastes to be borne by polluters pursuant to Article 24 (4) of the Act shall be as shown in attached Table 5.

(2) Any sea area management authority shall inform the polluters of the specific grounds for the calculation of expenses under paragraph (1).

Article 39 (Qualifications and Duties of Marine Pollution Prevention Manager on Ship, etc.)

(1) The qualifications for a marine pollution prevention manager under Article 32 (3) of the Act are specified in each of the following subparagraphs:

1. In the case of ships under subparagraph 1 of Article 2 of the Ship Personnel Act, crew members under subparagraph 3 of Article 2 of the same Act, who meet the standards for serving aboard a ship under Article 11 of the same Act: Provided, That a ship master, chief radio officer and radio officer shall be excluded;

2. In the case of ships which are not governed by the Ship Personnel Act or have no ship personnel, other than the master, crew members engaged in the transportation or discharge of pollutants and air pollutants.

(2) The duties of and matters to be observed by the marine pollution prevention manager under paragraph (1) are as mentioned in each of the following subparagraphs:

1. Making entries into and keeping a waste register and oil register (in the case of ships transporting noxious liquids in bulk, including a register of noxious liquids);

2. Direction and supervision for transportation or discharge of pollutants;

3. Maintenance of marine pollution prevention facilities and checkup of the operating conditions thereof;

4. Maintenance and checkup of air pollution prevention facilities;

5. Management of materials and chemicals for marine pollution response;

6. In cases where pollutants under Articles 63 (1) and 64 (1) of the Act are discharged, making a prompt report and taking necessary emergency measures;

7. Completion of educational and training courses on marine pollution prevention, and pollution response and education of crew members of the ship concerned under Article 121 of the Act;

8. Other matters necessary for the prevention of pollution incidents which may be caused by the ship concerned.

Article 40 (Duties of Marine Pollution Prevention Manager in Marine Facilities, etc.)

(1) The owner of a marine facility under Article 36 (1) of the Act shall appoint a person who provides directions and supervision as to transportation or discharge of pollutants pursuant to paragraph (3) of the same Article as a marine pollution prevention manager.

(2) The duties of and matters to be observed by the marine pollution prevention manager under Article 36 (3) of the Act are as mentioned in each of the following subparagraphs:

1. Making entries in and keeping a marine facility pollutant register;

2. Providing directions and supervision as to transportation or discharge of pollutants;

3. Maintenance of marine pollution prevention facilities and checkup of the operating conditions thereof;

4. Management of materials and chemicals for marine pollution response;
5. In cases where pollutants under Articles 63 (1) and 64 (1) of the Act are discharged, making a prompt report and taking necessary emergency measures;
6. Completion of educational and training courses on marine pollution prevention and pollution response under Article 121 of the Act, and education of the workers of the facility concerned;
7. Other matters necessary for the prevention of pollution incidents which may be caused by the facility concerned.

Article 40-2 (Agency Specialized in Safety Inspections)

"An agency specialized in safety inspections and equipped with facilities and equipment prescribed by Presidential Decree" in Article 36-2 (4) of the Act means an agency having equipment specified in attached Table 3 of the Enforcement Decree of the Special Act on the Safety Control of Public Structures in accordance with the safety inspection classifications listed in Article 11 (3), excluding the subparagraphs, of the same Decree.

Article 41 (Requests for Submission of Data Necessary for Measurement and Examination)

The data the Minister of Oceans and Fisheries may request from relevant administrative agencies pursuant to Article 39 (2) of the Act shall be as follows: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. Data on the measurement of persistent organic pollutant measuring networks under Article 11 of the Persistent Organic Pollutants Control Act;
2. Information on an order for improvement, order for suspension of use and order for closure under Article 16 of the Persistent Organic Pollutants Control Act and the implementation thereof;
3. Data on the major sources of emission, emission routes and emission quantities of persistent organic pollutants under Article 18 of the Persistent Organic Pollutants Control Act;
4. Data on the survey on the impact of persistent organic pollutants under Article 19 of the Persistent Organic Pollutants Control Act;
5. Information on the lines of business, and business entities which handle persistent organic pollutants.

Article 42 (Sulfur Content Standards for Fuel Oil)

(1) The term "sulfur content standards determined by Presidential Decree" in Article 44 (1) of the Act means any of the following: <Amended by Presidential Decree No. 23158, Sep. 22, 2011>

1. The sulfur content in light oil is required to be 1.0% (weight %) or less: Provided, That in the case of ships sailing only in territorial waters and exclusive economic zones under Article 3 (1) 1 and 2 of the Act, it is to be 0.05% (weight %) or less;
2. The sulfur content in heavy oil is to be 2.0% (weight %) or less for bunker A oil (heavy oil A), 3.0% (weight %) or less for bunker B oil (heavy oil B) and 3.5% (weight %) or less for bunker C oil (heavy oil C).

(2) The term "sulfur content standards determined by Presidential Decree" in the main sentence of Article 44 (2) of the Act means that the sulfur content contained in fuel oil is 1.0% (weight %). <Amended by

Presidential Decree No. 23158, Sep. 22, 2011>

Article 43 (Quality Standards for Fuel Oil)

"Quality standards for fuel oil prescribed by Presidential Decree" in the main body of Article 45 (1) of the Act shall be as follows: <*Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013*>

1. In the case of fuel oils manufactured by refining petroleum, all of the following conditions shall be satisfied:

- (a) It shall be a hydrocarbon compound (including additives to improve performance);
- (b) It shall not contain inorganic acid;
- (c) It shall not contain additives or chemical wastes determined by Ordinance of the Ministry of Oceans and Fisheries;

2. In the case of fuel oils manufactured by methods other than that prescribed under subparagraph 1, all of the following conditions shall be satisfied:

- (a) The nitrous oxides emitted during the operation of a ship engine shall not exceed the permissible emission level of nitrous oxides under the main body of Article 43 (1) of the Act;
- (b) Inorganic acid shall not be contained in the raw materials to be compounded;
- (c) It shall not endanger any ship or adversely affect its mechanical capacity;
- (d) It shall not cause any harm to the human body;
- (e) It shall not increase air pollution.

Article 44 (Establishment and Implementation, etc. of National Emergency Pollution Response Plans)

(1) The following shall be included in national emergency pollution response plans established under Article 61 (1) of the Act: <*Amended by Presidential Decree No. 23158, Sep. 22, 2011*>

- 1. Precautionary measures against discharge of pollutants;
 - (a) Organization and operation of the national pollution response system and response organization;
 - (b) Duties and roles of relevant agencies, etc. for the preparation against and response to marine pollution;
 - (c) Preparation of pollution response equipment, materials and chemicals;
 - (d) Education and training for the preparation against and response to marine pollution;
 - (e) Organization and operation of a system for assistance and cooperation for response to pollution between neighboring countries;
 - (f) Advice and support by pollution response experts;
 - (g) Examination, research, technical development, etc. for marine pollution response.
- 2. Plans for pollution response in cases of discharge of pollutants;
 - (a) Scope of emergency pollution response measures to be taken by the State;
 - (b) Performance of pollution response activities, such as the investigation of pollution sites, decisions on the method of pollution response, and the supervision and control of the sea areas hit by an accident;

- (c) Urgent mobilization and provision of pollution response equipment, materials and chemicals;
- (d) Measures for ensuring safety on the water and preventing danger;
- (e) Post-management, such as a study on the impact and damage caused by marine pollution incidents;
- (f) Necessary matters in relation to pollution response measures, such as evaluation of pollution response, and standards for the completion of pollution response.

(2) The Minister of Public Safety and Security may establish and implement action plans for regional emergency pollution response tailored to each region to facilitate the implementation of the national emergency pollution response plan.

(3) Matters to be included in the action plan for regional emergency pollution response shall be determined by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

Article 45 (Composition and Operation, etc. of Pollution Response Headquarters)

(1) The Minister of Public Safety and Security shall serve as the head of the pollution response headquarters under Article 62 (3) of the Act (hereafter referred to as the "head of the headquarters" in this Article) composed of the public officials belonging to the Ministry of Public Safety and Security and persons dispatched by the heads of relevant organs.

(2) The head of the headquarters may request the heads of relevant organs to dispatch persons to work for the pollution response headquarters and to provide personnel and equipment, etc. needed for pollution response. In such cases, the heads of the relevant organs shall comply with such request, except under extenuating circumstances.

(3) The head of the headquarters shall carry out the duties specified in each of the following subparagraphs: <Amended by Presidential Decree No. 23158, Sep. 22, 2011>

1. Analysis and assessment of pollution incidents and overall supervision of pollution response;
2. Assistance and cooperation for pollution response among neighboring countries;
3. Prevention of a spill or leak and spread of pollutants;
4. Decision on the scope of mobilization of pollution response personnel and equipment, etc., and supervision and control of polluted sites;
5. Establishment of pollution response strategies, and decision on and execution of pollution response methods;
6. Necessary matters other than those prescribed in subparagraphs 1 through 5, in relation to pollution response measures.

(4) The head of the headquarters may organize and operate a council for the provision of pollution response technology, which consists of relevant experts, to provide technical assistance and advice for the preservation of the marine environment and for scientific pollution response.

