

DEVELOPMENT AND MANAGEMENT OF DEEP SEA WATER ACT

Act No. 8629, Aug. 3, 2007

Amended by Act No. 8852, Feb. 29, 2008

Act No. 9313, Dec. 31, 2008

Act No. 9626, Apr. 22, 2009

Act No. 9737, May 27, 2009

Act No. 9758, jun. 9, 2009

Act No. 10154, Mar. 22, 2010

Act No. 10219, Mar. 31, 2010

Act No. 10272, Apr. 15, 2010

Act No. 10599, Apr. 14, 2011

Act No. 11690, Mar. 23, 2013

Act No. 11998, Aug. 6, 2013

Act No. 12548, Mar. 24, 2014

Act No. 12832, Oct. 15, 2014

Act No. 13383, jun. 22, 2015



Article 1 (Purpose)

The purpose of this Act is to ensure that the State preserves and manages deep sea water and develops or uses deep sea water in an environmentally friendly manner for future generations and the public interests, thereby contributing to the healthy life of nationals and the support and development of related industries.

Article 2 (Definitions)

The definitions of terms used in this Act shall be as follows: *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

1. The term "deep sea water" means sea water in the sea, the depth of which does not exceed the depth prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries, and continues to maintain water safety, satisfying standards for water quality under Article 24 (1);
2. The term "deep sea drinking water" means water manufactured or processed to ensure that people can drink deep sea water in daily life, satisfying standards for water quality under Article 33 (1);
3. The term "sea water intake area" means a sea area equipped with submarine topography and water quality suitable for the steady intake of deep sea water which is designated under Article 9 (1);

4. The term "deep sea water development business" means storing, processing, supplying or selling deep sea water after the intake of deep sea water;
5. The term "business related to deep sea water" means a business using deep sea water, such as a deep sea water development business, the business of manufacturing deep sea drinking water or the business of importing deep sea drinking water.

Article 3 (Scope of Application)

Except as provided in this Act, deep sea drinking water shall be governed by the Drinking Water Management Act, if the Act has relevant provisions.

Article 4 (Master Plans on Deep Sea Water)

(1) The Minister of Maritime Affairs and Fisheries shall formulate and finalize master plans (hereinafter referred to as "master plans on deep sea water") on preserving and managing deep sea water and rationalizing the development and use thereof every five years. In such cases, the Minister of Maritime Affairs and Fisheries shall consult in advance with the heads of the relevant central administrative agencies. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(2) Deleted. *<by Act No. 9737, May 27, 2009>*

(3) Master plans on deep sea water shall include the following:

1. Matters concerning investigation and analysis for the development of deep sea water;
2. Matters concerning market trends related to deep sea water and the analysis of industrial connection;
3. Matters concerning the direction for running a deep sea water development business;
4. Matters concerning the inducement and support for industries related to deep sea water;
5. Matters concerning the use or industrialization of deep sea water;
6. Matters concerning the management of marine resources in the sea water intake area and the preservation of the marine environment;
7. Matters concerning a marine survey of the sea water intake area (including the seafloor) and adjacent sea areas;
8. Other matters prescribed by Presidential Decree, which are necessary for preserving, managing, developing or using deep sea water.

(4) The Minister of Maritime Affairs and Fisheries shall publicly notify master plans on deep sea water, as prescribed by Presidential Decree, and notify the heads of the relevant central administrative agencies of such plans. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 5 (Annual Plans)

(1) The Minister of Maritime Affairs and Fisheries shall formulate and execute implementation plans by year (hereinafter referred to as "annual plans"), in accordance with master plans on deep sea water formulated and finalized under Article 4. In such cases, the Minister of Maritime Affairs and Fisheries shall consult in advance with the heads of the relevant central administrative agencies. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(2) Deleted. <by Act No. 9737, May 27, 2009>

(3) The Minister of Maritime Affairs and Fisheries shall notify the heads of the relevant central administrative agencies, the Special Metropolitan City Mayor, the Metropolitan City Mayor, the Do governor, the Special Self-Governing Do governor (hereinafter referred to as "Mayor/Do governor"), or the head of a Si/Gun/Gu (referring to the head of an autonomous Gu; hereinafter the same shall apply) of annual plans, respectively. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>

Articles 6 and 7 Deleted. <by Act No. 9737, May 27, 2009>

Article 8 (Restrictions on Development of Deep Sea Water)

The Minister of Maritime Affairs and Fisheries may place restrictions on the development of deep sea water, as prescribed by Presidential Decree, in cases where he/she deems that the development of deep sea water is likely to affect the marine environment, etc. <Amended by Act No. 8852, Feb. 29, 2008>

Article 9 (Designation, etc. of Sea Water Intake Area)

