

ENFORCEMENT DECREE OF THE ENVIRONMENTAL TECHNOLOGY AND INDUSTRY SUPPORT ACT

Presidential Decree No. 23267, Oct. 28, 2011
Amended by Presidential Decree No. 23488, Jan. 6, 2012
Presidential Decree No. 23934, Jul. 4, 2012
Presidential Decree No. 23967, Jul. 20, 2012
Presidential Decree No. 23999, Jul. 31, 2012
Presidential Decree No. 24474, Mar. 23, 2013
Presidential Decree No. 24638, jun. 28, 2013
Presidential Decree No. 25050, Dec. 30, 2013
Presidential Decree No. 25083, Jan. 14, 2014
Presidential Decree No. 25627, Sep. 24, 2014
Presidential Decree No. 25836, Dec. 9, 2014
Presidential Decree No. 25840, Dec. 9, 2014
Presidential Decree No. 27334, Jul. 12, 2016

Article 1 (Purpose)

The purpose of this Decree is to prescribe matters delegated by the Environmental Technology and Industry Support Act and other matters necessary for the enforcement thereof. *<Amended by Presidential Decree No. 23267, Oct. 28, 2011>*

Article 2 Deleted. *<by Presidential Decree 23267, Oct. 28, 2011>*

Article 3 (Establishment of Growth Promotion Plans for Environmental Technology and Environmental Industry)

(1) When the Minister of Environment establishes a plan for developing environmental technologies and promoting the growth of the environmental industries (hereinafter referred to as “growth promotion plan”) pursuant to Article 3 (1) of the Environmental Technology and Industry Support Act (hereinafter referred to as the "Act"), he/she shall notify the heads of relevant central administrative agencies of such plan. *<Amended by Presidential Decree No. 23267, Oct. 28, 2011>*

(2) The Minister of Environment may request the heads of relevant central administrative agencies to provide the current status and estimate data of technologies and industries under their jurisdiction, which are necessary for the establishment of the growth promotion plan in accordance with Article 3 (3) of the Act. *<Amended by Presidential Decree No. 23267, Oct. 28, 2011>*

Article 4 (Establishment, etc. of Annual Implementation Plan)

(1) The heads of relevant central administrative agencies shall establish an annual implementation plan for the relevant year (hereinafter referred to as "implementation plan") by February 15 each year in accordance with the growth promotion plan and then submit such annual implementation plan to the Minister of Environment, along with implementation records of the preceding year. *<Amended by Presidential Decree No. 23267, Oct. 28, 2011>*

(2) The Minister of Environment shall integrate and report both implementation plans and implementation records of the preceding year submitted pursuant to paragraph (1) to the National Science and Technology Council established in accordance with Article 9 of the Framework Act on Science and Technology. *<Amended by Presidential Decree No. 23267, Oct. 28, 2011; Presidential Decree No. 24474, Mar. 23, 2013>*

Articles 5 through 8 Deleted. *<by Presidential Decree No. 21544, Jun. 16, 2009>*

Article 9 (Implementation of Project for Development of Environmental Technology)

(1) The Minister of Environment shall, in order to undertake a project for developing environmental technologies under his/her jurisdiction in accordance with Article 5 (1) of the Act (hereinafter referred to as "development project"), establish a detailed plan for promoting such development project and then notify it to the public.

(2) The Minister of Environment shall, when he/she intends to carry out a development project in accordance with a detailed plan for promoting the development project under paragraph (1), select a person to implement such development project from among institutions, organizations or business operators under Article 5 (1) of the Act (hereinafter referred to as "research institutions, etc.") and have him/her carry out such development project by entering into an agreement with research institutions, etc. selected (hereinafter referred to as "research institutions in charge"). In such cases, an institution which has no representative authority among research institutions in charge may enter into an agreement with the representative of a corporation to which such institution belongs.

(3) The agreement under paragraph (2) shall contain the matters falling under each of the following subparagraphs:

1. Research tasks and people in charge;
2. Costs necessary for the development project under Article 5 (2) of the Act and methods of paying such costs;
3. Utilization of the results of the development project;
4. Collection of technical royalties accrued from the utilization of the results of the development project;
5. Matters on the amendment or cancellation of the agreement and the violation thereof;
6. Others related to the implementation of the development project.

(4) The heads of research institutions in charge may entrust part of the implementation of the development project to other research institutions, etc.

Article 10 Deleted. *<by Presidential Decree No. 18880, Jun. 23, 2005>*

Article 11 (Adjunct Laboratories to Enterprises)

"Adjunct laboratories to enterprises meeting the standards prescribed by Presidential Decree" in Article 5 (1) 5 of the Act means laboratories affiliated to enterprises which are always staffed with full-time researchers in the environmental field among research institutes affiliated to enterprises under Article 14 (1) 2 of the Basic Research Promotion and Technology Development Support Act. <Amended by Presidential Decree No. 22977, Jun. 24, 2011>

Article 11-2 (Institutions in Charge of Undertaking Development Projects)

The term "foreign research institutions meeting the standards prescribed by Presidential Decree" under the main sentence of Article 5 (1) 9 of the Act means any institution recognized by the Minister of Environment as a research institute which is always staffed with five or more full-time researchers with a bachelor's degree or higher in relevant fields and more than three years of research experience and which is equipped with independent research facilities.

Article 12 (Research Institutions in Environmental Field)

The term "institutions, organizations or business operators prescribed by Presidential Decree" in Article 5 (1) 10 of the Act means institutions, organizations or business operators falling under each of the following subparagraphs:

1. The Korea Environment Corporation established under the Korea Environment Corporation Act (hereinafter referred to as the "Korea Environment Corporation");
2. The Sudokwon Landfill Site Management Corporation established under the Act on the Establishment and Management of Sudokwon Landfill Site Management Corporation;
3. The Korea Institute of Advancement of Technology, the Korea Evaluation Institute of Industrial Technology, the Korea Institute of Ceramic Engineering and Technology, the Korea Testing Laboratory, and the specializing industrial technology research institutes established under the Industrial Technology Innovation Promotion Act;
4. Venture companies in the environmental area incorporated under Article 2 (1) of the Act on Special Measures for the Promotion of Venture Businesses (hereinafter referred to as the "environment venture company");
5. Research institutions established for the purpose of developing the environmental technology under the Civil Act or other Acts.

Article 13 (Contributions, etc. to Development Projects)

Where contributions from persons, other than the Government or other research and development expenses of enterprises under Article 5 (2) of the Act are included in the expenses necessary for development projects, the heads of research institutions in charge shall enter into an agreement on contributions, etc., in advance, with persons who bear such expenses.

Article 14 (Payment and Management of Contributions)

(1) The heads of research institutions in charge shall, when they receive the contributions from the Government or persons, other than the Government, or research and development expenses of enterprises

under Article 5 (2) of the Act, manage them in separate accounts designated.

(2) The contributions made by the Government under Article 5 (3) of the Act shall be paid in installments, taking into account the progress of the development project: Provided, That the contributions may, if necessary, be paid in lump sum, taking into account the size or start time of the development project.

Article 15 (Use of Contributions)

(1) The heads of research institutions in charge which receive the contributions from the Government pursuant to Article 14 (1) in order to implement a development project shall use such contributions only to cover expenses directly related to the implementation of the relevant development project, such as labor cost, cost of materials, data-processing cost, production cost of prototype, etc., as prescribed by the Minister of Environment.

(2) The Minister of Environment may, if any research institution in charge uses contributions for any purpose, other than those under paragraph (1) without any justifiable ground, retrieve such contributions in whole or in part.

Article 16 (Collection and Use of Royalties)

(1) Deleted. <by Presidential Decree No. 20165, Jul. 4, 2007>

(2) The heads of research institutions in charge shall use technical royalties for the purposes falling under each of the following subparagraphs pursuant to Article 5 (5) of the Act and report the results of use in the relevant year to the Minister of Environment by the end of February in the following year: <Amended by Presidential Decree No. 21544, Jun. 16, 2009>

1. Enhancement of research efficiency of researchers, etc. participating directly or indirectly in the relevant development project;
2. Appropriation of royalties to research and development costs;
3. Management and utilization of the outcomes of research and development.

