

ENFORCEMENT DECREE OF THE WATER SUPPLY AND WATERWORKS INSTALLATION ACT

Wholly Amended by Presidential Decree No.13771, Dec. 9,1992

Amended by Presidential Decree No.14255, May. 4,1994

Presidential Decree No.14282, Jun. 16,1994

Presidential Decree No.14446, Dec. 23,1994

Presidential Decree No.14447, Dec. 23,1994

Presidential Decree No.14450, Dec. 23,1994

Presidential Decree No.14707, Jul. 1,1995

Presidential Decree No.15598, Dec. 31,1997

Presidential Decree No.15659, Feb. 24,1998

Presidential Decree No.15964, Dec. 31,1998

Presidential Decree No.16508, Aug. 6,1999

Presidential Decree No.16893, Jul. 1,2000

Presidential Decree No.17381, Sep. 29,2001

Presidential Decree No.17698, Aug. 8,2002

Presidential Decree No.17854, Dec. 30,2002

Presidential Decree No.18039, Jun. 30,2003

Presidential Decree No.19048, Sep. 14,2005

Article 1 (Purpose)

The purpose of this Decree is to provide matters delegated by the Water Supply and Waterworks Installation Act (hereinafter referred to as the "Act") and matters necessary for the enforcement thereof. *<Amended by Presidential Decree No. 19048, Sep. 14, 2005>*

Article 2 (Scope of Wide-Area Waterworks)

(1) The scope of the wide-area waterworks which the State may install under subparagraph 7 of Article 3 of the Act shall be as follows: *<Amended by Presidential Decree No. 14707, Jul. 1, 1995; Presidential Decree No. 15659, Feb. 24, 1998; Presidential Decree No. 19048, Sep. 14, 2005>*

1. The waterworks intended to supply the water using, as its water source, a multipurpose dam or a dam for providing water for the purpose of the reasonable utilization and distribution of the resource of water;
2. The waterworks intended to supply water by means of altering the water system of a river under the direct control;

3. The waterworks intended to supply water to the local government where the industrial complex as prescribed in Article 2 of the Industrial Sites and Development Act is designated; and

4. The waterworks intended to supply water to the spheres of jurisdiction of two or more Metropolitan Cities or *Dos*.

(2) The scope of the wide-area waterworks which the local government may install in accordance with subparagraph 7 of Article 3 of the Act shall be restricted to the case where water is intended to be supplied by means of the waterworks which the local governments concerned have jointly installed after having gone through consultations with each other on the matter of the installation of the waterworks.

Article 3 (Installation of Small-Scale Waterworks)

The term "small-scale waterworks as prescribed by the Presidential Decree" in subparagraph 9 of Article 3 of the Act refers to the waterworks which the local government as the waterworks business operator has installed in order to provide its residents with the tap water suitable for drinking and, therefore, which are equipped with such water treatment facilities as the depositing reservoir, the filter bed, the pasteurization facility so that the raw water can be treated properly to meet the standards for the water quality as prescribed in Article 18 (2) of the Act: *Provided*, That the water treatment facilities, which are deemed unnecessary to be installed on account of the good quality of raw water concerned, may not be installed except for the pasteurization facilities.

Article 4 (Scale of Non-Exclusive Waterworks, etc.)

The term "facilities do not come to the standards as prescribed by the Presidential Decree" in the provisos of subparagraphs 12 and 13 of Article 3 of the Act, refers to the waterworks of which the scale falls under one of the following subparagraphs:

1. The waterworks of which the pipeline diameter is less than 25 millimeters or of which pipeline length is less than 1,500 meters; and
2. The waterworks of which the water tank has the total available capacity of less than 100m³.

Article 5 (Minor Modifications of Basic Plan for Waterworks Installation and Management)

The term "minor matters as prescribed by the Presidential Decree" in the proviso of Article 4 (2) of the Act means the matters as prescribed in Article 4 (7) 6 through 9 of the Act.

Article 5-2 (Matters Required for Approval for Modification of Basic Plan for Waterworks Installation and Management)

The term "important matters prescribed by the Presidential Decree" in the later part of Article 4 (3) of the Act means matters falling under each of the following subparagraphs:

1. The basic policy of waterworks installation and management;
2. Matters concerning mid-term and long-term supply and demand of tap water;
3. Matters concerning the development of wide-area water supply sources;

4. Matters concerning areas to which tap water is supplied;
5. Securing of water-supply sources and the designation and management of areas for the protection of water-supply sources;
6. The capacity of supplying tap-water facilities;
7. Priority in undertaking tap-water projects;
8. Improvements and replacement, etc. of worn-out tap-water pipelines;
9. The development and propagation of used-water treatment waterworks; and
10. Matters concerning the integrated water-supply district in areas that need to be operated by linking the wide-area waterworks with the local waterworks.

[This Article Newly Inserted by Presidential Decree No. 17381, Sep. 29, 2001]

Article 5-3 (Prior Examination of Basic Plan for Waterworks Installation and Management)

The Minister of Environment may, when he intends to approve the basic plan for waterworks installation and management or approve any change in such basic plan with respect to the general tap water in accordance with Article 4 (3) of the Act, ask in advance the Environmental Management Corporation established pursuant to the Environmental Management Corporation Act or the Korea Water Resources Corporation set up pursuant to the Korea Water Resources Corporation Act to examine technical aspects thereof, including the relevancy of facility scale, and hear its opinions. <Amended by Presidential Decree No. 19048, Sep. 14, 2005>

[This Article Newly Inserted by Presidential Decree No. 17381, Sep. 29, 2001]

Article 6 (Special Cases in Establishing Basic Plan for Waterworks Installation and Management)

(1) The term "the *Do* governor, the Special Metropolitan City Mayor, the Metropolitan City Mayor and the head of *Si/Gun* (excluding the head of *Gun* in the Metropolitan City) prescribed by the Presidential Decree" in Article 4 (6) of the Act means the *Do* governor, the Special Metropolitan City Mayor, the Metropolitan City Mayor and the head of *Si/Gun* (excluding the head of *Gun* in the Metropolitan City; hereafter the same in this Article shall apply) according to the classification falling under each of the following subparagraphs: <Amended by Presidential Decree No. 17381, Sep. 29, 2001>

1. In the event that a tap-water pipeline extends over the jurisdictional areas of two or more Special Metropolitan Cities, Metropolitan Cities or *Sis/Guns* (excluding the *Guns* in the Metropolitan Cities), the Special Metropolitan City Mayor, the Metropolitan City Mayor or the head of *Si/Gun* who is determined through consultations of the relevant Special Metropolitan City Mayor, the relevant Metropolitan City Mayor and the relevant head of *Si/ Gun*; and
2. In the event that a tap-water pipeline extends over the jurisdictional areas of two or more *Sis/Guns* that belong to the different *Dos*, notwithstanding the provisions of paragraph (1), the *Do* governor or the head of *Si/Gun* who is determined through consultations held between *Do*

governors concerned.

(2) In a case where the consultations as prescribed in paragraph (1) do not reach an agreement and where the Special Metropolitan City Mayor, Metropolitan City Mayor, or *Do* governor (hereinafter referred to as the "Mayor/*Do* governor") is involved in the consultation under consideration, the Mayor/*Do* governor, the head of *Si/Gun* designated by the Minister of Environment through his consultation with the Minister of Government Administration and Home Affairs shall establish the basic plan for waterworks installation and management. In a case where the head of *Si/ Gun* is involved in the consultation under consideration, the head of *Si/ Gun* designated by the relevant *Do* governor shall establish the basic plan for waterworks installation and management. <Amended by Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 14707, Jul. 1, 1995; Presidential Decree No. 15964, Dec. 31, 1998>

(3) The provisions of Article 4 (5) of the Act shall apply *mutatis mutandis* to the case where the persons designated under paragraphs (1) and (2) establish or modify the basic plan for waterworks installation and management.

Article 6-2 (Prior Examination of Comprehensive Plan for Water-Demand Control)

The provisions of Article 5-3 shall apply *mutatis mutandis* to a case where the Minister of Environment intends to approve the comprehensive plan for water-demand control or any change in such comprehensive plan for water-demand control worked out by the Special Metropolitan City, the Metropolitan City or the *Do* (hereinafter referred to as the "City/ *Do*") in accordance with Article 4-3 (1) of the Act.

[This Article Newly Inserted by Presidential Decree No. 17381, Sep. 29, 2001]

Article 6-3 (Other Matters to be Included in Comprehensive Plan for WaterDemand Control)

The term "matters prescribed by the Presidential Decree" in Article 4-3 (2) 4 of the Act means matters falling under each of the following subparagraphs:

1. The plan for establishing a water-rate system (limited to the head of *Si/Gun*) under Article 8 (2) of the Act; and
2. The plan for replacing, repairing and upgrading malfunctioning water gauges (limited to the head of *Si/Gun*).

