

KOREA WATER RESOURCES CORPORATION ACT

Act No. 3997, Dec. 4, 1987
Amended by Act No. 4232, Apr. 7, 1990
Act No. 4429, Dec. 14, 1991
Act No. 4630, Dec. 27, 1993
Act No. 4748, Mar. 24, 1994
Act No. 5111, Dec. 29, 1995
Act No. 5227, Dec. 30, 1996
Act No. 5893, Feb. 8, 1999
Act No. 5911, Feb. 8, 1999
Act No. 5914, Feb. 8, 1999
Act No. 6021, Sep. 7, 1999
Act No. 6366, Jan. 16, 2001
Act No. 6589, Dec. 31, 2001
Act No. 6656, Feb. 4, 2002
Act No. 6841, Dec. 30, 2002
Act No. 7058, Dec. 31, 2003
Act No. 7678, Aug. 4, 2005
Act No. 8014, Sep. 27, 2006
Act No. 8256, Jan. 19, 2007
Act No. 8283, Jan. 26, 2007
Act No. 8338, Apr. 6, 2007
Act No. 8351, Apr. 11, 2007
Act No. 8352, Apr. 11, 2007
Act No. 8370, Apr. 11, 2007
Act No. 8819, Dec. 27, 2007
Act No. 8820, Dec. 27, 2007
Act No. 8852, Feb. 29, 2008
Act No. 8976, Mar. 21, 2008
Act No. 9054, Mar. 28, 2008
Act No. 9401, Jan. 30, 2009
Act No. 9544, Mar. 25, 2009

Act No. 9618, Apr. 1, 2009
Act No. 9758, jun. 9, 2009
Act No. 9763, jun. 9, 2009
Act No. 10272, Apr. 15, 2010
Act No. 10331, May 31, 2010
Act No. 10580, Apr. 12, 2011
Act No. 11593, Dec. 18, 2012
Act No. 11690, Mar. 23, 2013
Act No. 12248, Jan. 14, 2014
Act No. 12663, May 21, 2014
Act No. 12844, Nov. 19, 2014
Act No. 13691, Dec. 29, 2015
Act No. 14549, Jan. 17, 2017

Article 1 (Purpose)

The purpose of this Act is to contribute to improving citizens' livelihoods and enhancing public welfare by ensuring smooth supply of water through the establishment of the Korea Water Resources Corporation, tasked with comprehensively developing and managing water resources.

Article 2 (Legal Personality)

The Korea Water Resources Corporation (hereinafter referred to as the "Corporation") shall be a juristic person.

Article 3 (Offices)

- (1) The seat of the Corporation's principal office shall be prescribed by its articles of incorporation.
- (2) The Corporation may open branch offices or offices after undergoing a resolution by the board of directors if necessary to perform its work.

Article 4 (Capital and Investment)

- (1) The Corporation's capital shall be one billion won.
- (2) The capital referred to in paragraph (1) shall be invested by the State, a local government, or the Korea Development Bank established pursuant to the Korea Development Bank Act, and at least 50/100 of which shall be invested by the State. <Amended by Act No. 9618, Apr. 1, 2009; Act No. 12663, May 21, 2014>
- (3) The State, a local government, or the Korea Development Bank established pursuant to the Korea Development Bank Act may make investment in kind in the Corporation with its movable or immovable property necessary for the Corporation to perform its business. <Amended by Act No. 9618, Apr. 1, 2009; Act No. 12663, May 21, 2014>

(4) The State may invest rights to use dams prescribed in subparagraph 3 of Article 2 of the Act on Construction of Dams and Assistance, etc. to their Environs, rights to manage waterworks prescribed in subparagraph 26 of Article 3 of the Water Supply and Waterworks Installation Act (hereinafter referred to as "right to manage waterworks"), and rights to manage terminal sewage treatment plants in the Corporation, and local governments may vest rights to manage waterworks in the Corporation.

(5) "Rights to manage waterworks" referred to in paragraph (4) means rights to maintain and manage terminal sewage treatment plants (including facilities leading sewage to the terminal sewage treatment plants; hereinafter referred to as "sewage treatment plants") prescribed in subparagraph 5 of Article 2 of the Sewerage Act and to collect fees from users based on the volume and pollution level of sewage discharged from any terminal sewage treatment zone prescribed in subparagraph 4 of Article 2 of the said Act (hereinafter referred to as "sewage treatment zone").

(6) Article (4) of the Act on the Contribution In-Kind of State Property shall apply mutatis mutandis to cases where a local government, or the Korea Development Bank under the Korea Development Bank Act may make investment in kind in the Corporation with its movable or immovable property pursuant to paragraph (3). *<Amended by Act No. 9618, Apr. 1, 2009; Act No. 12663, May 21, 2014>*

(7) Where the State or local governments vest rights to use dams, rights to manage waterworks or rights to manage terminal sewage treatment plants in the Corporation pursuant to paragraph (4), the method of computing the value of such investment shall be prescribed by Presidential Decree.

(8) Where the State makes investment in kind in the Corporation with multi-purpose dam facilities or installations used exclusively for any specific purpose among the purposes of multi-purpose dams prescribed in subparagraph 2 of Article 2 of the Act on Construction of Dams and Assistance, etc. to their Environs, the method of computing the value of such investment shall be prescribed by Presidential Decree.