(3) The heads of research institutions in charge shall pay an amount corresponding to the rates pursuant to the classification set forth in the subparagraphs of Article 22 (1) of the Regulations on Management, etc. of National Research and Development Projects to the Korea Environmental Industry and Technology Institute under Article 5-3 of the Act (hereinafter referred to as the “Korea Environmental Industry and Technology Institute”) in accordance with Article 5 (5) of the Act. <Amended by Presidential Decree No. 21544, Jun. 16, 2009; Presidential Decree No. 25083, Jan. 14, 2014>

(4) The president of the Korea Environmental Industry and Technology Institute (hereinafter referred to as "president of the Korea Environmental Industry and Technology Institute") may use technical royalties received pursuant to paragraph (3) for the purposes falling under each of the following subparagraphs after obtaining an approval from the Minister of Environment: <Amended by Presidential Decree No. 21544, Jun. 16, 2009>

1. Re-investment in development projects;
2. Projects for technical support to the persons who intend to use the results of research and development;

3. Projects for exchange of human resources in environmental technology at home and abroad for encouraging development projects;
4. Rewards and welfare promotion projects for the persons who have developed excellent environmental technologies;
5. Projects for exchange of information on environmental technology;
6. Projects for support to authentication of new technology or verification of technology;
7. Other projects recognized by the Minister of Environment for the promotion of environmental technologies.

(5) Detailed matters concerning collection and use, etc. of technical royalties other than the matters prescribed by this Decree shall be prescribed by the Minister of Environment. <Amended by Presidential Decree No. 21544, Jun. 16, 2009>

Article 16-2 (Restriction, etc. on Participation in National Research and Development Projects, etc.)

(1) Article 27 (1) through (5), and (7) through (10), of the Regulations on Management, etc. of National Research and Development Projects shall apply to the standards for the period of restriction on participation in national research and development projects and the recovery of project costs pursuant to Article 5-2 (1) and (3) of the Act as well as to the formation and operation of an evaluation board therefor.

(2) A person who becomes subject to the restriction on participation in national research and development projects pursuant to Article 5-2 (5) of the Act may file an objection to a person who has placed the restriction within 30 days from the receipt of such notification: Provided, That where the person who has placed the restriction is the head of central administrative agencies other than the Minister of Environment and is operating a system for objection application pursuant to Article 27 (6) of the Regulations on Management, etc. of National Research and Development Projects, such system shall apply.

Article 16-3 (Projects of Korea Environmental Industry and Technology Institute)

"Projects prescribed by Presidential Decree" referred to in Article 5-3 (4) 13 of the Act means any of the following projects: <Amended by Presidential Decree No. 23267, Oct. 28, 2011; Presidential Decree No. 25083, Jan. 14, 2014>

1. Examination and research on policies and technologies for promoting environmental technologies and environmental industry;
2. Identification of and support to a promising environmental industry;
3. Business of facilitating investment in the environmental industry and supporting therefor, such as financing;
4. Business of promoting demands for environmental services, such as environmental technologies, environmentally-friendly facilities, environmentally-friendly products, environment-related financial products, and environment-related consulting;
5. Support, survey and research for the practical use of domestic environmental technologies in foreign countries;

6. Businesses concerning the support for education and promotion of responses to climate change;
7. Business prescribed by the articles of incorporation as necessary for efficiently conducting business under Article 5-3 (4) 1 through 12 of the Act and subparagraphs 1 through 6 of this Article.

Article 17 (Projects of Facilitating Practical Use of Environmental Technologies)

"Projects prescribed by Presidential Decree" in Article 6 (2) 5 of the Act means the following:

1. Projects designed, where a local government has saved a budget subsidized by the State or other local governments by utilizing a new technology as prescribed by Article 7 (1) of the Act (hereinafter referred to as "new technology"), to pay part of the amount saved as grants of encouragement to facilitate the practical use of new technologies by such local government;
2. Projects designed, where, after the State or a local government installed environmental facilities using a new technology, the new technology is deemed successful, to cover the costs required for the installation of such environmental facilities;
3. Projects designed to discover, foster, and support environment venture companies;
4. Projects designed to provide necessary human resources, information, facilities, funds and technologies to facilitate the practical use of excellent environmental technologies.

Article 18 (Application for Authentication of New Technology or Verification of Technology)

(1) A person who intends to obtain a new technology certification or technology verification pursuant to Article 7 (1) through (3) of the Act shall submit an application for a new technology certification or technology verification containing each of the following matters (hereinafter referred to as "application") to the Minister of Environment: *<Amended by Presidential Decree No. 23267, Oct. 28, 2011; Presidential Decree No. 25083, Jan. 14, 2014; Presidential Decree No. 25840, Dec. 9, 2014>*

1. Documents specifying the development background, history, principle, validity, etc. of the technology;
2. Documents describing performance and economical efficiency of the technology;
3. Design drawings and operating manual of the facilities subject to appraisal;
4. Documents describing the details appraised by the applicant, such as items of appraisal, frequency of appraisal, method of appraisal, kinds of raw materials, materials and samples related to the appraisal and the result of a domestic pilot test;
5. Documents describing the details (including the substance of the new technologies and details of novelty and excellency thereof) of the new technology;
6. Documents evidencing that the applicant is a technology holder, such as the results of use in Korea and overseas (limited to cases where the results of use are available) and domestic or foreign industrial property rights (including applications) or authentication;
7. Investigation report on advanced technology performed by a specialized institution designated under Article 58 (1) of the Patent Act;
8. Documents specifying the matters subject to verification and method of field appraisal (limited to verification of technology);

9. Others publicized by the Minister of Environment as recognized necessary for the authentication of new technology or verification of technology.

(2) “Environmental technologies which are prescribed by Presidential Decree including the sewage water or wastewater treatment technology, water purification technology, etc.” in the former part of Article 7 (3) of the Act means any of the following technologies: <Newly Inserted by Presidential Decree No. 25083, Jan. 14, 2014>

1. Technologies for sanitizing or treating livestock excreta provided for in subparagraph 2 of Article 2 of the Act on the Management and Use of Livestock Excreta;
2. Technologies for purifying raw water provided for in subparagraph 1 of Article 3 of the Water Supply and Waterworks Installation Act;
3. Technologies for treating wastewater referred to in subparagraph 4 of Article 2 of the Water Quality and Aquatic Ecosystem Conservation Act or rainfall outflow water referred to in subparagraph 5 of the same Article;
4. Technologies for treating sewage referred to in subparagraph 1 of Article 2 of the Sewerage Act or foul waste referred to in subparagraph 2 of the same Article.

Article 18-2 Deleted. <by Presidential Decree No. 20165, Jul. 4, 2007>

Article 18-3 (Criteria of Appraisal of Authentication of New Technology or Verification of Technology)

Technologies subject to authentication of new technology or verification of technology under Article 7 (1) through (3) of the Act shall comply with Acts and subordinate statutes related to environment and the criteria of appraisal therefor shall be as follows: <Amended by Presidential Decree No. 23267, Oct. 28, 2011; Presidential Decree No. 25083, Jan. 14, 2014>

1. Novelty: Technologies in the method of construction in environmental fields, which have been developed for the first time in Korea or been improved through the introduction of main parts of domestic or foreign technologies, and technologies related thereto;
2. Excellency in technical performance: Technologies with high efficiency, perfectness, importance and possibility of development;
3. Excellency in application to the field: Technologies with economical efficiency, safety, and conveniences in maintenance and management, compared with existing technologies.

Article 18-4 (Method of and Procedure for Appraisal of Authentication of New Technology or Verification of Technology)

- (1) When the Minister of Environment receives an application for authentication of new technology or verification of technology pursuant to Article 18, he/she shall publicize the main details of the technologies on the Internet website, etc. for at least 30 days and hear opinions from interested parties.
- (2) After hearing opinions from interested parties pursuant to paragraph (1), the Minister of Environment shall conduct an appraisal of authentication of new technology or verification of technology under Article 7 (1) through (3) of the Act. <Amended by Presidential Decree No. 23267, Oct. 28, 2011; Presidential Decree No.

25083, Jan. 14, 2014>

(3) The appraisal of the authentication of new technology under paragraph (2) shall be conducted through a field investigation (referring to confirmation on whether technological details, field applicability, etc. are identical to the details of the application; hereinafter the same shall apply) and documentary examination, and the appraisal for the verification of technology shall be conducted through a field investigation, documentary examination, field assessment (referring to the assessment of the functions of the facilities installed in the field subject to appraisal, after undertaking tests and analyses, etc. for a certain period; hereinafter the same shall apply) and overall assessment.