(5) In order to facilitate cooperation and assistance for pollution response, the head of the headquarters may allow the chiefs of coast guard offices to require relevant public officials of the competent agencies,

executives and employees of related organizations and companies, representatives of residents, etc. to compose and operate local pollution response committees. <Newly Inserted by Presidential Decree No. 23158, Sep. 22, 2011>

(6) The composition and operation of the pollution response headquarters, a council for the provision of pollution response technology, and a local pollution response committee, the allowance payment to its members, and other necessary matters shall be determined separately by the Commissioner General of the Korea Coast Guard. <Amended by Presidential Decree No. 23158, Sep. 22, 2011>

Article 46 Deleted. <by Presidential Decree No. 23158, Sep. 22, 2011>

Article 47 (Criteria for Making Report in Event of Discharge of Pollutants, etc.)

The term "permissible emission level prescribed by Presidential Decree" in Article 63 (1) of the Act, with the exception of its subparagraphs, means the levels specified in attached Table 6.

Article 48 (Measures for Pollution Response in Event of Discharge of Pollutants)

(1) The measures for pollution response under Article 64 (1) of the Act are those listed in each of the following subparagraphs, which shall be the most effective measures available at the site after emergency measures have been taken to prevent the discharge of pollutants, prevent the spread of discharged pollutants and remove such pollutants:

1. Installation of fences to prevent the spread of pollutants and other measures necessary therefor;
2. Measures for preventing the discharge of pollutants, such as urgent repair of damaged parts of ships or facilities, and towing and salvaging hulls;
3. Measures for transshipping pollutants loaded on a ship or facility concerned to another ship or facility, or cargo hold;
4. Measures for recovering discharged pollutants;
5. Measures for removing pollutants originated from materials and chemicals used for marine pollution response;
6. Measures for preventing secondary pollution by recovered pollutants;
7. Measures for the safe disposal of collected pollutants, and substances the reuse of which is impossible, from among the materials and chemicals used for pollution response.

(2) The Minister of Public Safety and Security may, if necessary for the measures for pollution response under paragraph (1), take the measures in each of the following subparagraphs directly or request support from relevant organs:

1. Control of ships travelling in polluted sea areas;
2. Measures to ensure safety of ships in polluted sea areas;
3. Provision, etc. of personnel, equipment, and facilities.

Article 49 (Order for Pollution Response Measures)

An order for pollution response measures under Article 64 (3) of the Act shall include the following:

1. Duration of pollution response measures;

2. Designation of sea areas requiring pollution response measures;
3. Measures for pollution response under Article 48 (1).

Article 50 (Scope of Cost-Bearing, etc.)

(1) The scope of costs associated with pollution response to be borne by persons responsible for pollution response or by the owner of a ship or marine facility pursuant to the latter part of Article 64 (4) of the Act or the main sentence of Article 68 (4) of the Act is as listed in attached Table 7. <Amended by Presidential Decree No. 23158, Sep. 22, 2011>

(2) Any pollution response organ shall, when it intends to charge the costs under paragraph (1) to the owner of a ship or marine facility concerned pursuant to the main sentence of Article 68 (4) of the Act, give notice to the persons responsible for pollution response, clearly specifying the basis for calculation of such costs. <Amended by Presidential Decree No. 23158, Sep. 22, 2011>

Article 51 (Placement, etc. of Pollution Response Vessels, etc.)

(1) The owner of a ship or a marine facility shall comply with attached Table 8 when he/she places or installs (including joint placement and installation; hereafter the same shall apply in this Article) pollution response vessels or pollution response equipment (hereinafter referred to as "pollution response vessels, etc.") pursuant to Article 67 (1) and (2) of the Act.

(2) Except as otherwise expressly provided for in paragraph (1), matters necessary for placement and installation shall be determined by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(3) Where the Korea Marine Environment Management Corporation (hereinafter referred to as "Corporation") entrusted with the placement of pollution response vessels, etc. pursuant to the latter part of Article 67 (4) of the Act takes measures for pollution response or measures for preventing discharge, the associated costs shall be borne by persons responsible for pollution response.

Article 52 (Measures for Pollution Response and Cost-Bearing of Administrative Organs, etc.)

(1) Where a person responsible for pollution response discharges an unidentified pollutant, the Minister of Public Safety and Security, the head of a Si/Gun/Gu (referring to the head of a Gu that is a local government; hereinafter the same shall apply), or the head of an administrative agency managing the facilities under paragraph (4) (hereinafter referred to as "agency enforcing measures for pollution response") shall first take measures for pollution response against such pollutant.

(2) Any agency enforcing measures for pollution response shall first take measures for pollution response pursuant to paragraph (1), but in any of the following cases, may request the Chief Executive Officer of the Corporation to do so. In such cases, the Chief Executive Officer of the Corporation shall comply with such request, unless any extenuating circumstance exists:

1. Where the person responsible for pollution response under paragraph (1) discharges an unidentified pollutant;
2. Where it is deemed that pollution response measures taken by the person responsible, alone, are not enough to address the issue or emergency pollution response is deemed necessary pursuant to Article 68

(1) of the Act.

(3) Where the Corporation has taken measures for pollution response pursuant to paragraph (2), the Chief Executive Officer of the Corporation may charge the expenses incurred therefor to the relevant agency enforcing measures for pollution response and the agency enforcing measures for pollution response shall reimburse the Chief Executive Officer of the Corporation for such expenses.

(4) "Facilities prescribed by Presidential Decree" in Article 68 (2) 3 of the Act means the harbor facilities (excluding water facilities) under subparagraph 5 of Article 2 of the Harbor Act. *<Amended by Presidential Decree No. 21882, Dec. 14, 2009; Presidential Decree No. 23158, Sep. 22, 2011>*

Article 53 (Grounds for Exemption from Cost-Bearing)

"Circumstances prescribed by Presidential Decree" in the proviso to Article 68 (4) of the Act means conditions resulting from a war, a calamity or other force majeure events. *<Amended by Presidential Decree No. 23158, Sep. 22, 2011>*

Article 54 (Criteria and Procedures for Imposition of Pollution Response Contributions)

(1) The criteria and procedures for the imposition of pollution response contributions to be made to the Corporation by persons responsible for placement pursuant to Article 69 (3) of the Act are as stated in attached Table 9.

(2) In any of the following cases, the Corporation may adjust or refund the pollution response contributions already imposed or paid: *<Newly Inserted by Presidential Decree No. 22706, Mar. 9, 2011>*

1. Where it is unnecessary to pay a pollution response contribution due to the change, etc. in a voyage plan by the owner of a ship or marine facility;
2. Where a pollution response contribution is imposed on a wrong person or wrong calculation method is used.

(3) When adjusting or refunding a pollution response contribution under paragraph (2), the Corporation shall notify such fact to a person liable to pay the pollution response contribution in writing, stating the relevant amount, payment due date, place of payment, timing for refund or other necessary matters. *<Newly Inserted by Presidential Decree No. 22706, Mar. 9, 2011>*

(4) A person who has received a payment notice of pollution response contribution (including the notice given under paragraph (2)) may file an application for adjustment with the Corporation within 60 days after receipt of the payment notice. In such cases, no application for adjustment shall have any effect on the payment due date of the pollution response contribution. *<Newly Inserted by Presidential Decree No. 22706, Mar. 9, 2011>*

(5) If any application for adjustment is filed under paragraph (4), the Corporation shall notify the processing results in writing within 30 days thereafter; and if any difference exists between the amount already paid and the amount adjusted, the difference shall be reimposed or refunded. *<Newly Inserted by Presidential Decree No. 22706, Mar. 9, 2011>*

(6) The amount of a pollution response contribution shall be re-calculated every three years. *<Amended by Presidential Decree No. 25943, Dec. 30, 2014>*

(7) Other matters regarding the procedures for imposition and collection of pollution response contributions shall be determined by the articles of association of the Corporation under Article 98 (1) of the Act.

Article 55 (Registration of Marine Environmental Management Business)

(1) Any person who intends to file for registration of ocean waste discharge business, ocean waste collection business and deposited pollutants collection business under Article 70 (1) 1, 4 and 5 of the Act shall submit a written application for registration (including applications in electronic documents) to the Minister of Oceans and Fisheries, accompanied by documents (including electronic documents) listed in attached Table 10. In such cases, the Minister of Oceans and Fisheries shall verify the corporate registration certificate (limited to corporations) using the administrative information shared under Article 36 (1) of the Electronic Government Act. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 22151, May 4, 2010; Presidential Decree No. 22467, Nov. 2, 2010; Presidential Decree No. 24443, Mar. 23, 2013>*

(2) Any person who intends to file for registration of marine pollution response business and oil hold cleaning business under Article 70 (1) 2 and 3 of the Act (hereinafter referred to as "pollution response and cleaning business") shall submit a written application to the Minister of Public Safety and Security, accompanied by documents (including electronic documents) listed in attached Table 10. In such cases, the latter part of paragraph (1) shall apply mutatis mutandis to the procedures for filing applications for registration of the pollution response and cleaning business.

(3) The Minister of Oceans and Fisheries or the Minister of Public Safety and Security shall approve the registration applications under paragraphs (1) and (2), except in any of the following cases: *<Newly Inserted by Presidential Decree No. 23158, Sep. 22, 2011; Presidential Decree No. 24443, Mar. 23, 2013>*

1. Cases falling under any of subparagraphs of Article 71 of the Act;
2. Failure to satisfy the skill standards for marine environment managers listed in attached Table 11;
3. Failure to be equipped with a ship, equipment and facilities, etc. prescribed by Ordinance of the Prime Minister or Ordinance of the Ministry of Oceans and Fisheries;
4. Other cases in violation of the restrictions prescribed in the Act, this Decree or other statutes.