[This Article Newly Inserted by Presidential Decree No. 17381, Sep. 29, 2001]

Article 7 (Designation, etc. of Water-Source Protection Sphere)

(1) Intending to designate or change the water-source protection sphere as prescribed in Article 5 (1) of the Act, the Minister of Environment shall take into consideration the characteristics, geographical conditions, and degree of water pollution of the water-collection source concerned.

<Amended by Presidential Decree No. 14450, Dec. 23, 1994>

(2) Having designated or changed the water-source protection sphere in accordance with Article 5

(2) of the Act, the Minister of Environment shall give a notification of the following subject matters and shall send the contents of the notification to the head of *Si/Gun/Gu* (referring to the head of autonomous *Gu*; hereafter the same shall apply) who controls the relevant water-source protection sphere designated or changed: *<Amended by Presidential Decree No. 14450, Dec. 23, 1994; Presidential Decree No. 17381, Sep. 29, 2001>*

1. The name of the water-source protection sphere;
2. The location and size of the water-source protection sphere;
3. The name and address of the person who has installed the waterworks within the water-source protection sphere; and
4. Other necessary matters for the preservation of the water quality of the water-source protection sphere.

(3) In a case where the water-source protection sphere is designated, and then, given a notification in accordance with paragraph (2), the relevant head of *Si/Gun/Gu* shall have the designation and notification available for public perusal, and then, within six months after the date of the notification, shall give a public notice of the land register of the land located within the water-source protection sphere and have the notice available for public perusal. *<Amended by Presidential Decree No. 17381, Sep. 29, 2001>*

(4) Matters necessary for the designation and notification of the watersource protection sphere and for the public notice of the land register of the land located within the water-source protection sphere as prescribed in paragraphs (1) through (3), shall be determined by the Ordinance of the Ministry of Environment. *<Amended by Presidential Decree No. 14450, Dec. 23, 1994>*

Article 8 (Prohibited Activities within Water-Source Protection Sphere)

(1) The term "acts prohibited by the Presidential Decree" in Article 5 (3) 2 of the Act means those falling under the following specifications: *<Amended by Presidential Decree No. 15659, Feb. 24, 1998; Presidential Decree No. 17381, Sep. 29, 2001; Presidential Decree No. 19048, Sep. 14, 2005>*

1. The act of putting domestic animals freely out to pasture, etc.;
2. The act of swimming, taking a bath, washing clothes, or riding a boat or yachting;
3. The act of playing, camping, or cooking outside;
4. The act of catching or farming fish or shellfish: *Provided*, That this shall exclude fishing, as prescribed by the Ordinance of the Ministry of Environment, conducted by persons as determined by the Ordinance of the Ministry of Environment;
5. The act of washing cars; and
6. The act of growing crops in the area that falls under a river area under Article 2 (1) 2 of the River Act: *Provided*, That the act of growing environment-friendly agricultural crops as provided for in Article 16 (1) of the Environment-Friendly Agriculture Fosterage Act (excluding

any general environment-friendly agricultural crops; hereinafter the same shall apply) according to the certified standards in accordance with Article 17 (3) of the same Act shall be excluded.

(2) In the case where any person has obtained a license or permission or filed a report for the act of catching or farming fish and shellfish in the water-supply sources protection sphere in accordance with other Acts and subordinate statutes at the time such water-supply sources projection sphere is designated, he may perform the act of catching or farming fish and shellfish according to the contents of such licence, permission or report, notwithstanding the provisions of paragraph (1) 4. until the valid term of the licence, permission or report expires. *<Newly Inserted by Presidential Decree No. 17381, Sep. 29, 2001>*

(3) In the application of the proviso of paragraph (1) 6, where the head of *Si/Gun/Gu* publishes that the use of agricultural chemicals in excess of the certified standards provided for in Article 17 (3) of the Environment-Friendly Agriculture Fosterage Act is inevitable due to abnormal occurrence of damages by blight and harmful insects when environment-friendly agricultural crops are cultivated in accordance with Article 16 (1) of the same Act, the use of such agricultural chemicals shall be deemed to conform to the proviso of paragraph (1) 6. *<Newly Inserted by Presidential Decree No. 17381, Sep. 29, 2001; Presidential Decree No. 19048, Sep. 14, 2005>*

Article 9 (Standards for Permissible Activities within Water-Source Protection Sphere)

(1) In permitting the activities which fall under one of subparagraphs of Article 5 (4) of the Act within the water-source protection sphere, the head of *Si/Gun/Gu* may permit only one of the activities of the following specifications in so far as the said activities are admitted not to be in conflict with the designation purpose of the water-source protection sphere: *<Amended by Presidential Decree No. 14282, Jun. 16, 1994; Presidential Decree No. 14450, Dec. 23, 1994; Presidential Decree No. 14707, Jul. 1, 1995; Presidential Decree No. 16893, Jul. 1, 2000; Presidential Decree No. 17381, Sep. 29, 2001>*

1. Building up or establishing the buildings or other constructions of the following specifications:

- (a) Building up or establishing the buildings or other constructions necessary for the public interests;
- (b) Building up or establishing the buildings or other constructions, which are necessary for the improvement of the living environment or for the increase of the income for the residents residing within the water-source protection sphere, and which are determined by the Ordinance of the Ministry of Environment;
- (c) Building up or establishing the buildings or other constructions which are to be used or needed by the residents residing within the water-source protection sphere, and which are determined by the Ordinance of the Ministry of Environment;
- (d) Remodelling or reconstructing the existing buildings or other constructions within the extent of not incurring pollutants any degree higher than before;

- (e) Transferral of the buildings or other constructions pulled down on account of the establishment, within the water-source protection sphere, of the village facilities, facilities for the public interests, common facilities, and public facilities as determined by the Ordinance of the Ministry of Environment;
 - (f) Transferral of the buildings which are absolutely needed to be transferred because of frequently occurring disasters, including flood damages, etc. and transferral, into the neighboring land or village, of the houses located within the area of extremely bad living environment such as those located within the noise of the vicinity of a highway or railway. In this case, the land on which the buildings or the houses transferred used to stand shall be reverted to a piece of farmland or green areas;
 - (g) Removal of or transferral into the neighboring village, of a house continuing to stand on the land owned by other person since before the water-supply sources protection sphere was designated which is unable to be enlarged or rebuilt because of the failure to gain the consent thereof from the land owner; and
 - (h) Transferral, for agricultural convenience, of the house in a village into the farm or orchard owned by the owner of the house under consideration. In this case, the land on which the house transferred used to stand shall be reverted to a piece of farmland or green areas;
2. Alteration of the designated purpose of a building or other construction in so far as the pollutants expected to come out as a result of the alteration do not exceed what was coming out before the alteration;
 3. Removal of the water-supply and sewerage facilities, the environmental pollution preventive facilities, or the protection sphere management facilities in so far as the maintenance and protection of the water-source protection sphere is not to be hampered by the removal under consideration;
 4. Cultivation or deforestation of trees necessary for the formation and management of the water-source forest which protects the water source, and deforestation of bamboo trees necessitated by the execution of a public enterprise, etc.; and
 5. Alteration of the shape and quality of land which is to be done only for a systematic arrangement of arable land or which is regarded not to be in conflict with the purpose of the designation of the water-source protection sphere.
- (2) The detailed criteria, such as the types and scales of buildings or other constructions as provided in paragraph (1), the procedure, and other necessary matters for the permit as prescribed in paragraph (1), shall be determined by the Ordinance of the Ministry of Environment. *<Amended by Presidential Decree No. 14450, Dec. 23, 1994>*
- (3) Having given, in accordance with paragraph (1), the necessary permit for the activity, which falls under one of the specifications of the subparagraphs of Article 5 (4) of the Act, within the water-

source protection sphere, the head of *Si/Gun/Gu* shall, without any delay, notify the relevant waterworks business operator or the relevant installer of the exclusive waterworks of what he has done. *<Amended by Presidential Decree No. 17381, Sep. 29, 2001>*

Article 9-2 (Activities which may be Taken within Water-Source Protection Sphere Only with Report or Notification)

The unimportant activities, which may be taken only with the report or notification made to the relevant head of *Si/Gun/Gu* as prescribed by the proviso of Article 5 (4) of the Act, shall be as follows: *<Amended by Presidential Decree No. 17381, Sep. 29, 2001>*

1. Removal of a building or other construction except for the watersupply and sewerage facilities, the environmental pollution preventive facilities, and the water-source protection sphere management facilities;
2. Cultivation or deforestation of trees within a residential quarter;
3. Repair of the improvement facilities for agriculture or alteration of the shape and quality of land, such as covering the land with dirt from other land, for improving the farmland;
4. Restoration into the original state of the building or other construction damaged by such natural disasters as a flood; and
5. Change of a factory, a lodging establishment or a general restaurant into a house or warehouse facilities.