(1) The Minister of Maritime Affairs and Fisheries may designate the sea water intake area at the request of the head of Si/Gun/Gu, for the effective development and use of deep sea water, as prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. In such cases, the Minister of Maritime Affairs and Fisheries shall consult in advance with the heads of the relevant central administrative agencies. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>

(2) When the Minister of Maritime Affairs and Fisheries deems that compensation needs to be made for a fishing right, a mining right, etc. with regard to a sea water intake area to be designated under paragraph (1), he/she shall order the head of Si/Gun/Gu, who has made requests for the designation of the sea water intake area, to submit matters on compensation methods separately, as prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. In such cases, written consents of persons who hold a right, such as the relevant persons holding fishing rights, shall be attached thereto. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>

(3) The Minister of Maritime Affairs and Fisheries may, when he/she designates the sea water intake area under paragraph (1), determine the maximum capacity of intake by sea water intake area, taking into account the marine environment of the relevant sea water intake area and demand for deep sea water. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>

(4) The Minister of Maritime Affairs and Fisheries shall, when he/she designates the sea water intake area under paragraph (1), publicly notify such designations, as prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>

Article 10 (License)

(1) Any one who intends to conduct a deep sea water development business in the sea water intake area designated under Article 9 (1), shall obtain a license from the Minister of Maritime Affairs and Fisheries. This shall also apply to cases where significant matters prescribed by Presidential Decree are revised, from among matters to which a license was granted. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>

(2) The Minister of Maritime Affairs and Fisheries may, when he/she grants a license under paragraph (1), attach conditions to such license, as prescribed by Presidential Decree. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(3) The Minister of Maritime Affairs and Fisheries shall, when he/she grants a license for a deep sea water development business under paragraph (1), formulate plans on licenses for a deep sea water development business in the relevant sea water intake area and publicly notify such plans, as prescribed by Presidential Decree. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(4) Anyone who intends to obtain a license under paragraph (1), shall submit a written application for a license, accompanied by documents prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries, such as business plans, to the Minister of Maritime Affairs and Fisheries. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(5) Matters concerning procedures for obtaining licenses, methods of applying for a license, and methods of notification under paragraphs (1) and (3) shall be prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(6) When a person falling under any of the following subparagraphs applies for a license for a deep sea water development business, aimed at the public development in the sea water intake area, the Minister of Maritime Affairs and Fisheries may preferentially grant a license for a deep sea water development business to the applicant, after examining matters falling under the subparagraphs of Article 12 (1): *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

1. Local governments;
2. Local public enterprises under the Local Public Enterprises Act;
3. Other institutions prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries, which are recognized to have the public nature.

Article 11 (Examination of Licenses)

The Minister of Maritime Affairs and Fisheries shall, when he/she grants a license or a revised license under Article 10 (1), appoint persons with expertise required for examining matters falling under the subparagraphs of Article 12 (1) to conduct an examination. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 12 (Standards for Examination of Licenses)

(1) The Minister of Maritime Affairs and Fisheries shall, when he/she grants a license under Article 10, comprehensively examine the following matters and reflect such matters: *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

1. Whether business plans are feasible;
2. Whether applicants have financial and technical capability;
3. Whether the scale of facilities for deep sea water development is appropriate;
4. Whether measures are in place to reduce the influences of intake or drainage of deep sea water on the marine environment and whether such measures are appropriate;

5. The level of contribution to the local community.

(2) Detailed standards for the examination of a license under paragraph (1) shall be prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 13 (Restrictions on Licenses)

No one falling under any of the following subparagraphs shall obtain a license for a deep sea water development business under Article 10: *<Amended by Act No. 12548, Mar. 24, 2014>*

1. A person under adult guardianship or person under limited guardianship. Provided, That where a person under limited guardianship proves that he/she has legal capacity as prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries, he/she shall not be restricted from obtaining a license;
2. A person for whom his/her imprisonment with labor declared by a court for any violation of this Act has not been completely executed (including cases where execution is deemed to have been completed) or the non-execution of such sentence has not become final and conclusive;
3. A person in whose case two years have not elapsed since his/her license for a deep sea water development business was revoked;
4. A corporation, any executive officer of which falls under any of subparagraphs 1 through 3.

Article 14 (Term of Validity of Licenses)

- (1) The term of validity of licenses for a deep sea water development business shall be ten years.
- (2) A person who intends to continue to conduct a deep sea water development business after the term of validity under paragraph (1) elapses shall obtain a license again as prescribed by Presidential Decree. In such cases, the term of validity of each renewed license shall be five years.