(4) The Minister of Oceans and Fisheries or the Minister of Public Safety and Security shall issue a certificate of registration determined by Ordinance of the Prime Minister or Ordinance of the Ministry of Oceans and Fisheries to those who have filed for registration of marine environmental management business pursuant to paragraphs (1) and (2). *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

Article 56 (Technical Skills Standards for Marine Environmental Management Business)

The technical skills standards to be met by those who intend to conduct the marine environmental management business pursuant to Article 70 (2) of the Act are as listed in attached Table 11.

Article 56-2 (Grounds for Assistance to Ocean Waste Discharge Business Entities)

"Ground prescribed by Presidential Decree, such as prohibiting the discharge of land-based wastes into the sea" in Article 70-2 (1) of the Act means a case where it is impracticable to continue to operate the ocean waste discharge business due to prohibition against or reduction of the discharge of land-based waste into the sea under Article 23 (1) of the Act.

Article 57 (Delegation of Measurement of Wastes, etc.)

Any person who intends to delegate and dispose of wastes pursuant to Article 76 (3) of the Act may entrust a specialized inspection institution designated pursuant to Article 35 (1) with the duties concerning the measurement of the components and concentration of wastes, and a person engaged in the business of measurement and certification who has been registered pursuant to Article 6 (1) 3 of the Measures Act or an ocean waste discharge business entity who has been registered pursuant to Article 70 (1) 1 of the Act with the duties concerning the measurement of the weight and volume of wastes. <Amended by Presidential Decree No. 23159, Sep. 22, 2011>

Article 58 (Marine Pollution Impact Surveys)

(1) "Quantity prescribed by Presidential Decree" in Article 77 (1) of the Act means the quantity provided for in attached Table 12.

(2) The criteria for designation of marine pollution impact survey institutions under Article 77 (2) of the Act (hereinafter referred to as "survey institution") are as stated in attached Table 13.

(3) "Period set by Presidential Decree" in Article 77 (3) of the Act means three months from the date of an incident, and "there is an urgent need for such survey, as prescribed by Presidential Decree" means any of the following cases: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. Where a massive amount of pollutant is discharged in excess of the scale prescribed by Ordinance of the Ministry of Oceans and Fisheries;
2. Where massive damage is likely to occur to mariculture facilities, etc. because of the dissemination of pollutants.

Article 59 (Sub-Items of Marine Pollution Impact Survey by Area)

The detailed items of a marine pollution impact survey by field under Article 78 of the Act are as shown in attached Table 14.

Article 60 (Costs for Marine Pollution Impact Surveys)

(1) The Minister of Oceans and Fisheries may determine and publicly announce standard costs incurred in conducting surveys, considering sea areas, quantity of pollution generated, etc. pursuant to Article 80 of the Act. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(2) "Causes prescribed by Presidential Decree" in the proviso to Article 80 (1) of the Act means any of the following:

1. Cases falling under Article 22 (3) 1 or 3 of the Act;

2. Cases where the owner of a ship or installer of a marine facility goes bankrupt.

Article 60-2 (Expenses, etc. for Taking Measures for Risk-Reduction of Sunken Ships)

(1) The extent of expenses to be borne by the owner of a sunken ship (referring to a ship sunken under the sea after a marine accident defined in subparagraph 1 of Article 2 of the Act on the Investigation of and Inquiry into Marine Accidents) pursuant to the main sentence of Article 83-2 (3) of the Act shall be as follows:

1. Expenses for salvaging and collecting all or part of the hull of a sunken ship;
2. Expenses for collecting and retrieving fuel oil;
3. Expenses for salvaging and collecting all or part of the cargoes on board a sunken ship (including cargoes which had been on board a sunken ship but dropped out of it).

(2) Where it is impracticable to identify the owner of a sunken ship, the Minister of Oceans and Fisheries may, in accordance with the proviso to Article 83-2 (3) of the Act, cover the expenses incurred in taking measures under Article 83-2 (1) 3 of the Act by selling the sunken ship by public auction: Provided, That the same shall not apply where the value of the relevant sunken ship is expected to be smaller than the expenses incurred in the public auction.

(3) When the Minister of Oceans and Fisheries intends to sell a sunken ship by public auction under the main sentence of paragraph (2), the following information shall be announced on the bulletin boards and web-site of the Ministry of Oceans and Fisheries for at least 14 days:

1. Name of the sunken ship put up for public auction and major data thereon;
2. Time and venue for public auction;
3. Amount of bid bond, if any.

(4) If any balance remains after deducting the expenses incurred in taking the measures referred to in Article 83-2 (1) 3 and the expenses incurred in public auction from the amount acquired through the public auction conducted under the main sentence of paragraph (2), the Minister of Oceans and Fisheries shall deposit it in accordance with the Deposit Act.

Article 61 (Consultation on Utilization of Sea Areas)

(1) Businesses subject to consultation on the utilization of sea areas under Article 84 (1) of the Act shall be classified into two categories: those which have a bigger influence on the marine environment, requiring a careful consideration and consultations (hereinafter referred to as "business subject to general consultation on utilization of sea areas"); and small-scale businesses, which have a minor influence on the marine environment (hereinafter referred to as "business subject to simplified consultation on utilization of sea areas").

(2) The scope of businesses subject to general consultation on utilization of sea areas and those subject to simplified consultation on utilization of sea areas under paragraph (1) is as shown in attached Table 15.

Article 62 (Sea Areas)

"Sea areas prescribed by Presidential Decree" referred to in the proviso to Article 84 (1) 3 of the Act means the specially managed sea areas under Article 15 of the Act.

Article 63 (Sea Area Utilization Impact Assessment)

(1) "Scale prescribed by Presidential Decree" in the main body of Article 85 (1) of the Act is as listed in attached Table 16. *<Amended by Presidential Decree No. 21964, Dec. 31, 2009>*

(2) Businesses to be exempted from the sea area utilization impact assessment pursuant to the proviso to Article 85 (1) of the Act means those subject to the environmental impact assessment provided for in attached Table 3 of the Enforcement Decree of the Environmental Impact Assessment Act (hereinafter referred to as "business subject to environmental impact assessment"); Provided, That the same shall not apply to any of the following, which is conducted in the seas or seashores (excluding cases where rivers defined in subparagraph 1 of Article 2 of the River Act are included) under Article 2 of the Public Waters Management and Reclamation Act: *<Amended by Presidential Decree No. 21185, Dec. 24, 2008; Presidential Decree No. 22449, Oct. 14, 2010; Presidential Decree No. 23966, Jul. 20, 2012>*

1. Extraction of minerals under the Mining Industry Act;
2. Extraction of aggregate under Article 22 of the Aggregate Extraction Act;
3. Designation of aggregate extraction complexes under Article 34 of the Aggregate Extraction Act;
4. Submarine mining industries aimed at exploiting submarine minerals under the Submarine Mineral Resources Development Act.

(3) "Acts prescribed by Presidential Decree" in Article 85 (1) 9 of the Act means using and developing marine resources in accordance with Article 8 (1) 11 of the Public Waters Management and Reclamation Act. *<Newly Inserted by Presidential Decree No. 24207, Nov. 27, 2012>*

(4) Deleted. *<by Presidential Decree No. 24443, Mar. 23, 2013>*

Article 64 (Method, etc. for Preparing Statements on Sea Area Utilization Impact Assessment, etc.)

(1) A statement on sea area utilization impact assessment, etc. under Article 85 of the Act shall be prepared using scientific methods of survey, etc. to ensure its reliability in conformity with the Korean standard method of examination for the marine environment under Article 10 of the Act.

(2) Any agent of sea area utilization impact assessment registered under Article 86 (1) of the Act (hereinafter referred to as "assessment agent") shall conscientiously prepare a statement on sea area utilization impact assessment in accordance with the terms and conditions of a subcontract and principle of good faith.

(3) Any assessment agent shall prepare the record of sea area utilization impact assessments conducted in the preceding year and report it to the Minister of Oceans and Fisheries, as prescribed by Ordinance of the Ministry of Oceans and Fisheries. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21964, Dec. 31, 2009; Presidential Decree No. 24443, Mar. 23, 2013>*

Article 65 (Application, etc. for Registration of Assessment Agents)

(1) Any person who intends to be registered as an assessment agent pursuant to Article 86 (1) of the Act shall submit a written application for registration (registration for modification) as a sea area utilization impact assessment agent to the Minister of Oceans and Fisheries, together with the following documents: *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 22151, May 4, 2010;>*

Presidential Decree No. 22467, Nov. 2, 2010; Presidential Decree No. 24443, Mar. 23, 2013>

1. Deleted; <by *Presidential Decree No. 22467, Nov. 2, 2010*>

2. A specification of facilities and equipment: Provided, That where a contract has been entered into on the use of other person's facilities and equipment, a copy of such contract;

3. Each one of the documents verifying technical capabilities and the relevant qualifications (limited to cases where it is impractical to verify them with national technical qualification certificates).