[This Article Newly Inserted by Presidential Decree No. 14707, Jul. 1, 1995]

Article 10 (Management of Water-Source Protection Sphere)

(1) The head of *Si/Gun/Gu* in charge of the management of the watersource protection sphere, shall secure the facilities, equipment, and manpower necessary for the protection of the water source, and then, shall keep the prohibited activities under control and shall take other measures necessary for preventing pollution of the water quality of the water source concerned. *<Amended by Presidential Decree No. 17381, Sep. 29, 2001>*

(2) The criteria for the extent of securing the facilities, equipment, and manpower as prescribed in paragraph (1) and other necessary matters for the management of the water-source protection sphere shall be determined by the Ordinance of the Ministry of Environment. *<Amended by Presidential Decree No. 14450, Dec. 23, 1994>*

Article 11 (Special Cases concerning Management of Water-Source Protection Sphere)

(1) The term "the Mayor/*Do* governor or the head of *Si/Gun/Gu* prescribed by the Presidential Decree" in Article 6 (2) of the Act means the Mayor/*Do* governor or the head of *Si/Gun/Gu* of the following specifications: *<Amended by Presidential Decree No. 14707, Jul. 1, 1995; Presidential Decree No. 17381, Sep. 29, 2001>*

1. In a case where the water-sources protection sphere extends over two or more *Sis/GunsGus*

(referring to an autonomous *Gu*; hereafter the same shall apply) under the jurisdictional area of the Special Metropolitan City, the Metropolitan City and the *Do*, the head of *Si/Gun/ Gu* who is determined through consultations of the head of relevant *Si/Gun/ Gu*;

2. In a case where the water-source protection sphere extends over two or more Cities or *Dos*, the Mayor/*Do* governor, the head of *Si/Gun/Gu* determined through consultations of the relevant Mayors/*Do* governors;
3. In a case where the water-source protection sphere and the area to which the tap water is provided from the said water-source extend over two or more *Sis/Guns/Gus* under the jurisdictional area of the City/ *Do*, the head of *Si/Gun/Gu* determined through consultations of the head of relevant *Si/Gun/Gu*; and
4. In a case where the water-source protection sphere and the area to which the tap water is provided from the said water-source extend over two or more Cities or *Dos*, the Mayor/*Do* governor or the head of *Si/Gun/Gu* determined through consultations of the relevant Mayors/ *Do* governors.

(2) The head of *Si/Gun/Gu* designated by the Mayor/*Do* governor having jurisdiction over such area in a case where the consultations as prescribed in paragraph (1) 1 and 3 have not led to an agreement, or the Mayor/*Do* governor or the head of *Si/Gun/Gu* designated by the Minister of Environment after having a consultation with the Minister of Government Administration and Home Affairs in a case where the consultations as prescribed in paragraph (1) 2 and 4 have not led to an agreement, shall be in charge of the management of the water-source protection sphere concerned.
<Amended by Presidential Decree No. 14450, Dec. 23, 1994; Presidential Decree No. 15964, Dec. 31, 1998; Presidential Decree No. 17381, Sep. 29, 2001>

Article 11-2 (Procedures, etc. of Establishment of Residents Support Programs)

(1) In a case where the Mayor/*Do* governor or the head of *Si/Gun/Gu* in charge of the management of the water-source protection sphere in accordance with Article 6-2 (1) of the Act (hereinafter referred to as the "management office") intends to execute a residents support program, the management office shall establish a residents support program which includes the following subject matters (hereinafter referred to as the "program") and submit it to the Minister of Environment by April 15 of the year preceding the year in which the program is planned to be executed. In this case, if the management office is different from the waterworks business operator, the management office shall establish the program after having heard the opinion of the waterworks business operator:

<Amended by Presidential Decree No. 17381, Sep. 29, 2001>

1. The purpose of the program;
2. An outline of the program;
3. The population and socioeconomic characteristics of the area as the object of the support program;

4. The plan for securing the necessary financial source:
5. The plan for carrying forward each part of the program and the necessity of each part of the program; and
6. Other matters necessary for carrying forward the support program.

(2) The Minister of Environment shall consult with the head of a relevant administrative agency such as the Ministry of Planning and Budget, etc. on the contents of the program established and submitted by the management office and subsidies from the national treasury, and if the budget concerning subsidies from the national treasury is conclusively decided, he shall notify the management office of an amount of money and particulars thereof. *<Amended by Presidential Decree No. 15964, Dec. 31, 1998; Presidential Decree No. 17381, Sep. 29, 2001>*

(3) If the management office intends to modify important matters of the program approved under the latter part of paragraph (1), it shall obtain the prior approval of the Mayor/Do governor. *<Amended by Presidential Decree No. 15964, Dec. 31, 1998; Presidential Decree No. 17381, Sep. 29, 2001>*
[This Article Newly Inserted by Presidential Decree No. 14707, Jul. 1, 1995]

Article 11-3 (Types of Residents Support Programs)

The types of the residents support programs as prescribed in Article 62 (2) 1 through 4 of the Act, shall be as shown on the attached Table.

[This Article Newly Inserted by Presidential Decree No. 14707, Jul. 1, 1995]

Article 11-4 (Contributions from Waterworks Business Operators)

(1) The waterworks business operators as prescribed in Article 6-3 (1) 1 of the Act shall be the waterworks business operators of the following specifications:

1. The waterworks business operator who provides to the final consumers the raw water directly or after the treatment of it; and
2. The waterworks business operator who treats the raw water and provides the treated water to another waterworks business operator.

(2) The contribution from the waterworks business operator as prescribed in Article 6-3 (2) of the Act shall be computed by the method determined and given a public notice of, each year, by the Minister of Environment within the range of 5/100 of the sales income of the waterworks business computed through the multiplication of the volume of the raw water, collected in the year two years before the beginning of the year in which the residents support program is to be executed, by the nationwide average price of the processed water, treated and provided by the Korea Water Resources Corporation in the year two years before the beginning of the year in which the residents support program is to be executed. *<Amended by Presidential Decree No. 17381, Sep. 29, 2001>*

(3) In a case where the Minister of Environment gives the public notice as prescribed in paragraph (2), he shall, in advance, listen to the opinion of the management office.

(4) The waterworks business operator shall give to the management office the contribution

computed in accordance with paragraph (2), every year, before the beginning of the business year.

[This Article Newly Inserted by Presidential Decree No. 14707, Jul. 1, 1995]

Article 11-5 (Subsidy from Environmental Improvement Special Account)

Under the provisions of Article 6-3 (3) of the Act, the State may subsidize, from the Environmental Improvement Special Account, part of the expenses necessary for the residents support program within the range of 30/100 of the total amount of the expenses for the residents support program.

[This Article Newly Inserted by Presidential Decree No. 14707, Jul. 1, 1995]

Article 12 (Scope of Water-Source Protection Sphere)

The term "water-source protection sphere as determined by the Presidential Decree" in Article 7 (1) of the Act means the water-source protection spheres of the following specifications: *<Amended by Presidential Decree No. 14450, Dec. 23, 1994; Presidential Decree No. 19048, Sep. 14, 2005>*

1. The water-source protection sphere located within the special countermeasure area designated and given a public notice by the Minister of Environment in accordance with Article 22 of the Framework Act on Environmental Policy; and
2. The water-source protection sphere designated by the Ordinance of the Ministry of Environment because of its special necessity for the preservation of its water quality.

Article 13 (Types of Water-Pollution Preventive Facilities)

The term "water-pollution preventive facilities as determined by the Presidential Decree" in Article 7 (1) of the Act means the facilities of the following specifications established and managed by the State, a local government, or the Korea Water Resources Corporation: *<Amended by Presidential Decree No. 14450, Dec. 23, 1994; Presidential Decree No. 15659, Feb. 24, 1998; Presidential Decree No. 19048, Sep. 14, 2005>*

1. The public treatment facilities of livestock wastewater as prescribed in subparagraph 10 of Article 2 of the Act on the Disposal of Sewage, Excreta and Livestock Wastewater;
2. The sewage terminal treatment facilities as prescribed in subparagraph 5 of Article 2 of the Sewerage Act; and
3. Other facilities, as determined by the Ordinance of the Ministry of Environment, for preventing water-pollution.

