

SUSTAINABLE DEVELOPMENT ACT

Act No. 8612, Aug. 3, 2007

Amended by Act No. 9931, Jan. 13, 2010

Act No. 11530, Dec. 11, 2012

Act No. 13261, Mar. 27, 2015

Act No. 13532, Dec. 1, 2015

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to ensure that present and future generations enjoy a better quality of life, by accomplishing sustainable development and participating in international efforts to implement sustainable development.

Article 2 (Definitions)

The definitions of terms used in this Act shall be as follows:

1. The term "sustainability" means using economic, social and environmental resources in a harmonized and balanced way without wasting or deteriorating in quality those resources to be used by future generations to meet the needs of the present;
2. The term "sustainable development" means development based on sustainability that is implemented simultaneously in the pursuit of economic growth, social stability and integration, and the preservation of the environment.

Article 3 Deleted. <by Act No. 9931, Jan. 13, 2010>

CHAPTER II BASIC STRATEGY, ETC. FOR SUSTAINABLE DEVELOPMENT

Articles 4 through 6 Deleted. <by Act No. 9931, Jan. 13, 2010>

Article 7 (Consultation on and Adjustment of Implementation Plans)

If a central basic plan for sustainable development (hereinafter referred to as "national implementation plan") under Article 50 (4) of the Framework Act on Low Carbon, Green Growth, or a local basic plan for sustainable development (hereinafter referred to as "local implementation plan") under paragraph (5) of the same Article of the Framework Act on Low Carbon, Green Growth, of any other central administrative agency, a Special Metropolitan City, a Metropolitan City, a Metropolitan Autonomous City, a Do or a Special Self-Governing Province (hereinafter referred to as "City/Do") is deemed impeding or is likely to impede implementation of the implementation plan of the central administrative agency or relevant City/Do, the head of a central administrative agency, a Special Metropolitan City Mayor, a Metropolitan City Mayor, a Metropolitan Autonomous City Mayor or the Governor of a Do or Special Self-Governing Province (hereinafter referred to as "Mayor/Do Governor") shall adjust his/her implementation plan in mutual consultation as prescribed by Presidential Decree. In such cases, the head of the central administrative agency or relevant Mayor/Do Governor may hear opinions of the Commission on Sustainable Development under Article 15 (hereinafter referred to as the "Commission") or the relevant local committee on green growth under Article 20 of the Framework Act on Low Carbon, Green Growth with respect to such consultation and adjustment. <Amended by Act No. 13261 Mar. 27, 2015>

[This Article Wholly Amended by Act No. 9931, Jan. 13, 2010]

Article 8 Deleted. <by Act No. 9931, Jan. 13, 2010>

Article 9 (Examination of Implementation Status)

- (1) The Commission shall examine the status of implementation of a national implementation plan every two years and send the results thereof to the head of the relevant central administrative agency, as prescribed by Presidential Decree. <Amended by Act No. 9931, Jan. 13, 2010>
- (2) The head of the relevant central administrative agency may, if necessary, revise and supplement the national implementation plan according to the results of examination received from the Commission pursuant to paragraph (1). <Amended by Act No. 9931, Jan. 13, 2010>
- (3) and (4) Deleted. <by Act No. 9931, Jan. 13, 2010>

Article 10 (Connection with Plans under other Statutes)

The State and local governments shall endeavor to make the administrative plans and policies that they formulate pursuant to other statutes consistent with the basic principles prescribed in Article 49 of the Framework Act on Low Carbon, Green Growth and the basic plans for sustainable development prescribed in Article 50 of the same Act.

[This Article Wholly Amended by Act. No. 9931, Jan. 13, 2010]

Article 11 (Notification of Enactment and Amendment of Statutes, etc.)

(1) The head of a central administrative agency, who intends to enact or amend any statute, the contents of which may affect sustainable development, shall notify the Commission of the contents thereof.

<Amended by Act No. 9931, Jan. 13, 2010>

(2) The head of a central administrative agency, who intends to establish or alter a mid- to long-term administrative plan related to a basic plan for sustainable development, shall notify the details thereof to the Commission. <Amended by Act No. 9931, Jan. 13, 2010>

(3) The head of a local government, who intends to establish or alter an administrative plan related to a local implementation plan, shall notify the details thereof to the relevant local committee on green growth.

<Amended by Act No. 9931, Jan. 13, 2010>

(4) Matters necessary for the period of, procedures, etc. for notification under paragraphs (1) and (2) shall be prescribed by Presidential Decree, and those for the period of, procedures, etc. for notification under paragraph (3) by municipal ordinance.