(2) Upon receipt of an application for registration under paragraph (1), the Minister of Oceans and Fisheries shall verify the following administrative information through the joint use of administrative information under Article 36 (1) of the Electronic Government Act: Provided, That where an applicant does not consent to the verification under subparagraphs 2 and 3, the applicant shall submit the respective copies of the relevant documents: <*Newly Inserted by Presidential Decree No. 22467, Nov. 2, 2010; Presidential Decree No. 24443, Mar. 23, 2013*>

1. In the case of a corporation, a certified copy of a corporate registration certificate;

2. In the case of an individual, a business registration certificate;

3. A national technical qualification certificate.

(3) The Minister of Oceans and Fisheries shall approve the registration under paragraph (1), except in any of the following cases: <*Newly Inserted by Presidential Decree No. 23158, Sep. 22, 2011; Presidential Decree No. 24443, Mar. 23, 2013*>

1. Cases falling under any of subparagraphs of Article 87 of the Act;

2. Failure to satisfy registration standards, such as personnel, facilities and equipment, prescribed by Ordinance of the Ministry of Oceans and Fisheries;

3. Other cases in violation of the restrictions prescribed in the Act, this Decree, or other statutes.

Article 66 (Criteria for Calculating Costs for Conducting Assessment as Agent)

The Minister of Oceans and Fisheries shall determine and publicly announce the criteria for calculating costs necessary for assessment agents registered under Article 65 to perform their duties. <*Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013*>

Article 67 (Notification of Opinions, etc.)

(1) Upon receipt of a request for consultation on sea area utilization, or for sea area utilization impact assessment pursuant to Article 91 (1) of the Act (hereinafter referred to as "consultations on utilization of sea areas, etc") from a license-granting agency, the Minister of Oceans and Fisheries shall inform the agency of his/her review opinions within a period determined by Ordinance of the Ministry of Oceans and Fisheries. In such cases, matters necessary for reviewing a sea area utilization form and a statement on sea area utilization impact assessment shall be determined by the Minister of Oceans and Fisheries. <*Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013*>

(2) The Minister of Oceans and Fisheries may conduct an on-spot inspection before notifying his/her opinions pursuant to Article 91 (1) of the Act, if there is a concern that the business subject to consultations, etc. on utilization of relevant sea areas may have a significant impact on the marine

environment and cause an environmental damage. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(3) “Agency in charge of reviewing impact following the sea area utilization consultation, etc., which is determined by Presidential Decree” in the main sentence of Article 91 (2) of the Act means the National Fisheries Research and Development Institute; and “businesses prescribed by Presidential Decree” in the proviso to the same paragraph mean those subject to consultation on utilization of small sea areas listed in subparagraph 2 of attached Table 15. <Amended by Presidential Decree No. 23158, Sep. 22, 2011>

(4) In any of the following cases, the Minister of Oceans and Fisheries may request a license-granting agency to supplement documents regarding sea area utilization consultations, etc.: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. Where the analysis of the impact on the marine environment is missing or considerably insufficient;
2. Where there is an omission or lack of significant matters so that it is impracticable to present opinions on sea area utilization consultations, etc. for the business in question without supplementation;
3. Where the environmental status survey, the forecast and analysis of impact, and the mitigation measures are not appropriate;
4. Where the opinions of interested persons, such as residents, are not reflected (limited to a statement on sea area utilization impact assessment).

(5) The Minister of Oceans and Fisheries shall, in principle, make a request for supplementation under paragraph (4) only on one occasion: Provided, That the same shall not apply where it is deemed impossible to reach a decision in response to the request for sea area utilization consultation, etc. without further supplementation. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

Article 68 (Raising Objections)

(1) Any person who intends to object to an opinion notified pursuant to the former part of Article 92 (1) of the Act shall file an objection with the Minister of Oceans and Fisheries, stating the following matters: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. Details of and grounds for the objection;
2. Details of the intended changes to the notified opinion;
3. Analysis of the impact of the change in the notified opinion.

(2) Upon receipt of an objection filed under Article 92 (2) of the Act, the Minister of Oceans and Fisheries shall inform the person who filed the objection of his/her review results, including the following matters: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. Whether to agree to the details of the objection;
2. Results of analysis of the propriety of the details of and grounds for the objection;
3. Suggestion of additional measures for mitigating additional environmental pollution which may result from the change of the notified opinion.

Article 69 (Post-Management)

(1) Any license-granting agency shall inform the Minister of Oceans and Fisheries of the results of post-management, as to whether the details of consultations are implemented, by January 31 of the following year pursuant to Article 93 (2) of the Act. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(2) When a sea area utilization business entity or a business entity subject to assessment (hereinafter referred to as "sea area utilization business entity, etc.") fails to implement the details of consultations on utilization of sea areas, etc. and opinions on consultations on utilization of sea areas, etc., shall order such business entity to take measures necessary for the implementation thereof.

(3) When a sea area utilization business entity, etc. fails to perform an order for taking measures under paragraph (2), any license-granting agency shall issue a second order for taking measures, and where the sea area utilization business entity, etc. fails to perform even the second order by the relevant deadline, the agency shall order the sea area utilization business entity to suspend its business until the performance of the order for taking measures.

(4) Where a license-granting agency takes or issues a measure or an order under paragraphs (2) and (3), it shall inform the Minister of Oceans and Fisheries of the details thereof without delay. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(5) The Minister of Oceans and Fisheries and license-granting agencies may require sea area utilization business entities, etc. to submit materials on the implementation of the details of consultations in order to verify whether the details of consultation have been implemented under Article 93 (2) of the Act. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

Article 70 (Application)

(1) Where a sea area utilization business entity, etc. revises his/her business plan after obtaining a license, etc. for the business plan pursuant to Article 94 (1) of the Act, the relevant license-granting agency shall inform the Minister of Oceans and Fisheries of the details thereof. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(2) "Cases prescribed by Presidential Decree" in the proviso to Article 94 (1) of the Act means any of the following: <Amended by Presidential Decree No. 23158, Sep. 22, 2011; Presidential Decree No. 24443, Mar. 23, 2013>

1. Where the business is downsized;
2. Where the changed scale of business is eligible for consultations on utilization of small sea areas;
3. Cases prescribed by Ordinance of the Ministry of Oceans and Fisheries, where the scale of business does not increase and the impact of the change on the marine environment is trivial.

Article 71 (Business Subject to Marine Environmental Impact Surveys, etc.)

(1) The period and cycle of a marine environmental impact survey to be conducted by sea area utilization business entities, etc. under Article 95 (4) of the Act are detailed by business type in attached Table 17.

(2) The following items shall be included in the marine environmental impact survey under Article 95 (4) of the Act: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. Items for which the marine environmental standards under Article 8 (1) of the Act are set;
2. Items for which the marine environmental standards under Article 8 (1) of the Act are not set and which the Minister of Oceans and Fisheries suggests as at the time he/she gives notice of his/her opinion regarding statements on sea area utilization consultations or on sea area utilization impact assessment under Article 91 (1) of the Act.

Article 72 (Projects of Corporation)

(1) "Projects prescribed by Presidential Decree" in Article 97 (1) 3 (c) of the Act means any of the following:

1. Vicarious preparation of contingency plans for marine pollution from ships under Article 31 (1) of the Act and contingency plans for pollution from marine facilities under Article 35 (1) of the Act;
2. International cooperation concerning marine pollution response;
3. Research and development, and technology outsourcing concerning marine pollution response;
4. Education, training and publicity on marine pollution response;
5. Management of submerged ships (including ships on the verge of submerging, and submerged ships).

(2) "Projects prescribed by Presidential Decree" in Article 97 (1) 8 of the Act means any of the following: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. Measurement of ingredients, concentration, weight and volume of wastes under Article 76 (2) of the Act;
2. Marine pollution impact survey under Article 77 (1) of the Act;
3. Vicarious preparation of statements on sea area utilization impact assessment under Article 86 (1) of the Act;
4. Performance test of marine environment measuring equipment, or materials and chemicals under Article 110 (5) of the Act;
5. Operation of ships for waste disposal;
6. Leasing its property to finance marine environment-related projects;
7. Management of neglected ships;
8. Projects that the Corporation is allowed to conduct under other statutes;
9. Projects approved by the Minister of Oceans and Fisheries necessary for the purpose of the establishment of the Corporation.

(3) "Facilities prescribed by Presidential Decree" in Article 97 (2) of the Act means any of the following facilities: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. Marine environment measuring facilities under Article 9 (1) of the Act;

2. Pollutant influx prevention facilities and pollutants collection and disposal facilities under Article 18 (1) of the Act;
3. Pollutants storage facilities under Article 38 of the Act;
4. Ship dismantling yards under Article 111 (3) of the Act;
5. Auxiliary facilities related to the disposal of wastes discharged or flowing into the sea;
6. Facilities necessary for the establishment of the Corporation, and the installation of which is approved by the Minister of Oceans and Fisheries.

Article 73 (Operation of Board of Directors, etc.)

(1) Each of the following matters shall be determined by the resolution of the board of directors pursuant to Article 102 (5) of the Act:

1. Matters concerning business plans, budget and settlement of accounts of the Corporation;
2. Matters concerning amendment of the articles of association;
3. Matters concerning investment, contribution, and borrowing funds under Article 104 of the Act;
4. Matters concerning the issue of bonds under Article 106 of the Act;
5. Matters concerning the enactment, amendment and repeal of rules determined by the articles of association;
6. Matters concerning the acquisition and management of important property and disposal thereof;
7. Matters concerning the dissolution and liquidation of the Corporation;
8. Matters concerning litigation and reconciliation.