Article 5 (Registration)

(1) The Corporation shall come into existence by registration of incorporation at the seat of its principal office.

(2) Matters necessary for the registration of incorporation of the Corporation under paragraph (1), registration of the establishment of its branch offices or other offices, registration of relocation or alteration thereof, and other registration of the Corporation shall be prescribed by Presidential Decree.

(3) With respect to any matter that must be registered, the Corporation may not oppose against any third party without filing for registration.

Article 5-2 (Prohibition on Using Similar Names)

No person, other than the Corporation provided for in this Act, shall use "Korea Water Resources Corporation" or any name similar thereto.

Article 6 (Prohibition on Disclosure of Confidential Information)

No incumbent or former executive officer or employee of the Corporation shall disclose or misuse any confidential information he/she has learned in the course of performing his/her duties.

Article 7 Deleted. <by Act No. 9544, Mar. 25, 2009>

Article 8 (Appointment of Representative)

The President of the Corporation may appoint a representative authorized to do all judicial or extra-judicial acts in connection with the Corporation's affairs from among its employees, as prescribed by its articles of incorporation.

Article 9 (Projects)

(1) The Corporation shall implement the following projects: <Amended by Act No. 13691, Dec. 29, 2015>

1. Constructing, operating and managing the following facilities (hereinafter referred to as "water resource development facilities") to comprehensively use and develop water resources:
 - (a) Multi-purpose dams and dams for supplying residential water (including hydro-power plants): Provided, That dams supplying only agricultural water shall be excluded herefrom;
 - (b) Estuary weirs and multi-purpose watercourses;
 - (c) Facilities for inland transportation by ship and canal facilities;
 - (d) Other facilities for comprehensively developing and using water resources;
2. Following projects concerning development and use of waterworks (excluding local water supply services and village water supply services among general waterworks):
 - (a) Constructing waterworks;
 - (b) Using, maintaining and managing waterworks;
 - (c) Repairing facilities for using, maintaining and managing waterworks;
3. Water quality surveys at the dams referred to in subparagraph 1;
4. Constructing, operating and managing terminal sewage treatment plants to treat sewage in an area having direct influence on water quality of a water source supplied to at least two local governments (hereinafter referred to as "metropolitan water source") (limited to cases where the State or the Corporation fully invests therein or such construction, operation or management is entrusted by a local government referred to in paragraph (4) or by any other person);
5. Developing industrial complexes or special areas: Provided, That this shall be limited to any development in a district related to development of any industrial complex or special area implemented or being implemented by the Corporation;
- 5-2. Establishing, operating and managing new and renewable energy facilities provided for in the Act on the Promotion of the Development, Use and Diffusion of New and Renewable Energy using water resources development facilities, waterworks and land the Corporation has developed and managed by implementing the projects provided for in subparagraphs 1, 2, 4 and 5;
6. Collecting the following charges or fees:
 - (a) Charges for water or electricity supplied by water resources development facilities or waterworks;
 - (b) Fees for using water resources development facilities and the surface thereof;
 - (c) Fees for using terminal sewage treatment plants;

7. Creating relocation complexes or reclaiming public waters for implementing projects provided for in subparagraphs 1 through 5;
 8. Investigations, surveys, design, construction supervision, tests, research, technical development and technical diagnosis regarding projects provided for in subparagraphs 1 through 5, 5-2, 6, 7, and 12;
 9. Basic investigations and information management for efficiently developing, using and managing water resources;
 10. Technical support for and education about the fields of water resources development facilities, water supply services and other water resources;
 11. Projects incidental to those provided for in subparagraphs 1 through 5, 5-2 and 6 through 9;
 12. Projects the Corporation may implement pursuant to any Act or subordinate statute.
- (2) The Corporation may implement any of the projects provided for in each subparagraph of paragraph (1) overseas.
- (3) The Corporation may invest all or part of capital in any corporation that implements the projects falling under each subparagraph of paragraph (1), and paragraph (2) or projects similar thereto.
- (4) The Corporation may implement a project falling under any subparagraph of paragraph (1) upon entrustment by the State, a local government or any third person.
- (5) The scope of an area having direct influence on water quality of a metropolitan water source provided for in paragraph (1) 4 shall be prescribed by Presidential Decree.
- (6) The Minister of Environment shall consult, in advance, with the Minister of the Interior and the head of the relevant local government about areas in which a terminal sewage treatment plant referred to in paragraph (1) 4 is to be constructed. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>*

Article 10 (Approval of Project Implementation Plans)

(1) Where the Corporation intends to implement any of the following projects, it shall establish a project implementation plan (hereinafter referred to as "implementation plan"), as prescribed by Presidential Decree, and obtain approval from the Minister of Land, Infrastructure and Transport for projects prescribed in subparagraph (1) or the Minister of Environment for projects prescribed in subparagraph (2): Provided, That this shall not apply to cases where the Corporation has obtained approval, authorization, permission of or license on a project plan, the details of which are same as those of an implementation plan from the head of the relevant administration agency (including a person delegated with authority, if any) pursuant to any other Act and reports the details thereof to the Minister of Land, Infrastructure and Transport or the Minister of Environment: *<Amended by Act No. 11690, Mar. 23, 2013>*

1. Construction or development projects provided for in Article 9 (1) 1, 2, 5 and 5-2, and projects related to such projects and provided for in subparagraphs 7, 8 and 11 of the same paragraph;
 2. Construction projects provided for in Article 9 (1) 4, and projects related to such projects and provided for in subparagraphs 7, 8 and 11 of the same paragraph.
- (2) Where the Corporation establishes an implementation plan for constructing a terminal sewage treatment plant pursuant to paragraph (1), it shall comply with the sewerage maintenance master plan

provided for in Article 6 of the Sewerage Act.