Article 14 (Criteria for Sharing Burden of Expenses)

(1) The expenses for the management of the water-source protection sphere and the operation of the water-pollution preventive facilities under Article 7 (1) of the Act shall be as follows: *<Amended by Presidential Decree No. 14282, Jun. 16, 1994; Presidential Decree No. 14450, Dec. 23, 1994>*

1. The labour cost necessary for the management of the water-source protection sphere and the cost for the operation of the necessary facilities and equipment;
2. The cost for the installment, maintenance, and management of the sign-post, guard-post, and

danger-preventing facilities, etc. necessary for the management of the water-source protection sphere;

3. The cost for the maintenance and management of the water-pollution preventive facilities; and
4. Other expenses, as determined by the Ordinance of the Ministry of Environment, necessary for the management of the water-source protection sphere.

(2) The computation of an amount to be borne by each waterworks business operator in the expenses as prescribed in paragraph (1), shall be as follows: *<Amended by Presidential Decree No. 14282, Jun. 16, 1994>*

1. As for the waterworks business operator who provides the ordinary consumers with the raw water or the processed water which another waterworks business operator has collected, the computation shall be based on the volume of water provided from the other waterworks business operator; and
2. As for the waterworks business operator who directly provides the ordinary consumers with the raw water or the processed water which he himself has collected, the computation shall be based on the volume of water collected.

Article 15 (Subjects of Installation of Used-Water Treatment Waterworks)

(1) The term "facilities of types and scales prescribed by the Presidential Decree" in Article 11 (1) 3 of the Act means establishments and facilities falling under any of the following subparagraphs, the total construction site area of which exceeds 60,000 square meters: *<Amended by Presidential Decree No. 17381, Sep. 29, 2001; Presidential Decree No. 19048, Sep. 14, 2005>*

1. Large-scale stores provided for in subparagraph 3 of Article 2 of the Distribution Industry Development Act;
2. Passenger-car terminals, cargo terminals, railroad-station buildings, airport facilities, harbor facilities and integrated passenger facilities from among sale and business establishments and facilities provided for in subparagraph 6 of the attached Table 1 of the Enforcement Decree of the Building Act;
3. Office facilities provided for in subparagraph 10 of the attached Table 1 of the Enforcement Decree of the Building Act;
4. Prisons, broadcasting stations and telephone/telegraph offices from among public establishments and facilities provided for in subparagraph 19 of the attached Table 1 of the Enforcement Decree of the Building Act; and
5. Other establishments and facilities prescribed by the Municipal Ordinances of local governments as especially necessary for the efficient utilization of water.

(2) The State or a local government may provide the person, who installs the used-water treatment waterworks in accordance with Article 11 (1) of the Act, with necessary technologies such as the installing method, etc. of the used-water treatment waterworks.

Article 15-2 (Subjects of Installation of Water-Saving Equipment)

The term "any buildings and facilities as determined by the Presidential Decree" in Article 11-2 (1) of the Act means the buildings and facilities which fall under any of the following subparagraphs:

<Amended by Presidential Decree No. 17381, Sep. 29, 2001; Presidential Decree No. 19048, Sep. 14, 2005>

1. The buildings provided for in Article 2 (1) 2 of the Building Act; and
2. Other facilities which are deemed particularly necessary to save and efficiently use water, as prescribed by the Municipal Ordinances of a local government.

[This Article Newly Inserted by Presidential Decree No. 15659, Feb. 24, 1998]

Article 15-3 (Subjects of Installation of Rain Utilization Facilities)

(1) The term "facilities prescribed by the Presidential Decree" in Article 11-3 (1) of the Act means stadiums or gymnasiums provided for in the attached Table 1 of the Enforcement Decree of the Installation and Utilization of Sports Facilities Act, which each has the roof area of not less than 2,400 square meters and the seat number of not less than 1,400. *<Amended by Presidential Decree No. 19048, Sep. 14, 2005>*

(2) The term "scale prescribed by the Presidential Decree" in Article 113 (1) of the Act means stadiums or gymnasiums which each has the roof area of not less than 2,400 square meters and the seat number of not less than 1,400.

[This Article Newly Inserted by Presidential Decree No. 17381, Sep. 29, 2001]

Article 16 (Application for Authorization)

(1) Any person who desires to obtain authorization for running the general waterworks business as prescribed in Article 12 (1) of the Act shall, under the conditions as prescribed by the Ordinance of the Ministry of Environment, submit the application form for authorization of the general waterworks business together with the business plan, the blueprint, and other relevant documents to the Minister of Environment, the Minister of Construction and Transportation, or the head of *Si/Gun/Gu* (hereinafter referred to as the "authorization office"). *<Amended by Presidential Decree No. 14282, Jun. 16, 1994; Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 14707, Jul. 1, 1995; Presidential Decree No. 19048, Sep. 14, 2005>*

(2) The business plan as prescribed in paragraph (1) shall include the following matters: *<Amended by Presidential Decree No. 15659, Feb. 24, 1998>*

1. An outline of the waterworks business (including the waterworks related facilities);
2. The area to be supplied with water, the number of people to be supplied with water, and the volume of water to be supplied for a person per day;
3. The annual business plan (excluding the case of small-scale waterworks) and the supply rate of the waterworks;
4. The maximum volume of the water to be supplied a day, the average volume of the water to be

- supplied a day, and the potential capacity of the facilities concerned;
5. The location of the water source or the water-collecting place and the method of treating water;
 6. A statement of the volume of water of the water-collecting place and the result of the examination of the water quality;
 7. A map indicating the location of the waterworks-related facilities and a ground plan for the waterworks-related facilities;
 8. The scheduled date for the start and completion of the necessary construction and the scheduled date for the start of the supply of the water;
 9. The method of funding and the annual plan for investment;
 10. A detailed statement of the written record, number and size, rights other than the ownership of the land or building to be expropriated and used (hereinafter referred to as the "land, etc."); and
 11. Names and addresses of the owner and other interested parties of the land, etc.

(3) The term "unimportant matters as prescribed by the Presidential Decree" in the proviso of Article 12 (1) of the Act means those falling under the following specifications:

1. Matters concerning changes in the method of funding and in the annual plan for investment;
2. Matters concerning changes, in the structure of the waterworks-related facilities, which are not accompanied by increase or decrease of the potential capacity of the facilities, and which are made within the range of the criteria for the waterworks-related facilities as prescribed in Article 18; and
3. Matters concerning increase or decrease of the potential capacity of the waterworks-related facilities within 1/10 of the said capacity.

(4) The Minister of Environment may, if he finds it necessary to grant authorization in accordance with Article 12 (1) of the Act, commission the Environment Management Corporation established pursuant to the Environment Management Corporation Act or the Korea Water Resources Corporation set up pursuant to the Korea Water Resources Corporation Act to examine technical aspects of the business plan and hear its opinions thereof. *<Newly Inserted by Presidential Decree No. 17381, Sep. 29, 2001; Presidential Decree No. 19048, Sep. 14, 2005>*

Article 17 (Public Notice of Authorization)

The public notice as prescribed in Article 12 (3) of the Act shall include the following subject matters:

1. The official name of the enterprise;
2. The name and address of the operator of the waterworks business;
3. The purpose and outline of the enterprise;
4. The location and size of the area on which the enterprise is to be executed;
5. The area the water is to be supplied to, the population the water is to be supplied for, and the volume of the water to be supplied;

6. The period during which the waterworks business is to be executed and the scheduled date for starting to supply the water;
7. A detailed statement of the written record, the number and purpose and size, and the rights other than the ownership of the land, etc. to be expropriated and used;
8. The names and addresses of the owner and other interested persons of the land, etc.; and
9. Other necessary matters.

Article 18 (Criteria for Waterworks-Related Facilities)

(1) In accordance with Article 13 of the Act, and, depending on the quality, quantity, and geographical condition of the available raw water and the type and scale of the facilities of the waterworks concerned, the general waterworks business operator shall be equipped with the water intake structure, the water-reservation facilities, the raw-water conveyance facilities, the water-treatment facilities, the treated-water conveyance facilities, and the water-distribution facilities, which meet with the criteria of the following specifications:

1. He shall be equipped with the water source and water intake structure which help to secure the necessary volume of the raw water of a good quality;
2. He shall be equipped with the water-reservation facilities with the capacity of providing, even during a dry season, the volume of raw water needed;
3. He shall be equipped with the raw-water conveyance facilities like the sluice through which the necessary raw water can be conveyed;
4. He shall be equipped with the water-treatment facilities including the depositing reservoir, filter bed, and pasteurizing facilities, etc. which help treat the necessary volume of raw water to the degree of the criteria for water quality as prescribed in Article 18 of the Act;
5. He shall be equipped with the pump, conveyance pipe, and other treated-water conveyance facilities which help convey the necessary volume of the processed water; and
6. He shall be equipped with the distribution pump, distribution pipe, and other distribution facilities which help provide the necessary volume of processed water with the degree of pressure exceeding a certain designated limit.