(2) Other matters necessary for the operation of the board of directors shall be determined by the articles of association.

Article 74 (Investments)

The Corporation shall submit a plan stating the following to the Minister of Oceans and Fisheries when it intends to make an investment or contribution pursuant to Article 104 (1) of the Act: *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

1. Necessity of the investment or contribution;
2. The kind and value of the property to be invested or contributed;
3. Outline of the business in which or to which investment or contribution is to be made;
4. Other matters necessary for the investment or contribution.

Article 75 (Borrowing of Funds)

Where the Corporation intends to obtain approval for borrowing funds pursuant to Article 104 (3) of the Act, it shall submit a written application therefor to the Minister of Oceans and Fisheries, including the following matters: *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

1. Grounds for borrowing funds and amount of funds to be borrowed;
2. Lender;

3. Terms and conditions of borrowing funds;
4. Method and period of repayment of borrowed funds;
5. A copy of the minutes of the meeting of the board of directors in which the borrowing is determined.

Article 76 (Form of Bonds)

Bonds issued by the Corporation pursuant to Article 106 (1) of the Act shall be unregistered: Provided, That they may be issued in registered form at the request of a subscriber or a bearer.

Article 77 (Method of Issuance of Bonds)

- (1) The Corporation shall issue its bonds by means of offering, firm commitment underwriting or sale.
- (2) In cases where bonds are issued by means of sale pursuant to paragraph (1), the period of sale as well as the matters specified in Article 78 (2) 1 through 6 shall be publicly announced in advance.

Article 78 (Subscription to Bonds, etc.)

(1) Any person who intends to subscribe to the offering shall include the number of the bonds and the prices for underwriting them and the address of the underwriter in two copies of a bonds subscription form, and have them signed and sealed: Provided, That where the bonds are issued at the fixed lowest price, the subscription prices shall be included.

(2) The following shall be stated in the bonds subscription form:

1. Name of the Corporation;
2. Total amount of bonds issued;
3. Par value of bonds by denomination;
4. Interest rate;
5. Method and term of redemption and interest payment method;
6. Issuance price or minimum issuance price of bonds;
7. Where any unredeemed bond exists, the total amount thereof;
8. Where a company is entrusted with offering, its trade name and address.

Article 79 (Methods of Firm Commitment Underwriting)

@Article 78 shall not apply to underwriting of the total amount of bonds under a contract. Where a company entrusted with offering underwrites a portion of the bonds, the same shall also apply to the portion underwritten.

Article 80 (Total Amount of Bonds Issued)

Even in cases where the total amount of bonds actually subscribed to falls short of the total amount of bonds issued stated in the bonds subscription form, the Corporation may enter a statement in the bonds subscription form to the effect that it issues the bonds. In such cases, the total amount of bonds subscribed shall be considered to be the total amount of issued bonds.

Article 81 (Payment of Prices for Underwriting Bonds, etc.)

(1) The Corporation shall, immediately after subscription to bonds, have subscribers pay for all of the bonds he/she has underwritten.

(2) Any company entrusted with offering may perform the act under paragraph (1) in its name, on behalf of the Corporation.

(3) In the case of issuing bonds by means of offering, the bonds shall not be issued before the payment for the total amount of issued bonds is made in full.

Article 82 (Matters to be Stated on Bonds)

Bonds shall state each of the following matters and be signed and sealed by the Chief Executive Officer of the Corporation:

1. Name of the Corporation;
2. Matters under Article 78 (2) 2 through 5 (in cases of issuing bonds by means of sale, matters under Article 78 (2) 2 shall be excluded);
3. Issue number;
4. Date of issue.

Article 83 (Bond Ledger)

(1) The Corporation shall keep a bond ledger in its principal office and include the following information:

1. Number of bonds by denomination and serial number of each bond;
2. Date of issuance;
3. Matters referred to in Article 78 (2) 2 through 5 and 8.

(2) In cases where a bond is in registered form, the following information shall be included, in addition to those in each of the following subparagraphs of paragraph (1):

1. Name and address of the bond holder;
2. Date of acquisition of the bond.

(3) The holder or bearer of a bond may demand perusal of a bond ledger at any time during the working hours of the Corporation.

Article 84 (Cases of Absence of Interest Coupons)

(1) In the case of redeeming a bond in unregistered form which is issued with interest coupons, if any interest coupon is absent, the amount equivalent thereto shall be deducted from the amount of redemption.

(2) The bearer of such coupon in absence under paragraph (1) may claim the payment of the amount deducted in exchange for such interest coupon.

Article 85 (Notice, etc. to Bond Bearer, etc.)

(1) The Corporation shall issue notice or peremptory notice to a subscriber to a bond or a person entitled to a bond before the issuance of the bond to the address as stated in the bonds subscription form. In such cases, if the Corporation is notified of a different address, it shall send them to such address.

(2) The Corporation shall issue notice or peremptory notice to bearers of bonds in unregistered form by means of public announcement: Provided That the same shall not apply to cases where the address of the bearers of such bonds may be known.

(3) The Corporation shall issue notice or peremptory notice to the bearers of bonds in registered form to the address as stated in the bond ledger. In such cases, if the Corporation is notified of a different address,

it shall send it to such address.

Article 86 (Business Operating Plans and Budget)

(1) The Corporation shall prepare a business operating plan and a budget bill for the following fiscal year by November 30 each year pursuant to Article 107 (2) of the Act and submit them to the Minister of Oceans and Fisheries for his/her approval. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

(2) The budget bill referred to in paragraph (1) shall include the general rules of budget, estimated balance sheet and estimated statement of profits and losses and be accompanied by annexes needed to clarify the details thereof.

(3) When the Corporation intends to modify its business operating plan or budget approved by the Minister of Oceans and Fisheries, it shall submit a document stating the modifications to be made and grounds therefor to the Minister of Oceans and Fisheries. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

Article 87 (Submission of Closing Statement)

The closing statement for each fiscal year the Corporation submits to the Minister of Oceans and Fisheries pursuant to Article 107 (3) of the Act shall be accompanied by the following documents: *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

1. The balance sheet and statement of profits and losses of the relevant year;
2. A comparison chart of business plans and performance results thereof for the relevant year;
3. An audit report by an accounting firm;
4. Other documents needed to clarify the details of the closing statement.

Article 88 (Conclusion of Agreements)

(1) Where the Korea Ship Safety Technology Authority or a ship-classifying corporation intends to conclude an agreement pursuant to Article 112 (1) and (2) of the Act, it shall file an application therefor with the Minister of Oceans and Fisheries or the Minister of Public Safety and Security, as prescribed by Ordinance of the Prime Minister or Ordinance of the Ministry of Oceans and Fisheries. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

(2) The term of the agreement under paragraph (1) shall be up to five years and may be extended, as prescribed by the Minister of Oceans and Fisheries or the Minister of Public Safety and Security. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

(3) Matters to be included in the agreement under paragraph (1) are as shown in attached Table 18.

(4) When the Minister of Oceans and Fisheries or the Minister of Public Safety and Security has concluded an agreement pursuant to paragraph (1), he/she shall publicly announce the details thereof immediately. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

Article 89 (Entrance for Inspection, Reporting, etc.)

(1) In any of the following cases, the Minister of Oceans and Fisheries may require a subordinate public official to enter a ship for inspection pursuant to Article 115 (1) of the Act: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21964, Dec. 31, 2009; Presidential Decree No. 24443, Mar. 23, 2013>

1. Where necessary for preventing pollution from ships;
2. Where entrance to ships, ship-related business places and offices is deemed necessary upon review of the materials submitted by an agency.

(2) Entrance to ships for inspection under paragraph (1) 1 and reporting may be conducted once a year for each ship: Provided, That the same shall not apply to special cases, such as a ship accident.

(3) In any of the following cases, the Minister of Oceans and Fisheries may require a subordinate public official to enter marine facilities, etc. for inspection pursuant to Article 115 (2) of the Act: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21964, Dec. 31, 2009; Presidential Decree No. 24443, Mar. 23, 2013>

1. Where it is intended to verify whether or not the collection, disposal, and storage of pollutants under Articles 37 (1) 1 and 38 of the Act are against the law;
2. Where a marine facility reported pursuant to Article 33 of the Act is deemed to have discharged persistent organic pollutants under Article 39 of the Act in an environment management sea area in excess of the applicable standards;
3. Where it is intended to verify whether or not a ship oil supplier has committed any illegality in the process of supplying fuel oil to a ship pursuant to Article 45 of the Act;
4. Where a person who has installed an oil vapor emission control unit pursuant to Article 47 (2) of the Act is suspected of emitting oil vapor;
5. Where materials submitted in connection with the business activities of ocean waste collection business entities and deposited pollutants collection business entities under Article 70 (1) 4 and 5 of the Act are deficient or incorrect.