(4) Specific procedures for a field investigation, documentary examination, field assessment, and overall assessment under paragraph (3) and other necessary matters shall be prescribed and publicized by the Minister of Environment.

Article 18-5 (Public Announcement and Management of Authentication of New Technology or Verification of Technology)

(1) When the Minister of Environment issues a certificate for authentication of new technology or verification of technology pursuant to Article 7 (4) of the Act after undertaking an appraisal for the authentication of new technology or verification of technology under Article 18-4 (2), he/she shall publicly announce the details of authentication or verification through the Internet website, etc. and notify the Korea Environmental Industry and Technology Institute of details of such issuance. <Amended by Presidential Decree No. 23267, Oct. 28, 2011; Presidential Decree No. 25083, Jan. 14, 2014>

(2) When the president of the Korea Environmental Industry and Technology Institute receives notification of the details of issuance of a certificate for authentication of new technology or verification of technology pursuant to paragraph (1), he/she shall preserve the details of such issuance for ten years. <Amended by Presidential Decree No. 23267, Oct. 28, 2011>

Article 19 (Small and Medium Enterprises in Environmental Field)

"Small and medium enterprise meeting the standards prescribed by Presidential Decree" in Article 7 (6) 1 of the Act means a small or medium company incorporated under Article 2 of the Framework Act on Small and Medium Enterprises, which runs an environmental business. <Amended by Presidential Decree No. 23267, Oct. 28, 2011; Presidential Decree No. 25083, Jan. 14, 2014>

Article 19-2 Deleted. <by Presidential Decree No. 20165, Jul. 4, 2007>

Article 19-3 (Preferential Use of New Technologies or Verified Technologies)

(1) and (2) Deleted. <by Presidential Decree No. 20165, Jul. 4, 2007>

(3) Institutions or business operators under Article 7-2 (3) of the Act may, when they place an order for construction or design of environmental facilities, take preferential measures, such as granting additional points in a tender to any new technologies or verified technologies, as prescribed and publicized by the Minister of Environment. <Amended by Presidential Decree No. 21544, Jun. 16, 2009; Presidential Decree No. 25083, Jan. 14, 2014>

(4) Where an institution or business operator who establishes and operates environmental facilities pursuant to Article 7-2 (3) of the Act intends to utilize a new technology or verified technology, the Minister of Environment may provide funds necessary to utilize the new technology or verified technology to such institution or business operator. <Amended by Presidential Decree No. 21544, Jun. 16, 2009; Presidential Decree No. 25083, Jan. 14, 2014>

Article 19-4 (Term of Validity and Application for Extension of Authentication of New Technology and Verification of Technology)

(1) Deleted. <by Presidential Decree No. 20165, Jul. 4, 2007>

(2) A person who intends to extend the term of validity under Article 7-3 (2) of the Act shall apply for extension of the term of validity of authentication of new technology and verification of technology (hereinafter referred to as "application for extension"), along with the following documents, to the Minister of Environment by not later than 120 days prior to expiry of the term of validity: <Amended by Presidential Decree No. 21544, Jun. 16, 2009; Presidential Decree No. 23267, Oct. 28, 2011; Presidential Decree No. 23934, Jul. 4, 2012>

1. Documents stating the improved matters after the authentication of new technology or verification of technology;
2. Documents stating the records of utilization in Korea and overseas and the results of application, etc. after the authentication of new technology or verification of technology;
3. Documents stating the current status of development of similar technology and the present level of such technology.

(3) The Minister of Environment shall notify a person who has obtained authentication of new technology or verification of technology, of the application procedure for extension of the term of validity by 150 days before the validity of authentication of new technology or verification of technology expires. In such cases, the said notification may be sent by means of a mobile phone text message, e-mail, fax, telephone, document, etc. <Newly Inserted by Presidential Decree No. 23934, Jul. 4, 2012>

(4) When the Minister of Environment has received an application for extension of the term of validity of authentication of new technology and verification of technology under paragraph (2), he/she shall determine whether the said term of validity shall be extended through the appraisal of the following matters: <Amended by Presidential Decree No. 21544, Jun. 16, 2009; Presidential Decree No. 23267, Oct. 28, 2011; Presidential Decree No. 23934, Jul. 4, 2012>

1. Results of utilization from when the authentication of new technology or verification of technology is received to when an application for extension of the term of validity is made;
2. Whether performance of technology is satisfactory after the application of new technology or verified technology as prescribed by Article 7 (2) of the Act (hereinafter referred to as "verified technology"), compared with the performance at the time of authentication of new technology or verification of technology;

3. Whether economical efficiency, safety, eco-friendliness, conveniences in maintenance and management are satisfactory after the application of new technology or verified technology, compared with those at the time of authentication of new technology or verification of technology;
 4. Whether the related Acts and subordinate statutes are complied with.
- (5) Appraisal for extension of the term of validity under paragraph (4) shall be conducted through a field investigation and documentary examination. *<Amended by Presidential Decree No. 21544, Jun. 16, 2009>*
- (6) Specific procedures for a field investigation and documentary examination under paragraph (5) and other necessary matters shall be prescribed and publicized by the Minister of Environment. *<Amended by Presidential Decree No. 21544, Jun. 16, 2009>*

Article 19-5 (Procedures for Cancellation of Authentication of New Technology or Verification of Technology)

- (1) When the Minister of Environment intends to cancel any authentication of new technology or verification of technology under Article 7-4 of the Act, he/she shall give prior notice to the relevant person of the intended cancellation, specifying the reasons of such cancellation.
- (2) Any person who receives prior notice of cancellation under paragraph (1) may submit an explanation within 30 days from the date when he/she receives such prior notice.
- (3) After investigating (including a field investigation if necessary) and reviewing an explanation submitted under paragraph (2), the Minister of Environment shall determine whether to cancel authentication of new technology or verification of technology. In such cases, where any person who has received prior notice of cancellation under paragraph (2) fails to submit an explanation referred to in paragraph (2), he/she shall be deemed to have acknowledged the fact that constituted the ground for cancellation.
- (4) When the Minister of Environment cancels authentication of new technology or verification of technology, he/she shall give notice to the relevant person or any interested person without delay and post such cancellation at the website of the Ministry of Environment on the Internet.

Article 19-6 (Designation of Excellent Environmental Enterprises)

- (1) “Criteria prescribed by Presidential Decree” in Article 7-6 (1) of the Act means each of the following: *<Amended by Presidential Decree No. 25083, Jan. 14, 2014; Presidential Decree No. 27334, Jul. 12, 2016>*
 1. Excellence in business performance, such as domestic and overseas sales;
 2. The level of practical use of a technology owned by an enterprise;
 3. Potential use of green products and environmental technologies and their marketability under Article 5-3 (1) of the Act of an environmental enterprise provided for in Article 5 (1) 8 of the Act (hereinafter referred to as “environmental enterprise”);
 4. Potential for new job creation;
 5. Potential for further development of an environmental technology.
- (2) Where an environmental enterprise falls under any of the following subparagraphs, the Minister of Environment shall exclude such enterprise from designation as an excellent environmental enterprise

under paragraph (1):

1. Where an enterprise breaches any other's intellectual property rights;
2. Where an enterprise is restricted from participating in national research and development projects under Article 11-2 of the Framework Act on Science and Technology;
3. Where an enterprise has arrears in tax, or its business has been suspended or closed;
4. Where for the last three consecutive years, the debt to asset ratio of an enterprise has been at least 500 percent, or its interest expense has exceeded its operating income.

(3) The criteria for designation referred to in paragraph (1) and detailed criteria for exclusion from designation referred to in paragraph (2) shall be determined and publicly announced by the Minister of Environment.

Article 19-7 (Installation and Operation of Environmental Technology and Database Network)

(1) The Minister of Environment may provide information on dissemination of environmental technologies, etc. to central administrative agencies, local governments, pertinent education and research institutions, companies and organizations, which are related with environmental technologies or environmental industries, by installing and operating an environmental technology and database network under Article 9 (2) of the Act.

(2) Among information referred to in paragraph (1), any research and development information pertaining to national research and development projects in the environmental field shall be provided in connection with the national science and technology information system provided for in Article 25 of the Regulations on the Management, etc. of National Research and Development Projects.