(3) Where the Minister of Land, Infrastructure and Transport or the Minister of Environment intends to approve an implementation plan pursuant to paragraph (1), he/she shall consult, in advance, with the heads of relevant central administration agencies and the heads of local governments. *<Amended by Act No. 11690, Mar. 23, 2013>*

(4) Where the Minister of Land, Infrastructure and Transport or the Minister of Environment approves an implementation plan pursuant to paragraph (1), he/she shall make an announcement thereof in the Official Gazette. *<Amended by Act No. 11690, Mar. 23, 2013>*

(5) Where the Corporation intends to modify any implementation plan already approved pursuant to paragraph (1), it shall obtain approval from the Minister of Land, Infrastructure and Transport or the Minister of Environment: Provided, That it may modify minor matters prescribed by Presidential Decree by reporting them to the Minister of Land, Infrastructure and Transport or the Minister of Environment. *<Amended by Act No. 11690, Mar. 23, 2013>*

(6) Paragraphs (1) through (4) shall apply mutatis mutandis to approval for any modification to an implementation plan provided for in paragraph (5).

Article 11 (Authorization for Completion of Projects)

(1) Where the Corporation completes a project, the implementation plan of which has been approved pursuant to Article 10, it shall obtain, without delay authorization for completion from the Minister of Land, Infrastructure and Transport or the Minister of Environment, as prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) Where the Minister of Land, Infrastructure and Transport or the Minister of Environment receives an application for authorization for completion pursuant to paragraph (1), he/she shall issue a completion authorization certificate to the Corporation if he/she deems the relevant project has been completed as specified in the implementation plan referred to in Article 10 after conducting a completion inspection, and make an announcement thereof in the Official Gazette. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) Where the Corporation obtains authorization for completion provided for in paragraph (1), it shall be deemed to have undergone a completion inspection or to have obtained authorization for completion of the relevant project, the permission or authorization of which is deemed granted pursuant to Article 18.

(4) No developed land or established water resources development facilities, waterworks or terminal sewage treatment plants shall be used unless authorization for completion provided for in paragraph (1) is granted: Provided, That such may be used if approved by the Minister of Land, Infrastructure and Transport or the Minister of Environment. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 12 (Disposition of Profit and Loss)

(1) When the Corporation realizes profits upon the settlement of accounts of each fiscal year, it shall dispose of such profits in the following order:

1. Covering any deficit brought forward;

2. Accumulating not less than 2/10 of the profits as earned surplus reserves until they reach an amount 1/2 of capital;
3. Accumulating not less than 2/10 of the profits as reserves for business expansion until they reach an amount equal to capital;
4. Dividend payout.

(2) When the Corporation sustains a loss upon the settlement of accounts of each business year, it shall cover the loss with reserves for business expansion referred to in paragraph (1) 3, and if the reserves are insufficient to cover the loss, it shall cover such loss with the earned surplus reserves referred to in paragraph (1) 2, and carry forward any remaining loss to the following business year.

(3) Earned surplus reserves referred to in paragraph (1) 2 and reserves for business expansion referred to in paragraph (1) 3 may be transferred to the Corporation's capital, as prescribed by Presidential Decree.

Article 13 (Issuance, etc. of Bonds)

(1) The Corporation may issue bonds up to the limit not exceeding two times the sum of its capital and reserves after undergoing a resolution by the board of directors

(2) When the Corporation issues bonds pursuant to paragraph (1), the State may guarantee the repayment of the principal and interest of bonds.

(3) In order to issue bonds pursuant to paragraph (1), the Corporation shall annually formulate a plan to issue bonds and obtain approval therefor by the Minister of Land, Infrastructure and Transport, following resolution thereon by the board of directors as prescribed by Presidential Decree. The foregoing shall apply where it intends to modify an approved plan to issue bonds. <Newly Inserted by Act No. 11593, Dec. 18, 2012; Act No. 11593, Dec. 18, 2013>

Article 14 (Borrowings)

The Corporation may borrow funds (including borrowing funds from a foreign country) necessary for its projects.

Article 15 (Contracts for Use)

(1) Any person who intends to use water supplied by water resources development facilities or waterworks managed by the Corporation, water resources development facilities or the surface thereof shall conclude a contract for use thereof with the Corporation.

(2) Where the Special Metropolitan City Mayor, a Metropolitan City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun/Gu (referring to the head of an autonomous Gu: hereinafter the same shall apply) intends to use a terminal sewage treatment plant managed by the Corporation in any sewage treatment zone, he/she shall conclude a contract for use thereof with the Corporation.

(3) The Corporation may collect unreasonable profits and additional dues from any person who uses water, water resources development facilities or the surface thereof, or terminal sewage treatment plants without concluding a contract provided for in paragraph (1) or (2), as prescribed by Presidential Decree.

(4) If necessary for the Corporation to understand the current status on the use of water, water resources development facilities or the surface thereof, or terminal sewage treatment plants provided for in paragraph (1) or (2), it may request users' cooperation or require its employees to enter places of business or other places to understand project status.