(4) In any of the following cases, the Minister of Public Safety and Security may have materials determined by Ordinance of the Prime Minister submitted or reported or may enter the relevant facility for confirmation, verification, or inspection under Article 115 (3) of the Act: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21964, Dec. 31, 2009; Presidential Decree No. 24443, Mar. 23, 2013>

1. Where it is intended to verify whether or not a marine facility pollutant register under Article 34 of the Act is kept and the records thereof are maintained;
2. Where it is intended to verify whether or not a contingency plan for pollution from marine facilities under Article 35 of the Act is performed and appropriate;
3. Where it is intended to verify the appointment of a marine pollution prevention manager, his/her completion of education and state of management under Article 36 of the Act;

4. Where it is intended to verify whether or not materials and chemicals are provided and pollution response vessels, etc. are placed or installed, under Articles 66 and 67 of the Act;
 5. Where it is intended to verify whether or not ocean waste discharge business entities, marine pollution response business entities and oil hold cleaning business entities under Article 70 (1) 1 through 3 of the Act perform the duties under Article 72 of the Act;
 6. Where it is intended to verify whether or not waste disposal entrusting persons under Article 76 of the Act perform their duties.
- (5) "Where an emergency prescribed by Presidential Decree occurs" in Article 115 (4) of the Act means any of the following cases: <Amended by Presidential Decree No. 21964, Dec. 31, 2009>
1. Where marine pollution occurs on a ship;
 2. Where marine pollution is likely to occur as a result of a ship accident;
 3. Where it is intended to verify the cause of marine pollution, the cause of which is unknown.

Article 90 (Marine Environmental Guards)

(1) The Minister of Oceans and Fisheries or the Minister of Public Safety and Security shall appoint any of the following subordinate public officials as a marine environmental guard pursuant to Article 116 (1) of the Act: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 26473, Aug. 3, 2015>

1. A person who is qualified as an engineer of marine engineering, engineer of marine resources development, engineer of marine environment, industrial engineer for ocean surveys, engineer of shipbuilding, engineer of the water pollution environmental industry, engineer of the air pollution environmental industry, engineer of the waste disposal industry, engineer of the chemical industry, or engineer of hazardous materials or higher certificate holders, or those qualified as a mate, engineer or navigator of third grade or higher;
2. A person who has at least one year's work experience in the business relevant to the marine environment;
3. A public official appointed to oversee trade ports pursuant to Article 20 of the Enforcement Decree of the Act on the Arrival, Departure, etc. of Ships into and from Ports;
4. A ship inspection officer appointed pursuant to Article 76 of the Ship Safety Act.

(2) The duties of the marine environmental guard shall be as follows: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. Marine environmental guards under the control of the Minister of Oceans and Fisheries:
 - (a) Matters concerning entrance for inspection and reporting under Article 89 (1);
 - (b) Surveillance of wastes flowing into or discharged into ocean;
 - (c) Survey on water quality and sources of pollution in ocean;
 - (d) Guidance and inspection of the facilities of ocean waste collection business entities, deposited pollutant collection business entities, persons entrusting waste disposal;

- (e) Survey on sources of pollution for the improvement of the marine environment in environment management sea areas;
 - (f) Surveillance of discharge of pollutants from marine facilities, and guidance and check-up for the prevention of marine pollution (excluding duties related to marine facility pollutants register, contingency plans for pollution from marine facilities, and marine pollution prevention manager);
2. Marine environmental guards under the control of the Minister of Public Safety and Security:
- (a) Matters concerning entrance for inspection and reporting under Article 94 (2) 8;
 - (b) Surveillance of discharge of pollutants from marine facilities and guidance and check-up for the prevention of marine pollution (limited to duties related to marine facility pollutants register, contingency plans for pollution from marine facilities, and marine pollution prevention manager);
 - (c) Inspection and guidance of facilities operated by marine pollution response business entities, oil hold cleaning business entities;
 - (d) Inspection of the placement and installation of pollution response vessels, etc. and provision of materials and chemicals in marine facilities;
 - (e) Where it is deemed that pollutants are discharged or are suspected of being discharged, survey activities and collection, etc. of pollutant samples for identification and analysis.

Article 91 (National Treasury Subsidies, etc.)

The State or a local government may provide a subsidy to civil organizations for the businesses and activities in each of the following subparagraphs pursuant to Article 119 (3) of the Act:

- 1. Activities for marine pollution surveillance and purification of the marine environment;
- 2. Marine pollution response;
- 3. Marine environment-related research and development;
- 4. Surveys, research, publicity, and education on the marine environment.

Article 91-2 (Provision of Monetary Rewards for Reporting)

(1) A person who intends to receive reward money for reporting under Article 119-2 (1) of the Act (hereinafter referred to as “monetary reward”) shall file an application therefor with the Minister of Oceans and Fisheries, the Minister of Public Safety and Security, a Mayor/Do Governor, or the head of a Si/Gun/Gu (hereafter referred to as the “Minister of Oceans and Fisheries, etc.” in this Article), as prescribed by Ordinance of the Minister of Oceans and Fisheries. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

(2) Upon receipt of an application for a monetary reward under paragraph (1), the Minister of Oceans and Fisheries, etc. shall verify facts, including an offender and the volume of emitted wastes, with related administrative agencies or investigative agencies, decide whether to grant one and the amount to be provided, and provide the monetary reward within 30 days from such decision. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

(3) A monetary reward of up to three million won shall be provided in accordance with the standards provided for in attached Table 18-2.

(4) Where at least two persons respectively have reported for a single case or accuse an offender of a single case, and filed an application for a monetary reward, the Minister of Oceans and Fisheries, etc. shall provide the monetary reward to the first person who has made such report or accusation: Provided, That where at least two persons have jointly reported for a single case or accuse an offender of a single case, and filed an application for a monetary reward after reaching a prior agreement on the apportionment of the monetary reward, the Minister of Oceans and Fisheries, etc. shall provide such monetary reward in accordance with the agreement. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

Article 92 (Education and Training for Marine Pollution Prevention Managers, etc.)

(1) Any marine pollution prevention manager, technical staff member, etc. who engages in marine environment management business, etc. under Article 121 of the Act shall receive any of the following education and training, which are needed to perform their respective duties:

1. Ship-induced marine pollution prevention managers' courses;
2. Marine facility-induced marine pollution prevention managers' courses;
3. Marine pollution prevention and response courses for marine environment management business.

(2) The Corporation shall operate the education and training courses under paragraph (1) pursuant to Article 123 (3) 6 of the Act and Article 95 (1) 6 of this Decree.

(3) Matters concerning the authorization, etc. for education and training courses similar to those provided for in paragraph (1) shall be determined by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

Article 93 (Fee Exemption)

In cases where the payer of a pollution response contribution under Article 69 (1) of the Act has entrusted the placement and installation of pollution response vessels, etc. to the Corporation pursuant to Article 67 (2) of the Act, the Corporation may exempt such payer from the relevant fees when collecting fees for the placement and installation of pollution response vessels, etc. pursuant to Article 122 (2) of the Act.

Article 94 (Delegation and Entrustment of Authority)

(1) Deleted. <by Presidential Decree No. 25758, Nov. 19, 2014>

(2) Pursuant to Article 123 (1) of the Act, the Minister of Oceans and Fisheries shall entrust the following matters to the Commissioner General of the Korea Coast Guard Station: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23158, Sep. 22, 2011; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25758, Nov. 19, 2014; Presidential Decree No. 25985, Jan. 6, 2015>

1. through 7. Deleted;
8. Orders for entrance for inspection of, and reports on ships falling under each of the following under Article 115 (1) of the Act:
 - (a) Ships of the Republic of Korea, which serve domestic routes;
 - (b) Ships of the Republic of Korea, which serve international routes and for which the administrator of a regional office of oceans and fisheries has not performed an on-site inspection pursuant to Article 94 (4) 19;

9. Provision of monetary rewards under Article 119-2 of the Act;

10. Deleted.

(3) Deleted. <by Presidential Decree No. 23158, Sep. 22, 2011>

(4) The Minister of Oceans and Fisheries shall delegate the authority for the following matters to the administrators of regional offices of oceans and fisheries under Article 123 (1) of the Act: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21964, Dec. 31, 2009; Presidential Decree No. 23158, Sep. 22, 2011; Presidential Decree No. 24207, Nov. 27, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24517, Apr. 22, 2013; Presidential Decree No. 25639, Sep. 24, 2014; Presidential Decree No. 25758, Nov. 19, 2014; Presidential Decree No. 25860, Dec. 16, 2014; Presidential Decree No. 25985, Jan. 6, 2015>

1. Measures for the improvement of the marine environment under Article 18 (1) of the Act (limited to environmental management sea areas under Article 15 (1) of the Act and the national trade ports under Article 3 (2) 1 of the Harbor Act);

1-2. Imposition and collection of charges under Article 19 (1) of the Act;

1-3. Placing an inspection seal on an operation plan to transfer oil cargos between oil tankers on the sea (hereinafter referred as to “ship-to-ship”) under Article 32-2 (1) of the Act;

1-4. Receipt of a report on a ship-to-ship oil transfer operation plan under Article 32-2 (3) of the Act;

2. Receipt of reports on marine facilities (limited to the national trade ports under Article 3 (2) 1 of the Harbor Act and marine facilities in exclusive economic zones under Article 2 of the Exclusive Economic Zone Act) under Article 33 (1) of the Act;

2-2. Safety inspections of marine facilities under Article 36-2 (2) and (3) of the Act (limited to the national trade ports under Article 3 (2) 1 of the Harbor Act and marine facilities in exclusive economic zones under Article 2 of the Exclusive Economic Zone Act);

2-3. Placing an inspection seal on a management plan which includes matters necessary to minimize the emission of volatile organic compounds in loading or unloading cargos on or from oil tankers, or at sea;