Article 19-8 (Status Quo Investigation of Environmental Technology and Industry)

(1) A status quo investigation on environmental technologies and industries conducted under Article 9-2 (1) of the Act (hereinafter referred to as "status quo investigation") shall include the following matters:

1. The current state and development trend of environmental technologies in Korea and abroad;
2. The balance of trade related to environmental technologies including the current state of import and export of environmental technologies;
3. The change in and forecast of the environmental market in Korea and abroad;
4. The current state of exports of the environmental industries;
5. The current state of supply and demand of human resources related to environmental technologies and industries;
6. The current state of business distribution related to environmental technologies and industries by business category;
7. The current state of business management of environmental enterprises;
8. Other matters necessary for establishing and enforcing policies pertaining to environmental technologies and industries.

(2) A status quo investigation shall be conducted once a year, but when the Minister of Environment deems it necessary to conduct an investigation on a specific area in connection with paragraph (1), a

special investigation may be conducted.

(3) When the Minister of Environment conducts a status quo investigation, he/she shall give prior notice to a person subject to investigation, of a plan of investigation stating a period of investigation, purposes of investigation, details of investigation, etc.

(4) The Minister of Environment may use electronic media, such as communication networks and e-mails for an efficient status quo investigation.

Article 20 (Designation and Operation of Green Environment Support Centers)

(1) The following institutions or organizations may be designated as green environment support centers under Article 10 (1) of the Act: *<Amended by Presidential Decree No. 23267, Oct. 28, 2011>*

1. National and public research institutions or research institutions subject to the application of the Support of Specific Research Institutes Act;
2. Schools established under Article 2 of the Higher Education Act;
3. The Environmental Management Corporation;
4. Corporations established after obtaining approval from the Minister of Environment for developing the environmental technology;
5. Institutions or organizations meeting the criteria for designation prescribed by the Minister of Environment among institutions or organizations specialized in business, such as resolving current environmental problems in local communities, laying the foundation for green growth, and facilitating green growth pursuant to Article 10 (1) of the Act (hereinafter referred to as "green growth").

(2) The Minister of Environment may request any green environment support center to furnish necessary data for efficiently operating such center and providing necessary support thereto, as prescribed by Ordinance of the Ministry of Environment. *<Amended by Presidential Decree No. 23267, Oct. 28, 2011>*

Article 20-2 (Criteria for Appraisal, etc. for Green Environment Support Centers)

(1) The criteria for regular appraisal referred to in Article 10-2 (1) 1 of the Act shall be as follows:

1. The ratio of the amount of funds provided by the Minister of Environment pursuant to Article 10 (2) of the Act to total business expenses;
2. The appropriateness in management of business expenses;
3. The business performance and records pursuant to each subparagraph of Article 10 (2) of the Act;
4. The level of facilitation of the operation of a green environment support center;
5. Other matters determined and publicly announced by the Minister of Environment in order to appraise the business records, etc. of the preceding year.

(2) The criteria for comprehensive appraisal referred to in Article 10-2 (1) 2 of the Act shall be as follows:

1. The business performance and records in accordance with the results of regular appraisals for the preceding four years;
2. The level of contribution to laying the foundation for green growth and facilitating green growth as well as resolution of environmental problems in local communities;

3. Other matters determined and publicly announced by the Minister of Environment for overall appraisal of operation of green environment support centers.
- (3) When the Minister of Environment intends to conduct an appraisal as prescribed by paragraph (1) or (2), he/she shall notify the green environment support center subject to appraisal of detailed criteria, time, etc. of appraisal by three months prior to the scheduled date for appraisal.

Article 20-3 (Establishment of Environmental Industry Association)

“Persons prescribed by Presidential Decree” in Article 11 (1) of the Act means the following enterprises or organizations: <Amended by Presidential Decree No. 24638, Jun. 28, 2013>

1. A construction company specializing in environment-friendly construction referred to in Article 15 of the Act;
2. An environment-related consulting company referred to in Article 16-4 of the Act;
3. An enterprise related to environmental technology or industry among venture businesses provided for in Article 2 (1) of the Act on Special Measures for the Promotion of Venture Businesses;
4. An enterprise related to environmental technology or industry among small and medium-sized enterprises provided for in Article 2 of the Framework Act on Small and Medium Enterprises;
5. An enterprise related to environmental technology or industry among enterprises that have made registration for incorporation under Article 172 of the Commercial Act and that have made business registration under Article 168 of the Income Tax Act and Article 8 of the Value-Added Tax Act.

Article 21 (Facilities Subject to Technical Support, etc.)

(1) Facilities subject to technical support under Article 12 of the Act shall be as follows: <Amended by Presidential Decree No. 22224, Jun. 28, 2010; Presidential Decree No. 23267, Oct. 28, 2011; Presidential Decree No. 25836, Dec. 9, 2014>

1. Facilities installed to prevent or reduce environmental pollution in advance during the course of production activities;
 2. Facilities in need of technical support because of a lack of technical capability to operate and manage environmental facilities;
 3. Facilities which have been operated in excess of permissible discharge standards under Article 16 of the Clean Air Conservation Act, Article 32 of the Water Quality and Aquatic Ecosystem Conservation Act or Article 7 of the Noise and Vibration Control Act, or discharged water quality standards under Article 7 of the Sewerage Act or Article 13 of the Act on the Management and Use of Livestock Excreta at least three times within two years and which are designated by heads of local governments, heads of basin environmental offices or heads of regional environmental offices as being in need of technical support in order to achieve the effect of environmental improvement;
 4. Facilities subject to investigation of the discharged amount of chemical substances under Article 11 of the Chemicals Control Act.
- (2) A person who intends to receive technical support for facilities under paragraph (1) shall file an application to the Minister of Environment.

(3) When the Minister of Environment receives an application for technical support pursuant to paragraph (2), he/she shall confirm a plan for technical support and then notify the applicant of such plan by seven days prior to the date on which the technical support commences. In such cases, in confirming the technical support plan, the Minister of Environment may, if deemed necessary depending on the types and characteristics of the facilities subject to technical support, consult with the heads of relevant local governments, the heads of basin environmental offices, the heads of regional environmental offices, green environment support centers established in accordance with Article 10 of the Act or relevant specialized institutions. <Amended by Presidential Decree No. 23267, Oct. 28, 2011>

(4) The Minister of Environment shall, where a person who has filed an application for technical support requires him/her to protect data or information worth being protected with respect to the relevant facilities and production process, manufactured products, etc., prevent disclosure or divulgence of such data or information. In such cases, the Minister of Environment shall decide the methods of protecting data or information and the period of protection by entering into a separate contract with the applicant.

Article 21-2 (Operation of Environmental Industry Research Complex)

(1) The Minister of Environment shall entrust the duties related to the operation of the environmental industry research complex under Article 13-3 (1) of the Act to the Korea Environmental Industry and Technology Institute pursuant to paragraph (3) of the same Article.

(2) The Korea Environmental Industry and Technology Institute entrusted with the duties pursuant to paragraph (1) shall establish regulations on the operation of the environmental industry research complex and submit them to the Minister of Environment.

Article 21-3 (Projects subject to Support)

"Projects prescribed by Presidential Decree" in Article 13-4 (2) 4 of the Act means the following:
<Amended by Presidential Decree No. 27334, Jul. 12, 2016>

1. Projects to support domestic environmental technologies for acquisition of international certifications;
2. Survey and research projects for installation and operation of environmental facilities in foreign countries and to obtain orders for foreign environmental projects.

Article 22 Deleted. <by Presidential Decree No. 23999, Jul. 31, 2012>

Articles 22-2 and 22-3 Deleted. <by Presidential Decree No. 20297, Sep. 28, 2007>

Article 22-4 (Registration Criteria for Business Specializing in Environment-Friendly Construction)

(1) A person who intends to make a registration of business specializing in environment-friendly construction under the former part of Article 15 (1) of the Act shall be equipped with the following technical abilities: <Amended by Presidential Decree No. 23267, Oct. 28, 2011>

1. Technical experts in charge under the following items:
 - (a) Atmosphere: At least four persons;
 - (b) Water quality: At least four persons;

(c) Noise and vibration: At least three persons;

2. Test apparatus to measure and analyze pollutants of water quality (limited to water quality field, and where concluding a contract for joint use or for vicarious execution of measurement and analysis with the person possessing the same test apparatus (excluding other business operators specializing in environment-friendly construction), it shall be deemed to have been equipped with the same test apparatus).