(2) Deleted. <by Presidential Decree No. 15659, Feb. 24, 1998>

(3) The location and arrangement of the waterworks-related facilities shall be determined in harmony with the economical production of the water.

(4) The waterworks-related facilities shall be able to sufficiently bear the pressure from the water, the pressure from the land, the earthquake, and other kinds of pressures and they shall be safe from the danger of water pollution or water leakage.

(5) The detailed standards for the establishment of the waterworks-related facilities as prescribed in paragraph (1) shall be determined by the Ordinance of the Ministry of Environment. <Amended by Presidential Decree No. 14707, Jul. 1, 1995>

Article 18-2 (Criteria for Waterworks Materials)

(1) The term "materials or goods conforming to the standards prescribed by the Presidential Decree " in Article 13 (2) of the Act means materials or goods used for waterworks, which fall under any of the following subparagraphs: *<Amended by Presidential Decree No. 17381, Sep. 29, 2001; Presidential Decree No. 19048, Sep. 14, 2005>*

1. Materials for which a certification has been awarded in accordance with Articles 11 through 13 of the Industrial Standardization Act;
2. Goods marked with the organizational standard certification provided for in Article 28 (4) of the Industrial Standardization Act, which are superb organizational standard goods as prescribed in Article 33 of the same Act;
3. Goods marked with the organizational standard certification provided for in Article 28 (4) of the Industrial Standardization Act, which are certified by the Korea Water and Wastewater Works Association established pursuant to Article 39 of the Act;
4. Goods produced by a company that has been awarded a quality management system certification in accordance with Article 7 of the Quality Management and Safety Control of Industrial Products Act;
5. Goods for which an environmental indication certification has been awarded in accordance with Article 20 of the Development of and Support for Environmental Technology Act;
6. Goods for which a certification has been awarded in accordance with Article 28 (2) 3 of the Enforcement Decree of the Industrial Development Act; and
7. Goods for which a new technology certification has been awarded in accordance with Article 6 of the Technology Development Promotion Act.

(2) Notwithstanding the provisions of paragraph (1) 1 through 7, the materials recognized as inappropriate for use for waterworks and publicly notified as such by the Minister of Environment shall not be used for waterworks. *<Amended by Presidential Decree No. 17381, Sep. 29, 2001>*
[This Article Newly Inserted by Presidential Decree No. 15659, Feb. 24, 1998]

Article 19 (Qualifications for Construction Supervisor)

The technician for the waterworks construction work as prescribed in Article 14 of the Act shall be the person who falls under one of the following specifications: *<Amended by Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 14707, Jul. 1, 1995; Presidential Decree No. 15659, Feb. 24, 1998; Presidential Decree No. 19048, Sep. 14, 2005>*

1. Any person, who has graduated from the civil engineering, electrical engineering, electronic engineering, mechanical engineering, architectural engineering, environmental engineering, or sanitation-related department of a college or university, as prescribed by the Higher Education Act, or other types of schools regarded to be equivalent to the college or university mentioned above, and who has obtained, during his undergraduate days, necessary credits in waterworks

- engineering or sanitary engineering;
2. Any person, who has graduated from the civil engineering, electrical engineering, electronic engineering, mechanical engineering, architectural engineering, environmental engineering, or sanitation-related department of a junior college as prescribed by the Higher Education Act or other types of schools regarded to be equivalent to the junior college mentioned above, and who has engaged himself in a practical and technical work in the field of civil engineering for not less than two years after his graduation from the junior college or other types of schools mentioned above;
 3. Any person who has engaged himself in a technical work related to the waterworks for not less than two years; and
 4. Any person, who has capabilities equivalent to or more than one of those capabilities as specified in subparagraphs 1 through 3, and who is determined by the Ordinance of the Ministry of Environment.

Article 20 (Water-Quality Inspection)

(1) The water-quality inspection as prescribed in Article 15 (1) of the Act shall be executed by the Mayor/Do governor: *Provided*, That in the case of small-scale waterworks, the head of *Si/Gun/Gu* shall execute it. *<Amended by Presidential Decree No. 15659, Feb. 24, 1998; Presidential Decree No. 19048, Sep. 14, 2005>*

(2) Any person who intends to go through the water-quality inspection as prescribed in paragraph (1) shall submit the application form for the relevant inspection under the conditions as prescribed by the Ordinance of the Ministry of Environment. *<Amended by Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 14707, Jul. 1, 1995; Presidential Decree No. 15659, Feb. 24, 1998>*

Article 21 (Manager of Water-Supply Facilities)

(1) In accordance with the proviso of Article 17 (1) of the Act, the water-supply facilities shall be managed by the person falling under the following specifications according to their location and type: *<Amended by Presidential Decree No. 14707, Jul. 1, 1995>*

1. In a case where the water-supply facilities are established outside the boundary of the land of the person to whom the tap water is provided, the waterworks business operator; and
2. In a case where the water-supply facilities are established within the boundary of the land of the person to whom the tap water is provided, the person falling under the following specifications:
 - (a) As for the management of the water-supply facilities from the boundary of the land to the water meter, the person who is determined by the Municipal Ordinances of the relevant local government; and
 - (b) As for the management of the water-supply facilities other than those as provided in item (a), the person to whom the tap water is provided.

(2) The waterworks business operator shall determine the matters necessary for the management of the water-supply facilities based on the provisions concerning the supply of water as prescribed in Article 25: *Provided*, That in a case where the waterworks business operator is a local government, they shall be determined by the Municipal Ordinances of the relevant local government.

Article 22 (Manager of Waterworks-Related Facilities)

(1) In accordance with Article 17 (2) of the Act, the person who can be appointed as the manager of the waterworks-related facilities under the general waterworks business operator shall be the person falling under one of the following specifications: *<Amended by Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 14707, Jul. 1, 1995; Presidential Decree No. 15659, Feb. 24, 1998; Presidential Decree No. 19048, Sep. 14, 2005>*

1. Any person as described in subparagraph 1 of Article 19, who has engaged himself in the technical and practical work relating to the waterworks for not less than two years (or, one year in the case of a small-scale waterworks or an exclusive waterworks of which facilities have the potential capacity of 2,000 tons or less a day);
2. Any person, who has graduated from the civil engineering, the electrical engineering, the electronic engineering, the mechanical engineering, the architectural engineering, the environmental engineering, or sanitation-related department of a junior college as prescribed by the Higher Education Act or other types of schools regarded as being equivalent to the junior college mentioned above, and who had obtained, during his college days, necessary credits in the subjects relating to the waterworks engineering or the sanitary engineering, and who has engaged himself in the practical and technical work relating to the waterworks for not less than five years (or, three years in the case of a small-scale waterworks or an exclusive waterworks of which facilities have the potential capacity of 2,000 tons or less a day) after having graduated from the junior college or other types of schools mentioned above;
3. Any person who obtained necessary credits in the field of engineering, natural sciences, agricultural science, medical science, or pharmacology in a college or university as prescribed by the Higher Education Act or other types of schools regarded as being equivalent to the college or university mentioned above and who has engaged himself in the practical and technical work related to the waterworks for not less than four years (or, two years in the case of a small-scale waterworks or an exclusive waterworks of which the facilities have the potential capacity of 2,000 tons or less a day), or any person who obtained necessary credits in the field of engineering, natural sciences, agricultural science, medical science, or pharmacology in a junior college as prescribed by the Higher Education Act or other types of schools regarded as being equivalent to the junior college mentioned above and who has engaged himself in the practical and technical work related to the waterworks for not less than eight years (or, four years in the case of a small-scale waterworks or an exclusive waterworks of which the facilities have the

potential capacity of 2,000 tons or less a day);

4. Any person who has engaged himself in the practical and technical work related to the waterworks for not less than ten years (or, seven years in the case of a small-scale waterworks or an exclusive waterworks of which the facilities have the potential capacity of 2,000 tons or less a day); and
5. Any person who is equal to or better qualified than one of those as prescribed by the provisions of subparagraphs 1 through 4 and who is determined by the Ordinance of the Ministry of Environment.

(2) The provisions of paragraph (1) shall not apply to the case of a general waterworks of which the facilities have the potential capacity of 1,000 tons or less a day or to the case of an exclusive waterworks which can supply water without the water-treatment facilities other than the pasteurizing facilities.