3. Inspections or preliminary inspections of marine pollution prevention facilities, etc. under Articles 49 through 54 of the Act;

4. Issuance of inspection certificates under an international agreement pursuant to Article 55 (1) of the Act;

5. Orders to take measures against and suspension of navigation on unfit ships under Article 58 (1) and (2) of the Act;

6. Port state control for marine pollution prevention under Article 59 (1) of the Act;

7. Re-inspections under Article 60 of the Act;

8. Registration of ocean waste discharge business, ocean waste collection business, and deposited pollutants collection business under Article 70 (1) 1, 4, and 5 of the Act;

8-2. Acceptance of the waste transfer/takeover form under Article 72 (3) of the Act;

- 8-3. Orders given to the marine environment management business entities for appropriate disposal of pollutants under Article 73 of the Act;
9. Receipt of reports on the succession to rights and duties of ocean waste discharge business entities and ocean waste collection business entities and deposited pollutant collection business entities under Article 74 (3) of the Act;
10. Cancellation of registration of ocean waste discharge business, ocean waste collection business and deposited pollutants collection business and order for suspension of business under Article 75 (1) of the Act;
- 10-2. Acceptance of reports or reports for change by waste disposal entrusting persons under Article 76 (1) of the Act;
11. Consultations on utilization of sea areas under Article 84 (1) of the Act (excluding cases where a disposal organ is the head of a central administrative organ);
12. Sea area utilization impact assessments under Article 85 (1) of the Act (excluding cases where a disposal organ is the head of a central administrative organ);
13. Registration of assessment agents under Article 86 (1) of the Act;
- 13-2. Acceptance of notification of closure of assessment agents' business under Article 86 (2) of the Act;
14. Cancellation of registration of assessment agents and orders to suspend business under Article 89 (1) of the Act;
- 14-2. Receipt of notification of a license, permission or designation under Article 91 (4) of the Act;
- 14-3. Post-management, such as a request for cancellation of a license under the former part of Article 93 (1) and (3) of the Act;
- 14-4. Receipt of notification of the results of a marine environmental impact survey under Article 95 (1) of the Act;
- 14-5. Requests for measures under Article 95 (2);
15. Type approval for facilities subject to type approval under the main sentence of Article 110 (3) of the Act;
- 15-2. Exemption from type approval for the facilities subject to type approval which have been manufactured, produced or imported for testing, research or development purposes under the proviso to Article 110 (3) of the Act;
16. Performance tests for facilities subject to type approval under Article 110 (5) of the Act;
17. Authorization for facilities subject to type approval under Article 110 (6) of the Act;
18. Cancellation of type approval for facilities subject to type approval and suspension of business under Article 110 (9) of the Act;
19. Entrance for inspection of ships (excluding ships of the Republic of Korea, which serve domestic routes) and reports under Article 115 (1) of the Act;

- 19-2. Submission of documents, reports, or entrance for inspection of marine facilities under Article 115 (2) of the Act (limited to the national trade ports under Article 3 (2) 1 of the Harbor Act and marine facilities in exclusive economic zones under Article 2 of the Exclusive Economic Zone Act);
20. Designation of marine environmental guards under Article 116 (1) of the Act;
21. Orders for stopping, search and seizure of ships and prohibition against ships from entry into and departure from ports, etc. under Article 117 of the Act;
22. Hearings for the cancellation of registration of ocean waste discharge business, ocean waste collection business and deposited pollutant collection business under subparagraph 2 of Article 120 of the Act;
23. Hearings for cancellation of registration of assessment agents under subparagraph 4 of Article 120 of the Act;
24. Hearings for cancellation of type approval for facilities subject to type approval and suspension of business under subparagraph 5 of Article 120 of the Act;
25. Imposition and collection (excluding the cases falling under paragraph (6) 4) of administrative fines under Article 133 of the Act.

(5) The Minister of Public Safety and Security shall delegate the authority for the following matters to the chief of a coast guard station pursuant to Article 123 (1) of the Act: <Amended by Presidential Decree No. 21964, Dec. 31, 2009; Presidential Decree No. 23158, Sep. 22, 2011; Presidential Decree No. 25758, Nov. 19, 2014>

1. Approval seals for a contingency plan for pollution from marine facilities under Article 35 (1) of the Act;
2. Orders to take measures for pollution response and measures for pollution response under Article 64 (3) and (4) of the Act;
3. Orders to prohibit ships from entering into and departing from ports or to suspend use of facilities under Article 67 (3) of the Act;
4. Orders to take measures for pollution response and measures for prevention of discharge under Article 67 (4) of the Act;
5. Measures for pollution response and measures for sharing costs under Article 68 (1), (2) and (4) of the Act;
6. Registration of marine pollution response business and oil hold cleaning business under Article 70 (1) 2 and 3 of the Act;
7. Receipt of statements on results of disposal with respect to the removal, cleaning and collection of pollutants under Article 72 (1) of the Act;
8. Receipt of reports on the succession to rights and duties of marine pollution response business entities and oil hold cleaning business entities under Article 74 (3) of the Act;
9. Cancellation of registration of marine pollution response business and oil hold cleaning business, and orders to suspend business under Article 75 (1) of the Act;

10. Receipt of reports on ship dismantling, and orders to make corrections under Article 111 (1) and (2) of the Act;
11. Requests for cooperation of relevant organs under Article 114 (1) of the Act;
12. Orders for entrance for inspections, reports, etc. under Article 115 (3) and (4) of the Act;
13. Designation of marine environmental guards under Article 116 (1) of the Act;
14. Orders to stop, search and seize ships and prohibition against ships from entering into and departing from ports, etc. under Article 117 of the Act;
- 14-2. Provision of rewards for reports under Article 119-2 of the Act;
15. Hearings for the cancellation of registration of marine pollution response business and oil hold cleaning business under subparagraph 2 of Article 120 of the Act;
16. Imposition and collection of administrative fines under Article 133 of the Act.

(6) The Minister of Oceans and Fisheries shall delegate the authority for the following matters to the Mayor/Do Governor, and the Mayor/Do Governor may re-delegate part of the authority to the head of a Si/Gun/Gu after obtaining approval therefor from the Minister of Oceans and Fisheries: <Newly Inserted by Presidential Decree No. 21964, Dec. 31, 2009; Presidential Decree No. 23158, Sep. 22, 2011; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25639, Sep. 24, 2014>

1. Marine environmental improvement measures under Article 18 (1) of the Act (limited to the national harbors under subparagraph 2 of Article 3, coastal ports under Article 3 (1) 2 of the Harbor Act, and locally managed trade ports under the same Article);
2. Receipt of reports on marine facilities under Article 33 (1) of the Act (excluding the national trade ports under Article 3 (2) 1 of the Harbor Act and marine facilities in exclusive economic zones under Article 2 of the Exclusive Economic Zone Act);
- 2-2. Safety inspections of marine facilities under Article 36-2 (2) and (3) of the Act (excluding the national trade ports under Article 3 (2) 1 of the Harbor Act and marine facilities in exclusive economic zones under Article 2 of the Exclusive Economic Zone Act);
3. Orders to submit data or report on marine facilities under Article 115 (2) of the Act (excluding the national trade ports under Article 3 (2) 1 of the Harbor Act and marine facilities in exclusive economic zones under Article 2 of the Exclusive Economic Zone Act), entrance for inspection, confirmation and verification;
4. Imposition and collection of administrative fines under Article 133 of the Act (limited to the cases falling under Articles 132 (2) 1 and 132 (4) 19 of the Act at the coastal ports under Article 3 (1) 2 of the Harbor Act and locally managed trade ports under paragraph (2) 2 of the same Article, and cases falling under Article 132 (2) 2, 2-2, and 2-3 of the Act in areas other than the national trade ports under Article 3 (2) 1 of the Harbor Act and marine facilities in exclusive economic zones under Article 2 of the Exclusive Economic Zone Act).

Article 95 (Entrustment of Business)

(1) The Minister of Oceans and Fisheries shall entrust the following businesses to the Chief Executive Officer of the Corporation pursuant to Article 123 (3) of the Act: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24517, Apr. 22, 2013>

1. Organization of marine environmental measuring networks and regular measurement of the marine environment under Article 9 (1) of the Act;
 2. Construction of marine environmental information networks, provision of marine environmental information and making a request for the submission of related materials under Article 11 of the Act;
 3. Accuracy control for measuring and analysis institutes under Article 12 (1) of the Act;
 4. Management of marine environmental improvement measures under Article 18 (1) of the Act;
 5. Operation of ships or disposal facilities under Article 24 (3) of the Act;
 6. Installation and operation of pollutant storage facilities under Article 38 (1) of the Act;
 7. Installation and operation of storage facilities under Article 66 (1) of the Act;
 8. Installation and operation of ship dismantling yards under Article 111 (3) of the Act;
 9. Education and training of marine pollution prevention managers, etc. under Article 121 of the Act.
- (2) Mayors/Do Governors, from among sea area management authorities, shall conclude an entrustment contract when entrusting their businesses pursuant to Article 123 (3) of the Act.