(2) Detailed criteria for registration of business specializing in environment-friendly construction, such as the qualifications of technical experts in charge and test apparatus under each subparagraph of paragraph (1), shall be provided for in Ordinance of the Ministry of Environment. <Amended by Presidential Decree No. 23267, Oct. 28, 2011>

(3) When a person files an application for registration under Article 15 (1) of the Act, the Special Metropolitan City Mayor, Metropolitan City Mayor, Do Governor, and Governor of a Special Self-Governing Province (hereinafter referred to as "Mayor/Do Governor") shall allow registration except in any of the following cases: <Newly Inserted by Presidential Decree No. 23267, Oct. 28, 2011>

1. Where he/she falls under any subparagraph of Article 15 (4) of the Act;
2. Where he/she is unequipped with the technical abilities provided for in paragraph (1);
3. Where such registration is in violation of restriction imposed under this Act and subordinate statutes or other Acts and subordinate statutes.

Article 22-5 (Alteration of Registration Matters of Business Specializing in Environment-Friendly Construction)

"Matters prescribed by Presidential Decree" in the latter part of Article 15 (1) of the Act shall be as follows:

1. Representative or trade name;
2. Location of business places;
3. Location of test apparatus (limited to water quality field);
4. Matters of concluding a contract for a joint use of test apparatus or a vicarious execution of measurement and analysis (limited to cases of concluding a contract for a joint use of test apparatus or a vicarious execution of measurement and analysis);
5. Technical experts in charge.

Article 22-6 (Preferential Treatment for Green Companies)

"Preferential measure prescribed by Presidential Decree" in Article 16-2 (5) 3 of the Act means funds and technical support needed to improve the environment of companies and places of work. <Amended by Presidential Decree No. 23267, Oct. 28, 2011>

Article 22-7 (Revocation of Designation of Green Companies)

(1)"Cases prescribed by Presidential Decree" in Article 16-3 (1) 3 of the Act shall be as follows: <Amended by Presidential Decree No. 22124, Apr. 13, 2010; Presidential Decree No. 22224, Jun. 28, 2010; Presidential Decree No. 23267, Oct. 28, 2011; Presidential Decree No. 25836, Dec. 9, 2014; Presidential Decree No. 27334, Jul. 12,

1. Where a person has been subjected to any of the following disposition, or has been sentenced to a punishment equivalent to or heavier than a fine of at least one million won or imprisonment without prison labor in violation of the relevant Acts: Provided, That the same shall not apply where a person has been subjected to any of the following disposition, but recognized by the Minister of Environment as not having polluted the surrounding environment:

- (a) Any order for improvement, order for suspension of operation, disposition on cancellation of permission, disposition taken to impose penalty surcharges, order for suspension of use, or order for closure under Article 33, 34, 36, 37, or 38 of the Clean Air Conservation Act;
- (b) Any order on the enforcement of prevention measures, order for improvement, order for suspension of operation, disposition on cancellation of permission, order for suspension of use, or order for closure under Article 15 (3), 39, 40, 42, or 44 of the Water Quality and Aquatic Ecosystem Conservation Act;
- (c) Any order for improvement, order for suspension of operation, disposition on cancellation of permission, order for suspension of use, or order for closure under Articles 15 through 18 of the Noise and Vibration Control Act;
- (d) Any disposition on cancellation of permission, order for business suspension or order to take measures under Article 27 or 48 of the Wastes Control Act;
- (e) Any order for suspension of manufacturing, import, use or sale, order for measures such as retrieval, order for improvement, disposition on cancellation of permit, order of business suspension, or disposition of imposition of penalty surcharge under Article 13 (2) of the Act on Registration, Evaluation, etc. of Chemicals or Article 25, 35, or 36 of the Chemicals Control Act;
- (f) Any disposition on cancellation of permission, order for business suspension, disposition taken to impose penalty surcharges or disposition on cancellation of registration under Article 18, 32, 33 or 35 of the Act on the Management and Use of Livestock Excreta;
- (g) Any order for suspension or order for restoration under Article 17 of the Natural Environment Conservation Act;
- (h) Any order to take measures or order for suspension of use under Articles 14 (1) and (3), and 15 (3) of the Soil Environment Conservation Act;
- (i) Any order to take measures or to suspend construction under Article 26 (3) and (4) or 28 (3) of the Environmental Impact Assessment Act;
- (j) Any order for improvement, order for suspension of use, disposition taken to impose penalty surcharges or order for closure under Articles 10 through 13 of the Malodor Prevention Act;
- (k) Any order for business suspension, disposition on cancellation of permission, disposition taken to impose penalty surcharges, or disposition on cancellation of registration under Article 49, 50, or 54 of the Sewerage Act;

2. Where the designation as a green company has not been revoked pursuant to the proviso to subparagraph 1, but the person has been subjected to the disposition falling under each item of the same subparagraph at least three times for two years;
3. Where the location is changed by relocation of a company and its place of work;
4. Other cases corresponding to subparagraphs 1 and 3 as prescribed by Ordinance of the Ministry of Environment.

(2) Any of the following shall serve as a criterion for determining substantial identity under the latter part of Article 16-3 (2) of the Act: <Newly Inserted by Presidential Decree No. 27334, Jul. 12, 2016>

1. The representative of a person whose designation as a green enterprise has been canceled is the same as the representative of a person who wishes to be designated as a green enterprise;
2. A person who wishes to be designated as a green enterprise has taken over the right of business or assets, etc. from a person whose designation as a green enterprise has been canceled;
3. A person who wishes to be designated as a green enterprise is merged with a person whose designation as a green enterprise has been canceled or spun off from a person whose designation as a green enterprise has been canceled;
4. A person whose designation as a green enterprise has been canceled is substantially identical to a person who wishes to be designated as a green enterprise when other factors are comprehensively taken into account such as the business purpose, the details of a business, the members of a business including its executives, employees, etc., decision making structures, etc.

Article 22-8 (Registration Criteria for Environment Consulting Firm)

(1) The requirements on qualified personnel under the former part of Article 16-4 (1) of the Act with the exception of its subparagraphs are as provided for in attached Table 1.

(2) "Important matters prescribed by Presidential Decree, such as trade name or technical human resources" in the latter part of Article 16-4 (1) of the Act with the exception of its subparagraphs means the following:

1. Trade name or the location of business place;
2. Representative and executives;
3. Technical human resources;
4. Purpose of business (referring to the purpose of business stipulated in the articles of incorporation).

(3) Any registration of changes under Article 16-4 (1) of the Act shall be made within 30 days from the date on which any ground for changes arises.

(4) When an application for registration is filed under Article 16-4 (1) of the Act, the Mayor/Do Governor shall allow registration except in any of the following cases: <Newly Inserted by Presidential Decree No. 23267, Oct. 28, 2011>

1. Where the business of a company applying for registration does not fall under any subparagraph of Article 16-4 (1) of the Act;

2. Where any executive falls under any subparagraph of Article 16-4 (2) of the Act;
3. Where the company fails to satisfy the requirements on personnel provided for in paragraph (1);
4. Where such registration is in violation of restriction imposed under this Act and subordinate statutes or other Acts and subordinate statutes.

Article 22-9 (Disclosure of Environmental Information)

“Public institutions prescribed by Presidential Decree and companies, etc. that have substantial influence on the environment” in Article 16-8 (1) of the Act shall be as follows:

1. Central administrative agencies as prescribed by Article 2 of the Government Organization Act;
2. Local governments as prescribed by Article 2 of the Local Autonomy Act;
3. Institutions designated under Article 4 of the Act on the Management of Public Institutions (excluding other public institutions as prescribed by Article 5 (4) of the same Act, the fixed number of personnel of which is less than 100 persons);
4. National universities and public universities as prescribed by Article 3 of the Higher Education Act;
5. Institutions in attached Table 2, among local government-invested public corporations as prescribed by Article 49 of the Local Public Enterprises Act and local government public corporations as prescribed by Article 76 of the same Act;
6. Controlled entities as prescribed by Article 42 (5) of the Framework Act on Low Carbon, Green Growth.