Article 22-2 (Institutions Commissioned to Manage Waterworks-Related Facilities)

The term "specialized institutions prescribed by the Presidential Decree" in Article 17 (3) of the Act means institutions falling under each of the following subparagraphs: *<Amended by Presidential Decree No. 19048, Sep. 14, 2005>*

1. The Korea Water Resources Corporation created pursuant to the Korea Water Resources Corporation Act;
2. The Environmental Management Corporation established pursuant to the Environmental Management Corporation Act;
3. Local corporations and local public corporations set up pursuant to the Local Public Enterprises Act; and
4. Other institutions prescribed by the Ordinance of the Ministry of Environment as capable of operating and managing waterworks-related facilities.

[This Article Newly Inserted by Presidential Decree No. 17381, Sep. 29, 2001]

Article 23 (Installation of Water-Quality Inspection Facilities)

(1) The criteria for the water-quality inspection facilities, which the general waterworks business operator shall be equipped with in accordance with Article 19 (2) of the Act, shall be as follows:

<Amended by Presidential Decree No. 14446, Dec. 23, 1994; Presidential Decree No. 14707, Jul. 1, 1995; Presidential Decree No. 15659, Feb. 24, 1998; Presidential Decree No. 19048, Sep. 14, 2005>

1. As for the raw-water inspection facilities, the equipment and testing facilities with which the environmental criteria for the water quality, as shown on the attached table 1 of the Enforcement Decree of the Framework Act on Environmental Policy, can be examined; and
2. As for the processed-water inspection facilities, the equipment and testing facilities with which the criteria for the water quality of drinking water, as determined by the Ordinance of the

Ministry of Environment in accordance with Article 18 (2) of the Act, can be examined.

(2) Notwithstanding the provisions of paragraph (1), in a case where the general waterworks business operator entrusts or delegates, upon approval of the Mayor/*Do* governor, the test of water quality, to any of national or public research institutions or any of other institutions prescribed by the Ordinance of the Ministry of Environment like the PublicHealth and Environment Research Institute, the said business operator may not be equipped with water-quality inspection facilities (excluding measuring facilities for test items prescribed by the Ordinance of the Ministry of Environment) as prescribed in paragraph (1). In this case, the Mayor/*Do* governor shall determine whether to approve or not after having taken into consideration the demand for the water-quality inspection within the sphere of his jurisdiction and the capacity for the relevant inspection of the Public-Health and Environment Research Institute, etc. *<Amended by Presidential Decree No. 17381, Sep. 29, 2001>*

Articles 23-2 through 23-6 Deleted. *<by Presidential Decree No. 15659, Feb. 24, 1998>*

Article 24 (Types of Buildings or Facilities Which Need Sanitary Measures to be Taken)

The term "buildings or facilities which are larger than those of the scales as determined by the Presidential Decree" in Article 21 (2) of the Act, means the buildings or facilities of the following specifications: *Provided*, That this shall exclude the buildings or facilities to supply tap water which does not go through a water tank: *<Amended by Presidential Decree No. 15659, Feb. 24, 1998; Presidential Decree No. 15964, Dec. 31, 1998; Presidential Decree No. 17381, Sep. 29, 2001; Presidential Decree No. 19048, Sep. 14, 2005>*

1. Buildings or facilities the gross floor areas of which are not less than 5000m² (excluding the areas of parking lots in the buildings or facilities);
2. Buildings or facilities provided for in Article 3 of the Enforcement Decree of the Public Health Control Act; and
3. Apartment house provided for in subparagraph 2 (b) of the attached Table 1 of the Enforcement Decree of the Building Act and its welfare facilities.

Article 24-2 (Education, etc. on Sanitary Management)

(1) The contents of the education on the sanitary management, etc. of the water-supply facilities and the water tank executed under the control of the Minister of Environment in accordance with Article 21-5 (1) of the Act, shall include the following matters: *<Amended by Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 14707, Jul. 1, 1995; Presidential Decree No. 15659, Feb. 24, 1998; Presidential Decree No. 19048, Sep. 14, 2005>*

1. The Water Supply and Waterworks Installation Act and the legal provisions concerning sanitation;
2. Matters concerning the criteria for the installation, maintenance and management, and clean-up

of the water tank;

3. Matters concerning the criteria for and the inspection of the quality of drinking water;
4. Matters concerning the improvement of the water environment; and
5. Other matters necessary for the sanitary management of the watersupply facilities and water tank.

(2) A person who is to be educated under Article 21-5 (1) and (2) of the Act shall receive the education concerned one time within two years from the date when he becomes the object of the education, and a person who violates the provisions of Article 21 (2) of the Act and a person who is subject to a disposition of suspension of business under Article 21-3 of the Act shall receive the re-education within two years from the date when such violations are disclosed. *<Amended by Presidential Decree No. 15964, Dec. 31, 1998>*

(3) Expenses necessary for education as prescribed in paragraph (2) shall be borne by an educatee: *Provided*, That expenses necessary for education of employees as prescribed in Article 21-5 (2) of the Act shall be borne by a water-tank clean-up businessman who takes the said employees into service. *<Newly Inserted by Presidential Decree No. 15964, Dec. 31, 1998>*

(4) The term "agencies or organizations as prescribed by the Presidential Decree" in Article 21-5 (3) of the Act means those falling under any of the following subparagraphs: *<Amended by Presidential Decree No. 15964, Dec. 31, 1998; Presidential Decree No. 17381, Sep. 29, 2001; Presidential Decree No. 19048, Sep. 14, 2005>*

1. The Korea Water and Wastewater Works Association (hereinafter referred to as the "Association") under Article 39 of the Act;
2. The Korea Water Resources Corporation established under the Korea Water Resources Corporation Act;
3. The Environmental Preservation Association under Article 38 of the Framework Act on Environmental Policy; and
4. The Environmental Management Corporation established under the Environmental Management Corporation Act.

(5) The head of an agency performing the education concerned as prescribed in paragraph (4) (hereafter referred to as the "head of an education performance agency" in this Article) shall prepare the education plan for the upcoming year which includes the following matters and submit it to the Minister of Environment by the end of each year: *<Amended by Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 14707, Jul. 1, 1995; Presidential Decree No. 15964, Dec. 31, 1998>*

1. The curriculum, the subjects to be taught, and the period of the education;
2. The educational materials (including practical materials) and the plan of the methods to use them;

3. Persons subject to the education and the educational expenses; and
4. Other matters necessary for the education.

(6) The head of an education performance agency shall give the certificate for having completed the education to the person who has gone through the education and shall report, by January 15 of the year following each year concerned, the result of the education to the Minister of Environment.

<Amended by Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 14707, Jul. 1, 1995; Presidential Decree No. 15659, Feb. 24, 1998; Presidential Decree No. 15964, Dec. 31, 1998>

[This Article Newly Inserted by Presidential Decree No. 14282, Jun. 16, 1994]

Article 25 (Application for Approval of Provisions concerning Supply of Tap Water)

Any person who intends to obtain approval of the provisions concerning the supply of tap water from the authorization office under Article 23 of the Act shall prepare the supply provisions which include the following matters and apply for approval thereof: *<Amended by Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 14707, Jul. 1, 1995>*

1. The basic materials necessary for the computation of the tap-water rate;
2. The criteria and method for the computation of the expenses for the construction works relating to the water-supply facilities;
3. Matters concerning the management of the water-supply facilities; and
4. Other matters, as determined by the Ordinance of the Ministry of Environment, concerning the supply of the tap water.

Article 26 (Application Mutatis Mutandis to Case of Adjudication)

The provisions of Article 51 of the Act on the Acquisition of Land, etc. for Public Works and the Compensation Therefor shall apply *mutatis mutandis* to the case of application for adjudication in accordance with Article 26 (3) of the Act. *<Amended by Presidential Decree No. 17854, Dec. 30, 2002; Presidential Decree No. 19048, Sep. 14, 2005>*

Article 27 (Application Mutatis Mutandis to Case of Industrial Waterworks, etc.)

The provisions of Articles 16 through 19, 22 and 25 shall apply *mutatis mutandis* to the case of industrial waterworks and industrial waterworks business. *<Amended by Presidential Decree No. 15659, Feb. 24, 1998>*

Article 27-2 (Supply for General Consumers of Tap Water by Wide-Area Waterworks)

The cases in which tap water of wide-area waterworks may be supplied for general consumers under the provisions of Article 28 (4) of the Act shall be the cases which meet the following requirements: *<Amended by Presidential Decree No. 15964, Dec. 31, 1998; Presidential Decree No. 18039, Jun. 30, 2003; Presidential Decree No. 19048, Sep. 14, 2005>*

1. Where it is impossible to directly supply tap water from wide-area waterworks because the

- supply of tap water by local waterworks or others is very difficult;
2. Where water is supplied for public institutions, military units, schools, power plants, or factories using one thousand tons or more of water *per diem* (referring to the factories as prescribed in Article 2 of the Industrial Cluster Development and Factory Establishment Act); and
 3. Where consumers make an agreement on the allotment of the expenses for installation of the water treatment facilities of wide-area waterworks with a waterworks business operator to bear the expenses for installation of the water treatment facilities concerned under the provisions of the proviso of Article 52-2 (1) of the Act.