Article 16 (Collection of Charges, etc.)

(1) The Corporation may collect charges or fees from users of water supplied by water resources development facilities or waterworks, water sources development facilities or the surface thereof, or terminal sewage treatment plants based on the volume of water used by such users, the frequency of using such facilities or surface thereof, and the volume and the level of pollution of discharged sewage, taking into account costs necessary for constructing, operating and managing relevant facilities.

(2) The Corporation shall establish regulations specifying the methods of computing, and procedures for collecting charges or fees provided for in paragraph (1) and obtain, in advance, approval from the Minister of Land, Infrastructure and Transport for water resources development facilities and waterworks, and from the Minister of Environment for terminal sewage treatment plants: Provided, That this shall not apply if the Corporation has obtained approval from the head of the relevant administration agency for the methods of computing, and procedures for collecting the relevant charges and fees pursuant to any other Act.

<Amended by Act No. 11690, Mar. 23, 2013>

Article 16-2 (Cost-Bearing)

Where the Corporation provides technical support or education pursuant to Article 9 (1) 10, it may require a person who receives such technical support or education, his/her affiliated organization or relevant business entities to bear all or part of expenses incurred therein, as prescribed by Presidential Decree.

Article 17 (Entrustment of Projects, etc.)

The Corporation may implement some projects (including affairs involved in compensation of loss and relocation measures following the implementation of such projects) upon entrustment to the State, a local government, a public corporation provided for in Article 5 (3) 1 of the Act on the Management of Public Institutions or any third person, as prescribed by Presidential Decree.

Article 17-2 (Leal Fiction as Public Officials for Purposes of Penalty Provisions)

Where the Corporation re-entrusts any project entrusted by the State or local governments to a corporation in which the Corporation has made investment pursuant to Article 9 (3) by obtaining prior approval from the Minister of Land, Infrastructure and Transport or the head of the relevant local government, any executive officer or employee of such corporation engaging in entrusted projects shall be deemed a public official for the purposes of the provisions of Articles 129 through 132 of the Criminal Act. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 17-3 (Prohibition on Use of Undisclosed Information)

(1) No executive officer or employee of the Corporation shall arrange for himself/herself or any third person to be provided with land, etc. supplied by the Corporation using work-related information not disclosed to the general public.

(2) The Corporation shall take disciplinary action against any executive officer or employee who violates paragraph (1), as prescribed by internal regulations, such as the articles of incorporation.

Article 18 (Permission, Authorization, etc. Deemed Granted Pursuant to Other Acts)

(1) Where the Corporation obtains approval for an implementation plan referred to Article 10 on any project it implements, it shall be deemed to have obtained relevant authorization or permission for matters the Minister of Land, Infrastructure and Transport or the Minister of Environment has consulted with the head of the relevant administration agency regarding the following permission, authorization, designation, consultation, cancellation or approval, etc. (hereinafter referred to as "authorization or permission, etc."). Where the Minister of Land, Infrastructure and Transport or the Minister of Environment announces approval of an implementation plan, authorization or permission, etc. pursuant to the following Acts shall be deemed announced or notified: *<Amended by Act No. 9401, Jan. 30, 2009; Act Nos. 9758 & 9763, Jun. 9, 2009; Act No. 10272, Apr. 15, 2010; Act No. 10331, May 31, 2010; Act No. 11690, Mar. 23, 2013; Act No. 12248, Jan. 14, 2014; Act No. 13691, Dec. 29, 2015>*

1. Permission for development pursuant to Article 56 of the National Land Planning and Utilization Act, designation of an implementor of an urban planning facility project pursuant to Article 86 of the said Act, and authorization of an implementation plan pursuant to Article 88 of the said Act;
2. Permission to extract aggregate pursuant to Article 22 of the Aggregate Extraction Act;
3. Permission to occupy and use or temporarily use public waters pursuant to Article 8 of the Public Waters Management and Reclamation Act, approval or reporting of an implementation plan for occupation and use or temporary use pursuant to Article 17 of the said Act, consultation on or approval for reclamation implemented by the State, etc. pursuant to Article 35 of the said Act, or approval of an implementation plan to reclaim public waters pursuant to Article 38 of the said Act;
4. Deleted; *<by Act No. 10272, Apr. 15, 2010>*
5. Permission to use or make profits pursuant to Article 20 (1) of the Public Property and Commodity Management Act;
6. Permission to use pursuant to Article 30 of the State Property Act;
7. Approval to use agricultural production infrastructure for purposes other than the intended purpose pursuant to Article 23 of the Rearrangement of Agricultural and Fishing Villages Act, or permission to alter the form and quality of land pursuant to Article 111 of the said Act;
8. Permission to divert farmland pursuant to Article 34 of the Farmland Act;
9. Permission to implement road works pursuant to Article 36 of the Road Act or permission to occupy and use roads pursuant to Article 61 of the said Act;
10. Permission to for lumbering, etc. of trees pursuant to Article 14 of the Erosion Control Work Act or cancellation of designation of land treated for erosion control pursuant to Article 20 of the said Act;
11. Permission for or reporting on converting a mountainous district pursuant to Articles 14 and 15 of the Management of Mountainous Districts Act, permission for or reporting on temporarily using a mountainous district pursuant to Article 15-2 of the said Act, permission for collecting soil and stone