Article 22-10 (Detailed Types of Unfair Labels and Advertisements)

The detailed types of unfair labels and advertisements under each subparagraph of Article 16-10 (1) of the Act shall be as shown in attached Table 2-2. <Amended by Presidential Decree No. 27334, Jul. 12, 2016>

Article 22-11 (Labels and Advertisements Subject to Verification, etc.)

(1) The labels and advertisements subject to verification under Article 16-11 (1) of the Act shall be labels and advertisements for which the verification is deemed necessary by the Minister of Environment due to a concern over possible violation of Article 16-10 (1) of the Act.

(2) The scope of and requirements for data that manufacturers, manufacturing sellers, or sellers (hereinafter referred to as “manufacturers, etc.”) are required to submit to the Minister of Environment pursuant to Article 16-11 (3) of the Act shall be as follows:

1. Test results: the methods of testing prescribed in the related Acts or the testing methods of an equivalent or higher level of standards shall be followed;
2. Investigation results: the selection of samples, the contents of inquiries, and the methods of inquiry shall be consistent with the purpose of the investigation or statistical methods;
3. Methods for verification: a scientific and objective method which is widely known in the field of academia or which is generally recognized in the related industries shall be used for a test or investigation conducted for verification.

(3) Where manufacturers, etc. submit requested data to the Minister of Environment pursuant to Article 16-11 (3) of the Act, the submission shall include the following:

1. Name, address, and telephone number of a test/investigation agency and the name of the representative thereof (this shall apply only when a test or investigation is conducted);
2. Where the data to be submitted include trade secrets which manufacturers, etc. do not want to disclose, the contents thereof and the reason therefor.

Article 22-12 (Order for Publication of Fact of Receiving Corrective Orders or Placement of Corrective Advertisements)

- (1) Where the Minister of Environment orders manufacturers, etc. to publicize the fact of receiving a corrective order or to put a corrective advertisement under Article 16-12 (1) 2 and 3 of the Act, he/she shall issue such order by determining the contents of the publication or corrective advertisement, the type and scale of a medium, the frequency, etc.
- (2) Where the Minister of Environment orders the publication or corrective advertisement pursuant to paragraph (1), he/she may require the relevant manufacturers, etc. to have prior consultation with him/her on the draft of the publication or corrective advertisement.

Article 22-13 (Turnover, etc.)

- (1) “Turnover determined by Presidential Decree” referred to in the main sentence of Article 16-13 (1) of the Act shall mean the amount of sale or purchase of products and services sold or purchased during the period of a violation (referring to a period from the commencement date to the end date of a violation; hereinafter the same shall apply) by the relevant manufacturers, etc. or an amount corresponding thereto (hereinafter referred to as “related turnover”).
- (2) “Manufacturers, etc. prescribed by Presidential Decree” in the main sentence of Article 16-13 (1) of the Act shall mean business operators who treat the total amount received for their products and services as business profit on financial statements, etc.
- (3) “In the case of manufacturers, etc. prescribed by Presidential Decree” referred to in the proviso to Article 16-13 (1) of the Act shall mean any of the following cases:
 1. Where manufacturers, etc. have no business result for such reasons as not yet having commenced their business operations, having discontinued their business operations, etc.;
 2. Where it is deemed impractical to objectively compute the amount of related turnover for such reasons as the impracticality of reasonably estimating related turnover, etc. even after comprehensively taking into account the state of property of the relevant manufacturers, etc. or other data necessary for the computation of related turnover.
- (4) Detailed matters necessary for the computation of related turnover, etc. other than those provided in paragraphs (1) through (3) shall be determined and publicly announced by the Minister of Environment.

Article 22-14 (Standards for Imposition of Penalty Surcharges)

The standards for the imposition of penalty surcharges under Article 16-13 (1) of the Act shall be as shown in attached Table 2-3.

Article 22-15 (Imposition and Payment of Penalty Surcharges)

(1) Where the Minister of Environment imposes a penalty surcharge pursuant to Article 16-13 of the Act, he/she shall make a written notice for the payment thereof by specifying the type of a violation and the amount of the relevant penalty surcharge.

(2) A person in receipt of a notice referred to in paragraph (1) shall pay a penalty surcharge to a receiving agency determined by the Minister of Environment within 60 days from the date of receiving the notice: Provided, That when it is not possible to pay the penalty surcharge within the aforesaid period due to a natural disaster or any other extenuating circumstance, the payment shall be made within 30 days from the date on which such reasons cease to exist.

Article 23 (Application for Environment Mark Certification)

(1) Any person who intends to obtain certification of environment mark pursuant to Article 17 (2) of the Act shall submit an application for environment mark certification to the Minister of Environment, along with the data falling under each of the following subparagraphs:

1. Data related to the environmentally-friendliness of the relevant product;
2. Data related to the quality of the relevant product;
3. Deleted. <by Presidential Decree No. 25083, Jan. 14, 2014>

(2) The Minister of Environment shall, when he/she grants certification of environment mark, issue a certificate of environment mark to the applicant, clearly stating the reasons therefor.

Article 24 (Selection of Products Subject to Environment Mark)

(1) Any person who intends to present a proposal for selection of products subject to certification of environment mark under Article 17 of the Act (hereinafter referred to as "product subject to environment mark") shall submit a written proposal for such selection to the Minister of Environment.

(2) Food under the Food Sanitation Act, medicines and therapeutic devices under the Pharmaceutical Affairs Act, agricultural chemicals under the Pesticide Control Act and wood crafts designated as forest products (excluding forest products prescribed by Article 2 (5) 6 of the Enforcement Decree of the same Act) under the Creation and Management of Forest Resources Act shall not be selected as a product subject to environment mark. <Amended by Presidential Decree No. 23267, Oct. 28, 2011>

(3) When the Minister of Environment selects a product subject to environment mark, he/she shall establish and publicize standards for certification of environment mark by product.

Article 25 (Repeal of Selection of Product Subject to Environment Mark)

(1) In cases of any product that has no need to obtain environment mark, from among products subject to environment mark pursuant to Article 17 (3) of the Act, the Minister of Environment may repeal the selection of the product subject to environment mark.

(2) The Minister of Environment shall, when he/she repeals the selection of a product subject to environment mark pursuant to paragraph (1), announce the fact to the public.

Article 25-2 (Reporting on Change by Authenticating Institution)

The term "matters prescribed by Presidential Decree, such as name and location, etc. of authenticating institution" in Article 18 (6) of the Act means those falling under any of the following subparagraphs:

1. Location of the authenticating institution;
2. Name of the authenticating institution;
3. Representative.

Article 26 (Selection and Repeal of Product Subject to Environment Grade Mark)

(1) Any person who intends to present a proposal on the selection of materials and products subject to authentication of environment grade mark pursuant to Article 20 (1) of the Act (hereinafter referred to as "product subject to environmental grade mark") shall submit a written proposal to the Minister of Environment.

(2) The Minister of Environment shall deliberate over such matters proposed pursuant to paragraph (1), determine whether to choose products subject to environment grade mark, draw up guidelines concerning the method of assessment for environment grade for chosen products subject to environment grade mark and the mark thereof, and then notify them to the public.

(3) The provisions of Article 25 shall apply mutatis mutandis to matters concerning the repeal of the product subject to environment grade mark. In such cases, "products subject to environment mark" shall be deemed "products subject to environment grade mark".

Article 27 (Qualification Standards, etc. for Examiner of Authentication)

(1) Any person falling under any of the following subparagraphs may become an examiner of authentication pursuant to Article 21 (2) of the Act:

1. A person who received the education under Article 21 (1) of the Act and for whom three years have not yet passed;
2. A person who has a career record publicized by the Minister of Environment and who graduated from college after completing subjects prescribed and publicized by the Minister of Environment, taking into account the types and characteristics of a product subject to environment grade mark.

(2) The Minister of Environment shall, when a person satisfying the qualification criteria under paragraph (1) file an application, issue a certificate of examiner of authentication of environment grade mark.