(5) Where it is deemed necessary to review the details of any statute or any administrative plan notified pursuant to paragraphs (1) through (3), the Commission or the relevant local committee on green growth may request the head of the relevant central administrative agency or the head of the relevant local government (hereinafter referred to as "head of the relevant agency") to submit related materials. In such cases, the head of the relevant agency shall comply with such request unless there is a compelling reason not to do so.

<Amended by Act No. 9931, Jan. 13, 2010>

(6) The Commission or the relevant local committee on green growth shall review the details of any statute or any administrative plan notified pursuant to paragraphs (1) through (3) and then notify the results thereof to the head of the relevant agency. <Amended by Act No. 9931, Jan. 13, 2010>

(7) The head of the relevant agency, when he/she is notified of the results of review by the Commission or the relevant local committee on green growth pursuant to paragraph (6), shall adequately reflect them in enacting or amending the relevant statute or establishing or altering the relevant administrative plan if such results of review are deemed reasonable for sustainable development. <Amended by Act No. 9931, Jan. 13, 2010>

(8) Matters necessary for the procedures, etc. for review and notification by the Commission under paragraph (6) shall be prescribed by Presidential Decree, and those for the procedures, etc. of review and notification by local committees on green growth under the said paragraph by municipal ordinance.

<Amended by Act No. 9931, Jan. 13, 2010>

Article 12 Deleted. <by Act No. 9931, Jan. 13, 2010>

CHAPTER III EVALUATION OF SUSTAINABILITY

Article 13 (Sustainable Development Index and Evaluation of Sustainability)

(1) The State shall prepare and disseminate a sustainable development index.

(2) The Commission on Sustainable Development under Article 15 shall evaluate national sustainability every two years with the sustainable development index stipulated in paragraph (1).

(3) Matters necessary for the preparation and dissemination of sustainable development indices and the evaluation of sustainability under paragraphs (1) and (2), shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act. No. 9931, Jan. 13, 2010]

Article 14 (Report on Sustainability)

(1) The National Commission shall prepare a report on sustainability every two years, which consolidates the results of evaluation of sustainability referred to in Article 13 (2), and publish it after reporting to the President.

(2) The Government shall submit to the National Assembly a report on sustainability prepared pursuant to paragraph (1).

(3) Matters necessary for the preparation, etc. of a report on sustainability under paragraph (1) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act. No. 9931, Jan. 13, 2010]

CHAPTER IV COMMISSION ON SUSTAINABLE DEVELOPMENT

Article 15 (Establishment of Commission on Sustainable Development)

A Commission on Sustainable Development shall be established under the Minister of Environment to ensure an efficient implementation of national sustainable development.

[This Article Wholly Amended by Act. No. 9931, Jan. 13, 2010]

Article 16 (Functions of Commission)

The Commission shall deliberate on the following matters:

1. Matters relating to prior deliberation of establishment and alteration of a basic plan for sustainable development under Article 50 (2) of the Framework Act on Low Carbon, Green Growth;
2. Matters relating to consultation on and adjustment of a implementation plan under Article 7;
3. Matters relating to the examination of implementation status of a national implementation plan under Article 9 (1);
4. Matters relating to review, notification, etc. of statutes and administrative plans under Article 11;
5. Matters relating to the preparation of sustainable development indices and the evaluation of sustainability under Article 13;
6. Matters relating to preparation and publication of a report on sustainability under Article 14 (1);
7. Matters relating to dissemination, etc. of knowledge and information on sustainable development under Article 20;
8. Matters relating to education, publicity, etc. under Article 21;
9. Matters relating to cooperation, etc. at home and abroad under Article 22;
10. Other matters relating to the provision of advice and suggestions as requested by the Minister of Environment to develop major policies to be considered for sustainable development and to resolve relevant social conflicts.

[This Article Wholly Amended by Act. No. 9931, Jan. 13, 2010]

Article 17 (Organization, etc. of Commission)

(1) The Commission shall comprise not more than fifty members including one Chairperson, who shall be ex officio members or commissioned members, and persons who are not public officials shall comprise a majority of the members of the Commission. <Amended by Act No. 9931, Jan. 13, 2010>

(2) The office of ex officio members shall be assumed by senior public officials belonging to the Senior Civil Service Corps of central administrative agencies prescribed by Presidential Decree and the office of the commissioned members by persons commissioned by the President from among those affiliated with civic and social organizations, academic or industrial circles, etc. who have profound knowledge and experience in sustainable development. <Amended by Act No. 9931, Jan. 13, 2010>

(3) The Chairperson shall be commissioned by the Minister of Environment from among commissioned members. <Amended by Act No. 9931, Jan. 13, 2010>

(4) The term of office of commissioned members shall be two years.