- (3) The following matters shall be stated in the entrustment contract concluded under paragraph (1) or (2):
1. Scope of projects subject to entrustment;
 2. Matters concerning the management of projects subject to entrustment;
 3. Term of an entrustment contract (including matters concerning the revision and renewal of terms of a contract and termination of an entrustment contract);
 4. Matters concerning the payment of compensation for entrustment;
 5. Matters concerning the management and supervision of the entrusted businesses;
 6. Matters concerning re-entrustment of some of the entrusted businesses.

Article 96 (Submission of Materials)

The chiefs of coast guard stations, administrators of regional offices of oceans and fisheries or Mayors/Do Governors shall, when handling affairs delegated or entrusted pursuant to Article 123 (1) of the Act, submit materials thereon to the Minister of Oceans and Fisheries or to the Minister of Public Safety and Security, as prescribed by Ordinance of the Prime Minister or Ordinance of the Ministry of Oceans and Fisheries. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21964, Dec. 31, 2009; Presidential Decree No. 23158, Sep. 22, 2011; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25758, Nov. 19, 2014; Presidential Decree No. 25985, Jan. 6, 2015>

Article 96-2 (Processing of Unique Identifying Information)

Where unavoidable in conducting the tasks described in the following subparagraphs, the Minister of Oceans and Fisheries or the Minister of Public Safety and Security (including those to whom the authority of the Minister of Oceans and Fisheries or the Minister of Public Safety is delegated or entrusted pursuant to Article 123 (1) or (2) of the Act) may process data containing resident identification numbers, passport

numbers, or foreigner registration numbers set forth in subparagraph 1, 2, or 4 of the Article 19 of the Enforcement Decree of Personal Information Protection Act:

1. Confirming grounds for disqualification regarding registration of marine environmental management business under Article 71 of the Act;
2. Confirming grounds for disqualification regarding designation of a marine pollution impact survey institution under Article 81 of the Act;
3. Confirming grounds for disqualification regarding registration as an assessment agent under Article 87 of the Act;
4. Confirming grounds for disqualification regarding executives under Article 101 of the Act.

Article 96-3 (Review of Regulations)

The Minister of Oceans and Fisheries shall review validity of the following matters every three years from the following base dates (meaning until the day preceeding the base date in every third year from the base year) and shall take necessary measures including making improvements:

1. Criteria and procedures for imposition of pollution response contributions pursuant to Article 54: January 1, 2015;
2. Scope of businesses subject to the general and simplified consultation on utilization of sea areas pursuant to Article 61 and attached Table 15: January 1, 2014.

Article 97 (Pollutants)

"Pollutants prescribed by Presidential Decree" referred to in Article 132 (2) 1 of the Act means wastes, such as excreta and wastewater, oil, and noxious liquids which exceed the treatment standards determined by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

Article 98 (Imposition of Administrative Fines)

Standards for the imposition of administrative fines under Article 132 of the Act shall be as listed in attached Table 19.

ADDENDA

Article 1 (Enforcement Date)

This Decree shall enter into force on January 20, 2008: Provided, That the provisions of the proviso to Article 42 (1) 1 shall enter into force on January 1, 2012 and the provisions of subparagraph 3 in the column of business subject to the use and exploitation of marine resources of attached Table 16, shall enter into force on February 4, 2008.

Article 2 (Repeal of other Statutes)

The Enforcement Decree of the Prevention of Marine Pollution Act shall be repealed.

Article 3 (Transitional Measures concerning Education and Training of Marine Pollution Prevention Managers, etc.)

(1) Any educational institution under Article 53 of the Enforcement Decree of the Prevention of Marine Pollution Act at the time when this Decree enters into force may conduct education and training for marine pollution prevention managers, etc. under Article 92 (1) by December 31, 2010.

(2) The Korea Marine Environment Management Corporation shall, notwithstanding the provisions of Article 92 (2), operate education and training courses for marine pollution prevention managers, etc. from January 1, 2011.

Article 4 Omitted.

Article 5 (Relations with other Statutes)

In cases where other statutes cite the provisions of the Enforcement Decree of the Prevention of Marine Pollution Act at the time when this Decree enters into force, if provisions corresponding thereto exist in this Decree, they shall be deemed to have cited this Decree or the corresponding provisions of this Decree in lieu of the former provisions.

ADDENDA <Presidential Decree No. 20722, Feb. 29, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended parts of Presidential Decree, which were promulgated before the Decree enters into force, but the enforcement dates of which have not yet arrived, from among the Presidential Decrees amended pursuant to Article 6 of the Addenda, shall enter into force on the respective enforcement dates of the relevant Presidential Decrees.

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 21185, Dec. 24, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2009. (Proviso Omitted.)

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 21214, Dec. 31, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 21622, Jul. 7, 2009>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Presidential Decree No. 21882, Dec. 14, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDUM <Presidential Decree No. 21964, Dec. 31, 2009>

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

ADDENDA <Presidential Decree No. 22151, May 4, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 22449, Oct. 14, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on October 16, 2010.

Articles 2 through 5 Omitted.

ADDENDUM <Presidential Decree No. 22467, Nov. 2, 2010>

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

ADDENDA <Presidential Decree No. 22706, Mar. 9, 2011>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Adjustment and Refund of Pollution Response Charges)

The amended provisions of Article 54 shall apply, beginning with the first pollution response charges imposed or paid after the enforcement of this Decree.

ADDENDA <Presidential Decree No. 23158, Sep. 22, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 42 (1) shall enter into force on January 1, 2012.

Article 2 (Applicability to Exemption of Environmental Improvement Charges)

The amended provisions of Article 25-2 (4) shall apply to the cases where wastes emitted outside sea areas and territorial waters under Article 3 (1) 1 and 2 fail to flow into the same sea areas and territorial waters, after the enforcement of this Decree.

Article 3 (Applicability to Rewards for Reports)

The amended provisions of Article 91-2 shall apply, beginning with the first reports and accusations of violations of the Act after the enforcement of this Decree.

Article 4 (Applicability to Agreement on Use of Sea Areas)

The amended provisions of attached Tables 15 and 16 shall apply, beginning with the first case of filing an application for a license, permission or designation under each subparagraph of Article 84 (1) and each subparagraph of Article 85 (1) of the Act with the relevant disposal organ, after the enforcement of this Decree.

Article 5 (Transitional Measures concerning Administrative Fines)

When administrative fines are imposed on violations committed before this Decree enters into force, the former provisions shall apply.

ADDENDA <Presidential Decree No. 23297, Nov. 16, 2011>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Presidential Decree No. 23964, Jul. 20, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 22, 2012.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 23966, Jul. 20, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 22, 2012. (Proviso Omitted.)

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 24207, Nov. 27, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on December 2, 2012.

Article 2 (Applicability to Surcharges)

The amended provisions of the main body of Article 32 (1) shall begin to apply from the charges in arrears imposed on the discharge of wastewaters or pollutants into the sea on or after January 1, 2013.

ADDENDA <Presidential Decree No. 24443, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDUM <Presidential Decree No. 24517, Apr. 22, 2013>

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

ADDENDA <Presidential Decree No. 24627, Jun. 17, 2013>

Article 1 (Enforcement Date)

This Decree shall enter into force on June 19, 2013.

Article 2 (Applicability to Taking Measures for Risk-Reduction of Sunken Ships)

The amended provisions of Article 60-2 shall apply to the ships sunken under the sea by a marine accident defined in subparagraph 1 of Article 2 of the Act on the Investigation of and Inquiry into Marine Accidents after this Decree enters into force.

ADDENDUM <Presidential Decree No. 25050, Dec. 30, 2013>

This Decree shall enter into force on January 1, 2014. (Proviso Omitted.)

ADDENDUM <Presidential Decree No. 25639, Sep. 24, 2014>

This Decree shall enter into force on September 25, 2014.

ADDENDA <Presidential Decree No. 25758, Nov. 19, 2014>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Delegation of Authority)

(1) Publication, administrative dispositions, and other actions taken by the Commissioner General of the Korea Coast Guard pursuant to former Article 94 (1) 1, and applications filed with and other actions taken against the Commissioner General of the Korea Coast Guard, before this Decree enters into force, shall be construed respectively as actions taken by and actions taken against the Minister of Oceans and Fisheries.

(2) Publication, administrative dispositions, and other actions taken by the Commissioner General of the Korea Coast Guard pursuant to former Article 94 (2) 1 through 7, and 10, and applications, reports filed with, and other actions taken against the Commissioner General of the Korea Coast Guard, before this Decree enters into force, shall be construed respectively as actions taken by and actions taken against the administrators of regional maritime affairs and port offices.

ADDENDA <Presidential Decree No. 25840, Dec. 9, 2014>

Article 1 (Enforcement Date)

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

Articles 2 through 16 Omitted.

ADDENDA <Presidential Decree No. 25860, Dec. 16, 2014>

Article 1 (Enforcement Date)

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

Article 2 (Applicability relating to Consultation on Utilization of Sea Areas)

The amended provisions of attached Table 15 shall also apply to cases where the disposition agency, before the enforcement of this Act, submits a sea area utilization consultation form to the Minister of Oceans and Fisheries pursuant to Article 84 (3) of the Act.

ADDENDUM <Presidential Decree No. 25943, Dec. 30, 2014>

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

ADDENDA <Presidential Decree No. 25985, Jan. 6, 2015>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDUM <Presidential Decree No. 26220, Apr. 29, 2015>

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

ADDENDA <Presidential Decree No. 26473, Aug. 3, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force on August 4, 2015.

Articles 2 through 8 Omitted.