Article 27-2 (Regulations for Affairs)

Matters to be included in the regulations necessary for the affairs of authentication or education under Article 21-2 (2) of the Act shall be as follows:

1. Matters to be included in the regulations necessary for the affairs of authentication:
 - (a) Matters on the procedures of authentication and methods thereof for environment mark under Article 17 of the Act or environment grade mark under Article 18 of the Act (hereinafter referred to as "environment mark, etc.");
 - (b) Matters on the period of authentication of environment mark, etc. and post management of authenticated products;
 - (c) Other matters recognized by the Minister of Environment as necessary for the authentication of environment mark, etc.;

2. Matters to be included in the regulations necessary for education affairs:
 - (a) Matters on the procedures for application for education and methods of assessment;
 - (b) Matters on the management of persons completing the education;
 - (c) Other matters recognized by the Minister of Environment as necessary for the education for examiners of authentication.

Article 28 (Grounds for Cancellation of Authentication of Environment Mark, etc.)

(1) The term "cases prescribed by Presidential Decree" in Article 23 (1) 4 of the Act means cases falling under any of the following subparagraphs:

1. Where manufacturing of the products which obtained authentication of environment mark has been de facto suspended due to dishonor, closure or any other grounds similar thereto;
2. Where any product failing to satisfy the authentication criteria under Article 17 (3) of the Act is distributed.

(2) The term "cases prescribed by Presidential Decree" in Article 23 (2) 4 of the Act means cases falling under any of the following subparagraphs:

1. Where manufacturing of the products which obtained authentication of environment grade mark has been de factosuspended due to dishonor, closure or any other grounds similar thereto;
2. Where any material or product different from the details of the authentication under Article 20 (3) of the Act is distributed.

Article 28-2 (Announcement of Cancellation of Authentication of Environmental Marks, etc.)

The Minister of Environment shall, when he/she cancels authentication of environment mark, etc. pursuant to Article 23 of the Act, publicly announce the matters falling under each of the following subparagraphs:

1. Materials or name of product, the authentication of which is cancelled;
2. Manufacturing company or manufacturer of materials or products, the authentication of which is cancelled;
3. Grounds for cancellation of authentication;
4. Date of cancellation of authentication.

Article 28-3 (Support, etc. for Mutual Recognition of Environment Mark, etc. between States)

(1) The Government may, when it enters into an agreement with a foreign government with respect to the mutual recognition of environment mark, etc. pursuant to Article 24-2 of the Act, specify the provisions of such agreement stipulating that the same effect as provided for in this Act shall be granted to the authentication of environment mark, etc. granted by any foreign authenticating institution.

(2) The Minister of Environment shall, when he/she intends to enter into an agreement under paragraph (1), consult with heads of relevant central administrative agencies in advance.

Article 29 (Use of Fees, etc.)

The term "expenses as prescribed by Presidential Decree" in Article 25 (2) of the Act means expenses required for post management, such as pilot test of products which obtained authentication for environment mark, etc.

Article 30 (Criteria, etc. for Collection of Fees, etc.)

- (1) The Minister of Environment shall determine fees for application under Article 25 (1) of the Act based on the expenses required to examine the application for authentication of environment mark, etc. and usage fees based on the types, unit price, endurance period, and sales of materials or products, after hearing opinions from authenticating institutions or institutions entrusted with authentication of environment mark, etc. persons who obtained authentication of environment mark, etc. and other interested persons.
- (2) The Minister of Environment shall, when he/she determines application fees and usage fees pursuant to paragraph (1), publicly announce such details.

Article 31 Deleted. <by Presidential Decree No. 18863, Jun. 13, 2005>

Article 32 (Establishment, etc. of Environmental Technical Personnel Nurturing Plan)

The plan for nurturing environmental technical personnel under Article 27 of the Act shall contain the matters falling under each of the following subparagraphs:

1. A mid and long outlook on supply and demand of environmental technical personnel;
2. A plan for nurturing and securing the environmental technical personnel;
3. A plan for providing education on environmental technology and technical training;
4. Matters on the attraction and utilization of environmental technical personnel.

Article 33 (Delegation and Entrustment)

(1) Deleted. <by Presidential Decree No. 25083, Jan. 14, 2014>

(2) The Minister of Environment shall delegate the following authority to heads of river basin environmental office or heads of regional environmental office pursuant to Article 31 (1) of the Act:

<Amended by Presidential Decree No. 21544, Jun. 16, 2009; Presidential Decree No. 25083, Jan. 14, 2014>

1. Designation, and cancellation of the designation, of a green enterprise under Articles 16-2 and 16-3 of the Act;
2. Request for the presentation of data, investigation, inspection or collection under Article 28 (2) of the Act;
3. Hearings under subparagraph 5 of Article 30 of the Act;
4. Imposition and collection of administrative fines under Article 37 (2) 2 of the Act.

(3) Deleted. <by Presidential Decree No. 23999, Jul. 31, 2012>

(4) Deleted. <by Presidential Decree No. 25083, Jan. 14, 2014>

(5) The Minister of Environment may entrust the following business affairs to the head of the Korea Environmental Industry and Technology Institute in accordance with Article 31 (2) 1, 1-2 through 1-4, and 4 of the Act: <Amended by Presidential Decree No. 21544, Jun. 16, 2009; Presidential Decree No. 23267, Oct. 28, 2011; Presidential Decree No. 23934, Jul. 4, 2012; Presidential Decree No. 25083, Jan. 14, 2014; Presidential Decree No. 27334, Jul. 12, 2016>

1. Designation of excellent environmental enterprises under Article 7-6 of the Act;
2. Verification of environmental information under Article 16-9 of the Act;

3. Formation and operation of an evaluation board under Article 16-2 (1);
4. Receipt of an application for objection under the main sentence of Article 16-2 (2);
5. Receipt of application under Article 18;
6. Public announcement and hearing of opinions from interested parties, etc. under Article 18-4 (1);
7. Assessment of authentication of new technology or verification of technology under Article 18-4 (2);
8. Financial support necessary for utilization of new technologies under Article 19-3 (4) and receipt and assessment of application for extension under Article 19-4 (2) and (4);
9. Investigation and review of explanations under Article 19-5 (3).

(6) The Minister of Environment shall entrust the following business affairs to the head of the Korea Environment Corporation in accordance with Article 31 (2) 2 and 3 of the Act: *<Amended by Presidential Decree No. 21544, Jun. 16, 2009>*

1. Support for environmental technologies under Article 12 of the Act and support for necessary expenses thereof;
2. Diagnosis of technologies under Article 13 of the Act and support for necessary expenses thereof.

(7) Deleted. *<by Presidential Decree No. 21544, Jun. 16, 2009>*

(8) "Institution or organization prescribed by Presidential Decree" in Article 31 (2) 5 of the Act means the Korea Environmental Industry and Technology Institute. *<Amended by Presidential Decree No. 21544, Jun. 16, 2009; Presidential Decree No. 23934, Jul. 4, 2012>*

(9) "Institution or organization prescribed by Presidential Decree" in Article 31 (2) 6 of the Act means the Korea Environmental Preservation Association under Article 59 of the Framework Act on Environmental Policy. *<Amended by Presidential Decree No. 21544, Jun. 16, 2009; Presidential Decree No. 23934, Jul. 4, 2012; Presidential Decree No. 23967, Jul. 20, 2012>*

Article 34 (Processing of Personally Identifiable Information)

The Minister of Environment (including persons to whom the authority of the Minister of Environment has been delegated or entrusted under Article 33) or the Mayor/Do Governor (where the relevant authority has been delegated or entrusted, including persons to whom the authority has been delegated or entrusted) may, if inevitable to conduct the following affairs, process data including resident registration numbers as prescribed by subparagraph 1 of Article 19 of the Enforcement Decree of the Personal Information Protection Act: *<Amended by Presidential Decree No. 27334, Jul. 12, 2016>*

1. Affairs pertaining to authentication of new technology and verification of technology under Article 7 of the Act;
2. Affairs pertaining to designation and support of excellent environmental enterprises under Article 7-6 of the Act;
3. Affairs pertaining to registration, reporting, etc. of business specializing in environment-friendly construction under Article 15 of the Act;
4. Affairs pertaining to designation, etc. of green companies under Article 16-2 of the Act;

5. Affairs pertaining to registration of environmental consulting firms under Article 16-4 of the Act;
6. Affairs pertaining to certification for eco-labelling and environmental declaration of products, and designation of a certification agency for environmental declaration of products under Articles 17 and 18 of the Act.