[This Article Newly Inserted by Presidential Decree No. 15659, Feb. 24, 1998]

Article 28 (Exclusive Waterworks Installed by State)

- (1) In a case where the State intends to install the exclusive waterworks in accordance with Article 35 of the Act, the Minister in charge shall in advance consult with the Minister of Environment about an exclusive waterworks and with the Minister of Construction and Transportation about an exclusive industrial waterworks. *<Amended by Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 14707, Jul. 1, 1995>*
- (2) The provisions of Articles 37 and 38 of the Act shall apply *mutatis mutandis* to the case of exclusive waterworks installed by the State.

Article 29 (Application for Authorization for Exclusive Waterworks)

- (1) Any person who intends to obtain authorization for the installation of the exclusive waterworks as prescribed in Article 36 of the Act shall submit to the head of *Si/Gun* the application form for authorization for installing the exclusive waterworks together with the installation plan, under the conditions as prescribed by the Ordinance of the Ministry of Environment. *<Amended by Presidential Decree No. Jun. 16, 1994; Presidential Decree No. 14707, Jul. 1, 1995; Presidential Decree No. 15659, Feb. 24, 1998>*
- (2) The installation plan as prescribed in paragraph (1) shall include the following matters:
<Amended by Presidential Decree No. 14282, Jun. 16, 1994>
 1. An outline of the waterworks-related facilities;
 2. The number of people to be supplied with water and the volume of water to be supplied per one person per day;
 3. The maximum volume of water to be supplied a day and the average volume of water to be supplied a day;
 4. The matters as prescribed in Article 16 (2) 5 through 8; and
 5. A review of the effects, upon the people with existing water rights, of the installation of the exclusive waterworks.

Article 30 (Matters Whose Alteration Requires Authorization for Exclusive Waterworks)

The term "important matters prescribed by the Presidential Decree" in Article 36 (2) of the Act means matters falling under each of the following subparagraphs:

1. The location of water source or water-collecting place the methods of treating water;
2. The location map of waterworks-related facilities and ground plan; and
3. The maximum volume of water to be supplied a day and the average volume of water to be supplied a day (excluding a case where the volume of decrease or increase shows not more than 1/10 thereof).

[This Article Newly Inserted by Presidential Decree No. 17381, Sep. 29, 2001]

Article 31 Deleted. *<by Presidential Decree No. 14282, Jun. 16, 1994>*

Article 32 (Tasks, etc. of Association)

The Association shall perform the work falling under each of the following subparagraphs:

<Amended by Presidential Decree No. 17381, Sep. 29, 2001>

1. Proposals and advices made with respect to waterworks policy and operation (including sewage; hereafter the same in this Article shall apply);
2. The compilation of statistics with respect to waterworks and the publication of relevant books;
3. Survey and research on the development of waterworks-related technology and waterworks business, and the propagation of the results thereof;
4. Research on standards for waterworks-related facilities and standard technical specifications, and the propagation of the results thereof;
5. Advertisements, education, and in-service training for the waterworks;
6. International exchanges relating to the waterworks;
7. The promotion of the welfare of the members of the Association and protecting their rights and interests;
8. Research on standards for waterworks-related machinery and materials, the setting of organization standards, and test and certification;
9. Technical assessment of waterworks-related facilities; and
10. Other matters as determined by the articles of association.

Article 33 (Supervision over Association)

(1) The Minister of Environment shall supervise the tasks of the Association. *<Amended by Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 14707, Jul. 1, 1995>*

(2) When the Minister of Environment deems it necessary for the supervision as prescribed in paragraph (1), he may ask the Association to submit necessary materials. *<Amended by Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 14707, Jul. 1, 1995>*

Article 33-2 (Establishment of Safety Management System for WaterPurifying Plants)

(1) The Minister of Environment may operate a system by which the operation of water-purifying

plants and the management state of facilities, etc. therein are assessed with the aim of establishing a safety management system for water-purifying plants.

(2) Matters necessary for the operation of the assessment system referred to in paragraph (1) shall be prescribed and published by the Minister of Environment.

[This Article Newly Inserted by Presidential Decree No. 17381, Sep. 29, 2001]

Article 34 (Delegation or Entrustment of Coercive Collection)

The local government, which desires to delegate or entrust the coercive collection of the tap-water rates, etc. in accordance with Article 51 (2) of the Act, shall send to the delegated or entrusted local government the document enlisting the subject matters of the following specifications:

1. The former and present addresses of persons who shall pay the rates;
2. The amount of the delinquent rates and the period for the payment thereof;
3. The fact of having issued, or not, demand notes or notifications and, if having issued, the dates on which they were issued; and
4. Other matters for reference.

Article 34-2 (Scope of Using Revenues)

The term "matters prescribed by the Presidential Decree" in Article 52 of the Act means loans extended for upgrading the indoor pipelines of water consumers in order to prevent water leakages.

[This Article Newly Inserted by Presidential Decree No. 17381, Sep. 29, 2001]

Article 35 (Expenses to be Borne by Person who Caused Them)

(1) As for the criteria for the computation of the expenses to be borne by the person who caused them and the method of paying them as prescribed in Article 53 (2) of the Act, the waterworks business operator shall in advance consult with the person who is responsible to pay them. If the consultation does not lead to an agreement, in this case, the waterworks business operator may determine the amount to be borne in consideration of the expenses necessary for the waterworks construction work to be done.

(2) Intending to have the waterworks construction expenses borned by the person who caused them under the provision of paragraph (1), the waterworks business operator shall send to the said person a written notification for the payment of the expenses under consideration together with the construction plan or other foundation on which the expenses to be borne have been computed.

(3) The following expenses shall be added to the expenses to be borne by the person who caused them as provided in paragraph (1): *<Amended by Presidential Decree No. 14707, Jul. 1, 1995; Presidential Decree No. 17381, Sep. 29, 2001>*

1. The cost of newly installing or enlarging waterworks-related facilities;
2. The construction expenses necessary for the restoration, into the original state, of the facilities;
3. The amount of money corresponding to the rates of the tap water which is turned to be unusable

- on account of the cleaning-up, etc. of the waterworks-related facilities;
4. The expenses for the water-supply car used on account of the stop in supplying the water;
 5. The expenses necessary for the restoration of roads into the original state and for the prevention of the freezing of roads;
 6. The expenses necessary for the cars and personnel used for the restoration work; and
 7. Other expenses for advertisements, etc.
- (4) The detailed criteria necessary for the computation of the expenses as prescribed in paragraph (3) shall be determined by the Municipal Ordinances of the local government concerned.

Article 36 (Charge Imposed on Person Who has Inflicted Damage)

- (1) When the waterworks business operator intends to collect the charge imposed on the person who has inflicted a damage in accordance with Article 54 (2) of the Act, he shall first compute the amount of the expenses for the repair and maintenance of the waterworks-related facilities which have been damaged or the expenses for the establishment of the facilities necessary for preventing the expected damage, and then, shall send to the relevant person a written notification including the information on the amount of the expenses to be borne, the period of their payment, and the place where they have to be paid.
- (2) The following expenses shall be added to the charge imposed on the person who has inflicted a damage as provided for in paragraph (1): *<Amended by Presidential Decree No. 14707, Jul. 1, 1995; Presidential Decree No. 19048, Sep. 14, 2005>*
1. The amount of money corresponding to the rates of the tap water which is leaking or is turned unusable on account of the damage inflicted on the waterworks-related facilities, etc.; and
 2. The expenses as prescribed in Article 35 (3) 2 and 4 through 7.
- (3) The provisions of Article 35 (4) shall apply *mutatis mutandis* to the case of computation of the expenses as prescribed in paragraph (2).