(limited to stone) pursuant to Article 25 of the said Act, permission for or reporting on cutting standing trees, etc. pursuant to Article 36 (1) and (4) of the Creation and Management of Forest Resources Act, permission for or reporting on activities within forest conservation zones (excluding conservation zones of forest gene resources) pursuant to Article 9 (1) and (2) 1 and 2 of the Forest Protection Act, or cancellation of designation of forest conservation zones pursuant to Article 11 (1) 1 of the said Act;

12. Authorization of general waterworks business pursuant to Article 17 of the Water Supply and Waterworks Installation Act or authorization of industrial waterworks business pursuant to Article 49 of the said Act;

13. Consultation with a park management agency pursuant to Article 71 (1) of the Natural Parks Act;

14. Permission to reinter a abandoned grave pursuant to Article 27 of the Act on Funeral Services, Etc.;

15. Permission for or reporting on developing and using groundwater pursuant to Articles 7 and 8 of the Groundwater Act;

16. Permission to alter the form and quality of land, etc. pursuant to Article 21-2 of the Grassland Act, or permission to divert grassland pursuant to Article 23 of the said Act;

17. Permission to perform works for public sewerage pursuant to Article 16 of the Sewerage Act;

18. Permission to implement river works or authorization of implementation plan for river works pursuant to Article 30 of the River Act, permission to occupy and use rivers pursuant to Article 33 of the said Act, or permission to use river water pursuant to Article 50 of the said Act.

(2) Where the Minister of Land, Infrastructure and Transport or the Minister of Environment intends to approve an implementation plan containing any of the details provided for in each subparagraph of paragraph (1), he/she shall consult, in advance, with the heads of relevant administration agencies.

<Amended by Act No. 11690, Mar. 23, 2013>

Article 19 (Establishment of Rights to Manage Facilities)

(1) The Minister of Land, Infrastructure and Transport may grant a right to manage waterworks (including waterworks constructed by the Corporation; hereafter the same shall apply in this Article) to the Corporation, and the Minister of Environment may grant a right to manage terminal sewage treatment plants (including terminal sewage treatment plants constructed by the Corporation; hereafter the same shall apply in this Article) to the Corporation. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) Where the Corporation is granted a right to manage waterworks or a right to manage terminal sewage treatment plants (hereinafter referred to as "right to manage facilities) pursuant to paragraph (1), it shall register with the Minister of Land, Infrastructure and Transport or the Minister of Environment, as prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 20 (Nature, etc. of Rights to Manage Facilities)

(1) A right to manage facilities is deemed a real right, and the provisions of the Civil Act governing real estate shall apply mutatis mutandis to such right, except as otherwise provided for in this Act.

(2) No right to manage facilities may be disposed of, except for the purposes of transfer, investment or mortgages.

(3) If a right to manage facilities is to be divided or merged, or any disposition provided for in paragraph (2) is to be made, approval of the Minister of Land, Infrastructure and Transport or the Minister of Environment shall be obtained. <Amended by Act No. 11690, Mar. 23, 2013>

Article 21 (Special Cases concerning Authorization)

Where a right to manage facilities is invested in the Corporation pursuant to Article 4 (4), the Corporation shall be deemed to have obtained authorization to run waterworks pursuant to Articles 17, 49 and 50 of the Water Supply and Waterworks Installation Act and authorization to build terminal sewage treatment plants pursuant to Article 6 of the Sewerage Act.

Article 21-2 (Application of the Sewerage Act)

Where the Corporation implements projects provided for in Article 9 (1) 4, it shall be deemed the public sewerage management authority pursuant to Article 18 of the Sewerage Act.

Article 22 (Special Cases concerning Mortgages)

No right to manage facilities, over which a mortgage has been established may be disposed of without the mortgagee's consent.

Article 23 (Alteration, etc. of Rights)

(1) The establishment, alteration and extinguishment of rights to manage facilities or mortgages, the subject matter of which is a right to manage facilities shall become effective by recording them in the register of rights to manage facilities kept in the Ministry of Land, Infrastructure and Transport or the Ministry of Environment. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Matters necessary for recording rights to manage facilities in the register pursuant to paragraph (1) shall be prescribed by Presidential Decree.

Article 24 (Expropriation or Use of Land, etc.)

(1) If necessary for the Corporation (including any person entrusted with projects from the Corporation pursuant to Article 17) to perform projects, it may expropriate or use land, goods, rights, etc. (hereinafter referred to as "land, etc.") provided for in Article 3 of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects.

(2) Where an implementation plan is approved and announced pursuant to Article 10, project approval shall be deemed obtained and announced pursuant to Article 20 (1) of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects and Article 22 of the said Act. In such cases, an application for adjudication shall be filed within the implementation period of a project fixed when an implementation plan is approved, notwithstanding Articles 23 (1) and 28 (1) of the said Act.

(3) The Central Land Tribunal shall take control of adjudication on expropriation or use provided for in paragraph (1).

(4) The head of a local government may entrust the Corporation with authority to carry out vicarious execution prescribed in Article 89 (2) of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects in connection with the projects implemented by the Corporation and provided for in Article 9 (1) 1, 2, 4 and 5.