Article 34-2 (Reexamination of Regulations)

(1) The Minister of Environment shall review the appropriateness of each of the following matters and take measures for improvement, etc. every three years (referring to a period until the day before the base date of every third year) from the base date in each of the following:

1. Research institutions in the environmental field provided for in Article 12: January 1, 2014;
2. Collection and use of royalties provided for in Article 16: January 1, 2014;
3. Registration criteria for businesses specializing in environment-friendly construction provided for in Article 22-4: January 1, 2014;
4. Registration criteria for environment consulting firms provided for in Article 22-8 and attached Table 1: January 1, 2014.

Article 35 (Criteria for Imposing Fines for Negligence)

The criteria for imposing fines for negligence pursuant to Article 37 of the Act shall be as provided for in attached Table 3. *<Amended by Presidential Decree No. 23267, Oct. 28, 2011>*

ADDENDA

Article 1 (Enforcement Date)

This Decree shall enter into force from the date of its promulgation: Provided, That matters concerning the environmental grade marks in the amended provisions of Articles 26, 27, 33 (6), 28 through 30 and 34 shall enter into force on February 4, 2001.

Article 2 (Transitional Measures concerning Disposition, etc.)

Any disposition taken and any act performed by the Minister of Environment and other administrative agencies or any application filed, any registration made, any act performed with or against the Minister of Environment and other administrative agencies under the previous provisions at the time this Decree enters into force shall be deemed to be taken and performed by the administrative agencies concerned or filed, made and performed with or against such administrative agencies under the provisions of this Decree.

Article 3 Omitted.

Article 4 (Relation with other Acts and Subordinate Statutes)

Where other Acts and subordinate statutes cite the provisions of the Enforcement Decree of the Development of and Support for Environment Technology Act at the time when this Decree enters into force, they shall be deemed to cite the corresponding provisions, if any, of this Decree.

ADDENDA <Presidential Decree No. 17305, Jul. 16, 2001>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 17, 2001.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 17698, Aug. 8, 2002>

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. 18157, Dec. 11, 2003>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Method of Evaluating Environmental Technology)

The amended provisions of Article 18 (5) and (6) shall apply, starting with the evaluation of any environmental technology for which an application is filed first after the enforcement of this Decree.

Article 3 (Applicability to Standards for Qualifications of Certification Examiners)

The amended provisions of Article 27 (1) 1 shall apply, starting with any certification examiner who undergoes the training first after the enforcement of this Decree.

Article 4 (Transitional Measures concerning Institution in Charge of General Administration of Development Projects)

Every institution in charge of general administration of development projects provided for in the former provisions at the time this Decree enters into force shall be deemed a specialized institution in charge of administration of development projects provided for in the amended provisions of Article 10 (1).

Article 5 Omitted.

ADDENDUM <Presidential Decree No. 18312, Mar. 17, 2004>

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

ADDENDA <Presidential Decree No. 18428, Jun. 11, 2004>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2004.

Article 2 Omitted.

ADDENDA <Presidential Decree No. 18695, Feb. 7, 2005>

Article 1 (Enforcement Date)

This Decree shall enter into force on February 10, 2005.

Article 2 Omitted.

ADDENDA <Presidential Decree No. 18796, Apr. 22, 2005>

Article 1 (Enforcement Date)

This Decree shall enter into force on April 23, 2005. (Proviso Omitted.)

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 18863, Jun. 13, 2005>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2005.

Article 2 Omitted.

ADDENDUM <Presidential Decree No. 18880, Jun. 23, 2005>

This Decree shall enter into force on July 1, 2005.

ADDENDA <Presidential Decree No. 18953, Jul. 22, 2005>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Presidential Decree No. 19513, Jun. 12, 2006>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2006.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 19574, Jun. 29, 2006>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2006.

Article 2 (Applicability to Revocations of Designations of Environmentally Friendly Enterprises)

The amended provisions of subparagraph 1-2 of Article 22-7 shall apply starting with the case where the requirements that are prescribed pursuant to the same subparagraph are first violated after the enforcement of this Decree. In such cases, the disposition falling under any of the items of subparagraph 1 of the same Article, which is first taken after the enforcement of this Decree, shall be deemed the first disposition.

Article 3 (Transitional Measures concerning Written Designation of New Environmental Technology or Written Environmental Technology Verification)

Anyone who has received the written designation of the new environmental technology or the written environmental technology verification pursuant to the former provisions at the time this Decree enters into force shall be deemed to receive the written new technology certification or the written technology verification provided for in the amended provisions of Article 18 (4) and the valid period of the new environmental technology shall be deemed the valid period of the new technology certification provided for in the amended provisions of Article 19-4 and the valid period shall be added up from the date on which it is designated pursuant to the provisions of the previous provisions.

Article 4 (Transitional Measures concerning Change in Specialized Institution for Evaluating Environmental Technology)

The environmental technology evaluation, etc. that are performed by the Environmental Management Corporation or the act of filing an application with the Environmental Management Corporation for the environmental technology evaluation pursuant to the previous provisions at the time this Decree enters into force shall be each deemed to be performed by the President of the Korea Institute of Environmental Science and Technology and to be the act of filing an application with the President of the Korea Institute of Environmental Science and Technology pursuant to the amended provisions of Article 19.

Article 5 Omitted.

ADDENDA <Presidential Decree No. 19639, Aug. 4, 2006>

Article 1 (Enforcement Date)

This Decree shall enter into force on August 5, 2006.

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 19719, Oct. 27, 2006>

Article 1 (Enforcement Date)

This Decree shall enter into force on October 29, 2006.

Articles 2 through 6 Omitted.

ADDENDUM <Presidential Decree No. 20165, Jul. 4, 2007>

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

ADDENDA <Presidential Decree No. 20241, Sep. 6, 2007>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 20244, Sep. 6, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Presidential Decree No. 20290, Sep. 27, 2007>

Article 1 (Enforcement Date)

This Decree shall enter into force on September 28, 2007.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 20297, Sep. 28, 2007>

Article 1 (Enforcement Date)

This Decree shall enter into force on October 5, 2007. (Proviso Omitted.)

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 20383, Nov. 15, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 11 Omitted.

ADDENDA <Presidential Decree No. 20428, Nov. 30, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 7 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. 21461, Apr. 30, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on May 1, 2009.

Article 2 Omitted.

ADDENDA <Presidential Decree No. 21462, Apr. 30, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on May 1, 2009.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 21461, Apr. 30, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on May 1, 2009.

Article 2 Omitted.

ADDENDUM <Presidential Decree No. 21544, Jun. 16, 2009>

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 12, 20, and Article 33 (6) and (7) shall enter into force on January 1, 2010.

ADDENDA <Presidential Decree No. 22124, Apr. 13, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on April 14, 2010.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 22224, Jun. 28, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2010.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 22977, Jun. 24, 2011>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 23267, Oct. 28, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on October 29, 2011.

Article 2 Omitted.**Article 3 (Relations with other Acts and Subordinate Statutes)**

Where other Acts and subordinate statutes cite the former Enforcement Decree of the Development of and Support for Environmental Technology Act or the provisions thereof as at the time this Decree enters into force, they shall be deemed to cite this Decree or the corresponding provisions of this Decree in lieu of the former Enforcement Decree of the Development of and Support for Environmental

Technology Act or the provisions thereof.

ADDENDA <Presidential Decree No. 23488, Jan. 6, 2012>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDUM <Presidential Decree No. 23934, Jul. 4, 2012>

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

ADDENDA <Presidential Decree No. 23967, Jul. 20, 2012>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 23999, Jul. 31, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on August 2, 2012. (Proviso Omitted.)

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 24474, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Presidential Decree No. 24638, Jun. 28, 2013>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2013. (Proviso Omitted.)

Articles 2 through 17 Omitted.

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

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

ADDENDA <Presidential Decree No. 25083, Jan. 14, 2014>

This Decree shall enter into force on January 17, 2014.

ADDENDUM <Presidential Decree No. 25627, Sep. 24, 2014>

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

ADDENDA <Presidential Decree No. 25836, Dec. 9, 2014>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

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.

ADDENDUM <Presidential Decree No. 27334, Jul. 12, 2016>

This Decree shall enter into force on July 28, 2016: Provided, That the amended provisions of Articles 22-12 through 22-15 and attached Table 2-3 shall enter into force on July 20, 2016, and the amended provisions of Article 22-10 and attached Table 2-2 shall enter into force on the date of the promulgation of this Decree.