Article 37 (Delegation of Authority)

- (1) The Minister of Construction and Transportation shall delegate the Mayor/*Do* governor with his authority to authorize and permit closure or suspension of the business of industrial waterworks whose facility capacity is not more than 10,000 tons per day, to revoke authorization granted to the operator of such industrial waterworks business and to issue necessary orders in accordance with Article 58 of the Act from among his authorities provided for in Articles 33-2, 34 and 46 through 48 of the Act. *<Amended by Presidential Decree No. 17381, Sep. 29, 2001>*
- (2) The Minister of Environment shall delegate the authorities of the following subparagraphs to the Mayor/*Do* governor in accordance with Article 58 of the Act. In this case, the authority as prescribed in subparagraph 4 (a) shall be delegated to the *Do* governor, and the authority as prescribed in subparagraph 4 (b), to the Special Metropolitan City Mayor or Metropolitan City Mayor: *<Amended by Presidential Decree No. 14707, Jul. 1, 1995; Presidential Decree No. 17381,*

Sep. 29, 2001>

1. Deleted; *<by Presidential Decree No. 17381, Sep. 29, 2001>*
2. The designation of the water-source protection sphere, alteration thereof, and giving a public notice thereof as prescribed in Article 5 (1) and (2) of the Act;
3. Other necessary measures such as the removal of equipment, or putting a stop on the supply of the tap water as prescribed in Article 9 (2) of the Act;
4. The authorities of the following items among those as prescribed Articles 12, 27 and 46 through 48 of the Act:
 - (a) Authorization on the wide-area waterworks and the local waterworks, installed by the local government, of which the facilities have the potential capacities of 10,000 tons or less a day; permission on the closure or suspension thereof; and revocation of authorization granted to the wide-area waterworks business operator and the local waterworks business operator concerned and other necessary dispositions; and
 - (b) Authorization of business on the wide-area waterworks and the local waterworks, installed by a local government, of which the facilities have the potential capacities of 100,000 tons or less a day; permission on the closure or suspension thereof; and revocation of authorization granted to the wide-area waterworks business operator and the local waterworks business operator concerned and other necessary dispositions;
5. Deleted; and *<by Presidential Decree No. 15659, Feb. 24, 1998>*
6. Approval of the purchase of the waterworks-related facilities, etc. in accordance with Article 29 (1) of the Act.

(3) The Minister of Environment shall delegate the authorities of the following subparagraphs to the head of the basin environmental office or the head of the regional environmental office in accordance with Article 58 of the Act: *<Amended by Presidential Decree No. 14255, May 4, 1994; Presidential Decree No. 14282, Jun. 16, 1994; Presidential Decree No. 14707, Jul. 1, 1995; Presidential*

Decree No. 15659, Feb. 24, 1998; Presidential Decree No. 17381, Sep. 29, 2001; Presidential Decree No. 17698, Aug. 8, 2002; Presidential Decree No. 19048, Sep. 14, 2005>

1. Evaluation of the management state of the water-source protection sphere as prescribed in Article 6 (3) of the Act;
2. and 3. Deleted; and *<by Presidential Decree No. 19048, Sep. 14, 2005>*
4. Orders given to improve the management of the waterworks business, or orders given for other necessary measures to be taken as prescribed in Article 45-2 of the Act.

Article 38 Deleted. *<by Presidential Decree No. 15598, Dec. 31, 1997>*

Article 39 (Imposition and Collection of Fine for Negligence)

- (1) When a fine for negligence is intended to be imposed in accordance with Article 65 (4) of the

Act, the act of violation shall be first investigated and confirmed, and then be notified, in writing, the person subject to the disposition of fine for negligence, of the fact of offense, method and period of objection, amount of fine for negligence. *<Amended by Presidential Decree No. 17381, Sep. 29, 2001>*

(2) The Minister of Environment, the Minister of Construction and Transportation, the Mayor/Do governor or the head of *Si/Gun/Gu* (hereafter in this Article referred to as the "imponent") shall, when he intends to impose a fine for negligence, give a person subject to a disposition taken to impose a fine for negligence an opportunity to state his opinion orally or in writing for a fixed period exceeding 10 days. In this case, where he fails to state his opinion by the given date, he shall be deemed to have no opinion to state. *<Amended by Presidential Decree No. 14282, Jun. 16, 1994; Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 14707, Jul. 1, 1995; Presidential Decree No. 17381, Sep. 29, 2001>*

(3) The imponent shall, when he determines the amount of a fine for negligence, take into account the motives of the act of violation concerned and the consequences of such act, etc. *<Amended by Presidential Decree No. 14282, Jun. 16, 1994; Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 14282, Jul. 1, 1995>*

(4) The procedures for the collection of fine for negligence shall be determined by the Ordinance of the Ministry of Environment. *<Amended by presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 14707, Jul. 1, 1995>*

ADDENDA

Article 1 (Enforcement Date)

This Decree shall enter into force on December 15, 1992.

Article 2 (Transitional Measures concerning Prohibited Actions within Water-Source Protection Sphere)

The person who has obtained the permit for or authorization of catching or cultivating fish or shellfish within the water-source protection sphere or who has made a report thereon in accordance with some other Act at the time this Act enters into force, shall be governed, despite the provisions of Article 8, by the former Act until the available period of the permit, authorization, or report ends.

Article 3 (Amendment, etc. of Other Acts)

(1) through (5) Omitted.

(6) In addition to paragraph (1) through (5), in a case where the provisions of the former Enforcement Decree of the Water Supply and Waterworks Installation Act have been quoted in other Presidential Decrees at the time when this Decree enters into force and where there are in this Act those provisions corresponding to the quoted ones, the provisions in this Act shall be regarded

as having been quoted instead of the actually quoted ones.

ADDENDA <Presidential Decree No. 14255, May 4, 1994>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDUM <Presidential Decree No. 14282, Jun. 16, 1994>

This Decree shall enter into force on the date of its promulgation: *Provided*, That the matters relating to Article 8 of the Quality Management Promotion Act among the amended provisions of Article 18 (2) shall enter into force on June 28, 1994.

ADDENDA <Presidential Decree No. 14446, Dec. 23, 1994>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 14447, Dec. 23, 1994>

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. 14450, Dec. 23, 1994>

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. 14707, Jul. 1, 1995>

(1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation.

(2) (Transitional Measures concerning the Technological Diagnosis of the Waterworks-Related Facilities) The technological diagnosis, as provided in the amended provisions of Article 33-2, of the waterworks-related facilities which were completed not less than five years ago and have been providing the tap water for not less than five years at the time when this Decree enters into force, shall be executed no later than December 31, 1996.

(3) Omitted.

ADDENDUM <Presidential Decree No. 15598, Dec. 31, 1997>

This Decree shall enter into force on January 1, 1998.

ADDENDA <Presidential Decree No. 15659, Feb. 24, 1998>

Article 1 (Enforcement Date)

This Decree shall enter into force on March 1, 1998.

Article 2 (Special Cases concerning Criteria for Waterworks Materials)

Until June 30, 1998, instead of the amended provisions of Article 18-2 (1) 1 and 2, the provisions of the following subparagraphs shall apply, respectively:

1. The materials permitted or approved by the Minister of Trade, Industry and Energy under the provisions of Articles 11 through 13 of the Industrial Standardization Act; and
2. The materials whose quality authentication marks are subject to approval by the Administrator of the Small and Medium Business Administration of organization standards for waterworks under the provisions of Article 28 of the Industrial Standardization Act.

Article 3 (Transitional Measures concerning Waterworks Materials)

(1) The waterworks materials which meet the criteria under the previous provisions at the time when this Decree enters into force, and the waterworks materials which fall under any of subparagraphs of Article 2 of the Addenda, shall be considered to meet the criteria for waterworks materials under the amended provisions of Article 18-2 (1).

(2) The waterworks materials which are publicly notified by the Director of the National Construction Research Institute under the previous provisions at the time when this Decree enters into force shall be considered to meet the criteria for waterworks materials under the amended provisions of Article 18-2 (1), within the valid period of public notice for the materials concerned.

Article 4 Omitted.

ADDENDA <Presidential Decree No. 15964, Dec. 31, 1998>

(1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation.

(2) (Transitional Measures concerning Education on Sanitary Management) Notwithstanding the amended provisions of Article 24-2 (2), a person who is subject to the education under the previous provisions at the time when this Decree enters into force and who does not receive the education concerned shall receive such education by December 31, 1999.

ADDENDA <Presidential Decree No. 16508, Aug. 6, 1999>

Article 1 (Enforcement Date)

This Decree shall enter into force on August 9, 1999.

Articles 2 through 6 *Omitted.*

ADDENDA <Presidential Decree No. 16893, Jul. 1, 2000>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2000. (Proviso Omitted.)

Articles 2 through 9 *Omitted.*

ADDENDUM <Presidential Decree No. 17381, Sep. 29, 2001>

This Decree shall enter into force on September 29, 2001: *Provided*, That the amended provisions of Article 8 (1) 6 and (3) shall enter into force on September 29, 2003.

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. 17854, Dec. 30, 2002>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2003.

Articles 2 through 8 *Omitted.*

ADDENDA <Presidential Decree No. 18039, Jun. 30, 2003>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2003.

Articles 2 through 6 *Omitted.*

ADDENDUM <Presidential Decree No. 19048, Sep. 14, 2005>

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