(5) Where the Corporation intends to exercise authority to carry out vicarious execution entrusted pursuant to paragraph (4), it shall notify, in advance, the head of the relevant local government of the details thereof, and upon finishing such vicarious execution it shall notify the head of the relevant local government of the results thereof. In such cases, the head of the relevant local government may issue instructions to the Corporation necessary for vicarious execution or order the Corporation to take necessary measures, if deemed necessary.

(6) Matters necessary for entrusting rights to carry out vicarious execution pursuant to paragraph (4) shall be prescribed by Presidential Decree.

(7) Except as otherwise provided for in this Act, the Act on Acquisition of and Compensation for Land, etc. for Public Works shall apply to expropriation or use provided for in paragraph (1).

Article 24-2 (Subrogation of Entrustment of Registration)

Where a right to real estate the State or local governments have acquired in connection with the Corporation's projects must be registered pursuant to Article 98 of the Registration of Real Estate Act, the Corporation may entrust the registry office with such registration in subrogation of the State or the local government. *<Amended by Act No. 10580, Apr. 12, 2011>*

Article 25 (Application Mutatis Mutandis of the Urban Development Act)

Where the Corporation must replot land in the course of implementing a project, the provisions of the Urban Development Act governing replotting shall apply mutatis mutandis to such replotting.

Article 26 (Application Mutatis Mutandis of the River Act)

(1) The Corporation may manage rivers or perform river works to the extent that an implementation plan is approved pursuant to Article 10, notwithstanding Article 8 of the River Act and Article 27 (5) of the said Act.

(2) Where the Corporation manages rivers or performs river works pursuant to paragraph (1), it may exercise authority as a river management agency pursuant to Article 27 (6) of the River Act and Article 75 of the said Act.

Article 26-2 (Measurement, etc. of Water Pollution Levels)

Where the Corporation intends to install a measurement network to conduct water quality surveys at dams pursuant to Article 9 (1) 3, it shall prepare an installation, operation and management plan for the measurement network and shall obtain approval thereof from the Minister of Environment. The same shall also apply to any intended modification to such plan.

Article 27 (Establishment of Rights to Use Dams, etc.)

(1) The Minister of Land, Infrastructure and Transport may grant a right to use estuary weirs and dams constructed by the Corporation has constructed pursuant to Article 9 to the Corporation by applying mutatis mutandis Article 24 (4) of the Act on Construction of Dams and Assistance, etc. to their Environs. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) Where the Corporation is granted a right to use estuary weirs and dams pursuant to paragraph (1), the provisions of Articles 15 through 18, 24 (2) and (3), 28 through 32, 35, 36, 38 and 45 of the Act on

Construction of Dams and Assistance, etc. to their Environs shall apply mutatis mutandis.

Article 28 Deleted. <by Act No. 7058, Dec. 31, 2003>

Article 29 (Compulsory Collection)

(1) Where a person liable to pay unduly obtained profits, additional dues, charges or fees (hereinafter referred to as "fees, etc.") prescribed in Articles 15 and 16 fails to pay the fees, etc. by the payment deadline, the Corporation may entrust the head of a Si/Gun/Gu having jurisdiction over the relevant area with collection of such fees, etc., as prescribed by Presidential Decree.

(2) Where the head of a Si/Gun/Gu is entrusted with collection of fees, etc. pursuant to paragraph (1), he/she may collect such fees, etc. in the same manner as delinquent local taxes are collected. In such cases, the Corporation shall pay an amount equivalent to 10/100 of an amount collected by the head of a Si/Gun/Gu to such Si (including the Special Metropolitan City and Metropolitan Cities)/Gun/Gu.

Article 30 Deleted. <by Act No. 7058, Dec. 31, 2003>

Article 31 (Requests for Provision of Information, etc.)

If necessary for the Corporation to implement projects provided for in each subparagraph of Article 9 (1), it may request necessary cooperation, such as perusal or reproduction of documents and provision of information to relevant administration agencies or any third person.

Article 32 (Reversion of Public Facilities, etc.)

(1) Where the Corporation builds new public facilities or public facilities substituting for existing public facilities by implementing a project provided for in Article 9, the existing public facilities shall revert gratuitously to a project implementor and the new public facilities shall revert gratuitously to the State or local governments to manage them, notwithstanding the State Property Act and the Public Property and Commodity Management Act.

(2) Where the Minister of Land, Infrastructure and Transport or the Minister of Environment intends to approve an implementation plan containing details of reversion of public facilities provided for in paragraph (1), he/she shall hear opinions of the management agency in advance. The same shall also apply to cases where he/she intends to approve any modification to the implementation plan. <Amended by Act No. 11690, Mar. 23, 2013>

(3) The Corporation shall prepare the kinds and detailed list of public facilities to revert to the management agency and property to revert to the Corporation pursuant to paragraph (1), and notify the management agency thereof before the relevant works are completed.

(4) Public facilities to revert to the management agency and property to revert to the Corporation pursuant to paragraph (1) shall be deemed reverted, respectively, to the management agency or the Corporation on the date completion authorization of a project is announced pursuant to Article 11 (2).

(5) In registering public facilities and property provided for in paragraph (3), a completion authorization certificate referred to in Article 11 (2) may substitute for a document attesting the grounds for registration prescribed in the Registration of Real Estate Act.