(5) Expert committees shall be established to carry out professional research on and investigations into the matters to be deliberated upon by the Commission by sector. <Amended by Act No. 9931, Jan. 13, 2010>

(6) Matters necessary for the organization, management, etc. of the Commission and technical committees shall be prescribed by Presidential Decree. <Amended by Act No. 9931, Jan. 13, 2010>

Article 18 (Presentation of Opinions on Policies)

(1) The Commission may, if deemed necessary for sustainable development, present its opinions on the policies of the central administrative agency or the relevant local government.

(2) The head of the central administrative agency or the relevant local government who receives opinions pursuant to paragraph (1) shall respect such opinions and endeavor to reflect them in enacting or amending the relevant statutes or establishing or altering the relevant administrative plans.

[This Article Wholly Amended by Act. No. 9931, Jan. 13, 2010]

Article 19 (Requests for Dispatch of Executive Officers, Employees, etc.)

(1) The Commission may, if necessary to perform its functions, request the head of the relevant administrative agency, corporation, organization, etc. to dispatch the public officials or executive officers or employees under his/her jurisdiction or to allow them to serve concurrently in the Commission. <Amended by Act No. 9931, Jan. 13, 2010>

(2) The Commission may, if necessary to perform its functions, appoint experts in related fields as public officials in a fixed term position under Article 26-5 of State Public Officials Act. <Amended by Act No. 9931, Jan. 13, 2010; Act No. 11530, Dec. 11, 2012>

CHAPTER V SUPPLEMENTARY PROVISIONS

Article 20 (Dissemination, etc. of Knowledge and Information on Sustainable Development)

- (1) The Government shall endeavor to diffuse knowledge and information on sustainable development to the public and to facilitate the public's access to such knowledge and information.
- (2) The Commission may build and manage a sustainable development information network to smoothly produce and diffuse knowledge and information on sustainable development under paragraph (1). <Amended by Act No. 9931, Jan. 13, 2010>
- (3) The Commission may request the head of the relevant administrative agency to submit materials necessary to build and manage the sustainable development information network under paragraph (2). In such cases, the head of the administrative agency so requested shall comply with such request unless there is a compelling reason not to do so. <Amended by Act No. 9931, Jan. 13, 2010>
- (4) The Commission may, if necessary to efficiently build and manage the sustainable development information network under paragraph (2), request the head of the relevant specialized institution to investigate the current status of sustainable development or entrust him/her with establishing and managing the sustainable development information network. <Amended by Act No. 9931, Jan. 13, 2010>
- (5) Matters necessary for the scope of materials to be submitted, request for investigation on the current status of sustainable development to the head of the relevant specialized institution, establishment and management of the sustainable development information network or entrustment thereof, etc. under paragraphs (2) through (4) shall be prescribed by Presidential Decree.

Article 21 (Education, Publicity, etc.)

The State and local governments may develop such survey, research and education programs as are necessary to realize sustainable development, and perform publicity activities, etc., related to sustainable development, or delegate or entrust such programs to public-private partnerships including a council for sustainable development. <Amended by Act No. 9931, Jan. 13, 2010; Act No. 13532, Dec. 1, 2015>

Article 22 (Domestic and Overseas Cooperation, etc.)

- (1) The State and each local government shall work in close cooperation with each other to better achieve the sustainable development of the State and each local government. <Amended by Act No. 9931, Jan. 13, 2010>
- (2) The State and each local government shall, in good faith, cooperate with each other and abide by the rules and commitments of the international community on sustainable development including Agenda 21 and the Johannesburg Plan of Implementation.
- (3) The State and each local government may give administrative and financial support, including provision of operating expenses, within budgetary limits, for domestic or overseas activities performed by the public-private partnerships including a council for sustainable development, delegated or entrusted under Article 21, to attain sustainable development. <Amended by Act No. 13532, Dec. 1, 2015>

ADDENDUM

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

ADDENDA <Act No. 9931, Jan. 13, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Act No. 11530, Dec. 11, 2012>

Articles 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDUM <Act No. 13261, Mar. 27, 2015>

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

ADDENDUM <Act No. 13532, Dec. 1, 2015>

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