Article 33 (Transfer, etc. of State of Public Property)

(1) Any property owned by the State or a local government and located in a project area included in an implementation plan referred to in Article 10 may be leased or transferred to the Corporation by a private contract, notwithstanding the State Property Act and the Public Property and Commodity Management Act. In such cases, the Minister of Land, Infrastructure and Transport or the Minister of Environment shall consult, in advance, with the heads of the relevant central administration agencies about the lease or transfer (including discontinuation of use of administrative property) of such property. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) Where a consultation is held pursuant to the latter part of paragraph (1), the management agency over the relevant property (referring to the head of the relevant local government in cases of public property) may transfer or lease the relevant State or public property, notwithstanding a management plan referred to in Article 12 of the State Property Act or Article 10 of the Public Property and Commodity Management Act. *<Amended by Act No. 9401, Jan. 30, 2009>*

(3) With respect to State property to be leased or transferred to the Corporation pursuant to paragraph (1), the Minister of Strategy and Finance shall be deemed the management agency over the State property, the management agency of which is unknown.

Article 34 (Access, etc. to Third Persons' Land)

(1) If necessary for conducting surveys or investigations to prepare for or implement a project, the Corporation may gain access to or temporarily use any third person's land, or change or remove any third person's plants, soil, stones or other obstacles.

(2) The provisions of Articles 9 through 13 of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects shall apply mutatis mutandis to gaining access to any third person's land pursuant to paragraph (1). In such cases, in the application of Article 9 (2) of the said Act, "the State" and "the head of a related central administrative agency" shall be deemed "the Corporation" and "the President of the Corporation," respectively. *<Amended by Act No. 13691, Dec. 29, 2015>*

Article 35 Deleted. *<by Act No. 5227, Dec. 30, 1996>*

Article 36 (Grants)

The State may pay costs necessary for flood control and other costs prescribed by Presidential Decree to the Corporation, among costs for building or rebuilding water resource development facilities and other costs necessary for managing water resources development facilities.

Article 37 (State Subsidies)

The State may subsidize all or some of the expenses incurred in performing its projects by the Corporation, as prescribed by Presidential Decree.

Article 38 (Supervision)

The Minister of Land, Infrastructure and Transport shall supervise the following matters, among the Corporation's affairs: *<Amended by Act No. 11690, Mar. 23, 2013>*

1. Matters concerning annual project plans, project performance, and settlement of accounts;
2. Matters concerning appropriate implementation of projects provided for in Article 9;
3. Matters concerning projects the Minister of Land, Infrastructure and Transport entrusts to the Corporation pursuant to this Act;
4. Other matters provided for by other Act or subordinate statute.

Article 39 Deleted. <by Act No. 9544, Mar. 25, 2009>

Article 40 (Penalty Provisions)

- (1) Any person who violates Article 17-3 (1) shall be punished by imprisonment with labor for not more than 5 years or by a fine not exceeding 30 million won. In such cases, imprisonment with labor and a fine may be imposed concurrently.
- (2) Any person who violates Article 6 shall be punished by imprisonment with labor for more than 2 years or by a fine not exceeding 20 million won. <Amended by Act No. 14549, Jan. 17, 2017>

Article 41 (Administrative Fines)

- (1) Any person who violates Article 5-2 shall be punished by an administrative fine not exceeding one million won.
- (2) An administrative fine referred to in paragraph (1) shall be imposed and collected by the Minister of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

ADDENDA

Article 1 (Enforcement Date)

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

Article 2 Omitted.

Article 3 (Establishment of Incorporation Committee)

- (1) The Incorporation Committee shall be established to deal with administrative affairs involving the incorporation of the Corporation.
- (2) The Incorporation Committee shall consist of not more than seven members commissioned by the Minister of Construction and the chairperson of the Incorporation Committee shall be the Vice Minister of Construction.
- (3) The Incorporation Committee shall prepare the articles of incorporation of the Corporation and file for registration of incorporation after obtaining authorization therefor from the Minister of Construction.
- (4) The Industrial Sites Development Corporation shall be deemed dissolved upon the establishment of the Corporation provided for in this Act, notwithstanding the provisions of the Civil Act governing dissolution and liquidation of corporations.

Article 4 (Succession of Property, Rights and Duties)

- (1) All property, rights and duties vested in the Industrial Sites Development Corporation as at the time this Act enters into force shall be universally succeeded to by the Corporation, and the name of the Industrial Sites Development Corporation entered in the register and other public registers regarding its

property, rights and duties shall be deemed the name of the Corporation.

(2) The value of the property succeeded to by the Corporation pursuant to paragraph (1) shall be the book value as at the time of succession.

Article 5 (Transitional Measures concerning Projects, etc. of Industrial Sites Development Corporation)

(1) Any project performed by the Industrial Sites Development Corporation pursuant to the Act on Development and Promotion of Industrial Sites by obtaining approval of the implementation plan before this Act enters into force shall be deemed a project performed by the Corporation upon having obtained approval of the implementation plan.

(2) Any industrial site development project and special area development project performed by the Industrial Sites Development Corporation pursuant to the Act on Development and Promotion of Industrial Sites as at the time this Act enters into force shall be continued by the Corporation. In such cases, the relevant provisions of the former Act on Development and Promotion of Industrial Sites shall apply mutatis mutandis to such project.

(3) Any act done by the Industrial Sites Development Corporation for/in relation to the State, a local government or its agencies, or any third person before this Act enters into force shall be deemed done by the Corporation, and any act done by State, a local government or its agencies, or any third person for/against the Industrial Sites Development Corporation shall be deemed an act for/against the Corporation.

Article 6 (Transitional Measures concerning Investment, etc. by the Government)

(1) Any movable or immovable property or rights the Government has invested in the Industrial Sites Development Corporation pursuant to the former Act on Development and Promotion of Industrial Sites before this Act enters into force shall be deemed invested by the Corporation.

(2) Any water-purifying facilities managed by the Industrial Sites Development Corporation or being built by the State as at the time this Act enters into force may be invested in the Corporation, notwithstanding the provisions of Article 4.

(3) Any subsidies or grants the Government has paid or agreed to pay to the Industrial Sites Development Corporation before this Act enters into force shall be deemed subsidies or grants the Government has paid or agreed to pay to the Corporation.

Article 7 (Transitional Measures concerning Employees of the Industrial Sites Development Corporation)

The employees of the Industrial Sites Development Corporation as at the time this Act enters into force shall be deemed the employees of the Corporation.

ADDENDUM <Act No. 4232, Apr. 7, 1990>

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

ADDENDA <Act No. 4429, Dec. 14, 1991>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 6 Omitted.

ADDENDUM <Act No. 4630, Dec. 27, 1993>

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

ADDENDA <Act No. 4748, Mar. 24, 1994>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Act No. 5111, Dec. 29, 1995>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDUM <Act No. 5227, Dec. 30, 1996>

This Act shall enter into force one month after the date of its promulgation.

ADDENDA <Act No. 5893, Feb. 8, 1999>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Act No. 5911, Feb. 8, 1999>

Article 1 (Enforcement Date)

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

Articles 2 through 8 Omitted.

ADDENDA <Act No. 5914, Feb. 8, 1999>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Act No. 6021, Sep. 7, 1999>

Article 1 (Enforcement Date)

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

Articles 2 through 13 Omitted.

ADDENDUM <Act No. 6366, Jan. 16, 2001>

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

ADDENDA <Act No. 6589, Dec. 31, 2001>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2002. (Proviso Omitted.)

Articles 2 through 8 Omitted.

ADDENDA <Act No. 6656, Feb. 4, 2002>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2003

Articles 2 through 12 Omitted.

ADDENDA <Act No. 6841, Dec. 30, 2002>

Article 1 (Enforcement Date)

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

Articles 2 through 12 Omitted.

ADDENDA <Act No. 7058, Dec. 31, 2003>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2004.

Article 2 Omitted.

ADDENDA <Act No. 7678, Aug. 4, 2005>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 12 Omitted.

ADDENDA <Act No. 8014, Sep. 27, 2006>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 11 Omitted.

ADDENDA <Act No. 8256, Jan. 19, 2007>

(1) (Enforcement Date)

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

(2) (Applicability to Legal Fiction as Public Officials in Application of Penalty Provisions)

The amended provisions of Article 17-2 shall apply to the first employee who engages in any entrusted affairs and does an act falling under Articles 129 through 132 of the Criminal Act after this Act enters into force.

ADDENDA <Act No. 8283, Jan. 26, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 12 Omitted.

ADDENDA <Act No. 8338, Apr. 6, 2007>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 17 Omitted.

ADDENDA <Act No. 8351, Apr. 11, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 15 Omitted.

ADDENDA <Act No. 8352, Apr. 11, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 16 Omitted.

ADDENDA <Act No. 8370, Apr. 11, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 20 Omitted.

ADDENDA <Act No. 8819, Dec. 27, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDA <Act No. 8820, Dec. 27, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDA <Act No. 8852, Feb. 29, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Act No. 8976, Mar. 21, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 10 Omitted.

ADDENDUM <Act No. 9054, Mar. 28, 2008>

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

ADDENDA <Act No. 9401, Jan. 30, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 11 Omitted.

ADDENDA <Act No. 9544, Mar. 25, 2009>

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

(2) Omitted.

ADDENDA <Act No. 9618, Apr. 1, 2009>

Article 1 (Enforcement Date)

This Act shall enter into force on June 1, 2009. (Proviso Omitted.)

Articles 2 through 6 Omitted.

ADDENDA <Act No. 9758, Jun. 9, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 23 Omitted.

ADDENDA <Act No. 9763, Jun. 9, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 8 Omitted.

ADDENDA <Act No. 10272, Apr. 15, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 14 Omitted.

ADDENDA <Act No. 10331, May 31, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 13 Omitted.

ADDENDA <Act No. 10580, Apr. 12, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Act No. 11593, Dec. 18, 2012>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Approval for Plans to Issue Bonds)

The amended provisions of Article 13 (3) shall apply to the bonds which the Corporation issues on or after January 1, 2014.

ADDENDA <Act No. 11690, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

(2) Omitted.

Articles 2 through 7 Omitted.

ADDENDA <Act No. 12248, Jan. 14, 2014>

Article 1 (Enforcement Date)

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

Articles 2 through 25 Omitted.

ADDENDA <Act No. 12663, May 21, 2014>

Article 1 (Enforcement Date)

This Act shall enter into force on the date when the registration for a merger is completed under Article 4 (6) of the Addenda. (Proviso Omitted.)

Articles 2 through 12 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDUM <Act No. 13691, Dec. 29, 2015>

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

ADDENDUM <Act No. 14549, Jan. 17, 2017>

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