Article 15 (Facility Standards)

Any one who has obtained a license for a deep sea water development business (hereinafter referred to as "deep sea water developers") shall have facilities for the intake, drainage, storage, supply, etc. of deep sea water, which meet the standards prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 16 (Authorization of Implementation Plans)

(1) Deep sea water developers shall formulate implementation plans (hereinafter referred to as "implementation plans") on facilities necessary for the development of deep sea water, including facilities for the intake, drainage, storage, supply, etc. of deep sea water, and zones and sizes, as prescribed by Presidential Decree, and obtain authorization therefor from the Minister of Maritime Affairs and Fisheries. This shall also apply to cases where changes are made to authorized implementation plans to revise important matters prescribed by Presidential Decree are revised in implementation plans. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(2) The Minister of Maritime Affairs and Fisheries shall, when he/she has authorized implementation plans or revisions thereto, publicly notify such authorization, as prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(3) Details regarding matters to be examined and procedures necessary for authorization of implementation plans under paragraph (1) shall be prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 17 (Legal Fiction of Permission, etc.)

(1) When any deep sea water developer has obtained authorization of implementation plans or revisions thereto, the following decisions, permission, licenses, authorization, reports and consultations (hereinafter referred to as "permission, etc.") shall be deemed to have been made, and when the Minister of Maritime Affairs and Fisheries has publicly notified authorization of the relevant implementation plans or revisions under Article 16 (2), the public announcement or notification of permission, etc. under the relevant Acts shall be deemed to have been made: *<Amended by Act No. 9313, Dec. 31, 2008; Act No. 9758, Jun. 9, 2009; Act No. 10272, Apr. 15, 2010; Act No. 10599, Apr. 14, 2011>*

1. Permission for building under Article 8 (1) of the Building Act;
2. Permission for the occupation and use of the public waters under Article 8 of the Public Waters Management and Reclamation Act, approval or report of implementation plans for the occupation and use of the public waters under Article 17 of the same Act, license for reclamation of the public waters under Article 28 of the same Act, and approval for implementation plans for reclamation of the public waters under Article 38 of the same Act;
3. Deleted; *<by Act No. 10272, Apr. 15, 2010>*
4. Decision on urban and Gun management plans under Article 30 of the National Land Planning and Utilization Act and permission for development acts under Article 56 of the aforementioned Act;
5. Permission for the diversion of farmland under Article 34 of the Farmland Act;
6. Approval for the utilization of infrastructure on agricultural production for other than their original purpose under Article 23 of the Rearrangement of Agricultural and Fishing Villages Act;
7. Permission for the establishment of private roads under Article 4 of the Private Road Act;
8. Permission for lumbering in areas vulnerable to land erosion or collapse under Article 14 of the Erosion Control Work Act and revoking designation of the areas for the work against land erosion or collapse under Article 20 of the aforementioned Act;
9. Permission for the diversion of mountainous districts under Article 14 (1) of the Mountainous Districts Management Act;
10. Approval for construction works within an area of protected waters under Article 67 of the Fisheries Act;
11. Permission for acts in the park area under Article 23 of the Natural Parks Act and consultations with the park management authority under Article 71 of the aforementioned Act;
12. Permission for the reinterment of graves located in the land belonging to others under Article 27 of the Act on Funeral Services, Etc.
13. Authorization for or reports of plans on the construction of electric installations for private use under Article 62 of the Electric Utility Act;

14. Permission to change the form and quality of land under Article 21-2 of the Grassland Act and permission for and reports or consultations on the diversion of greenland under Article 23 of the aforementioned Act;

15. Permission for the occupation and use of the public sewerage under Article 24 of the Sewerage Act;

16. Consultations on the use of sea areas under Article 84 of the Marine Environment Management Act.

(2) The Minister of Maritime Affairs and Fisheries shall hold a consultation with the heads of the relevant administrative agencies in advance, accompanied by the relevant documents submitted by deep sea water developers before approving implementation plans, where the plans include matters falling under any of the subparagraphs of paragraph (1). In such cases, the heads of the relevant administrative agencies, upon receiving requests for consultations, shall submit their opinions within a period prescribed by Presidential Decree from the date on which such request is made. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 18 (Construction of Facilities and Confirmation of Completion)

(1) Deep sea water developers shall construct the relevant facilities for the intake, drainage, storage and supply, etc. of deep sea water, in accordance with implementation plans or revisions thereto, the authorization for which has been obtained under Article 16.

(2) When deep sea water developers have completed construction under paragraph (1), they shall obtain confirmation of such completion from the Minister of Maritime Affairs and Fisheries, as prescribed by Presidential Decree. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 19 (Reporting, etc. on Commence of Business)

When any deep sea water developer intends to commence the relevant business, he/she shall obtain confirmation of the completion of construction under Article 18 (2) and report the fact to the Minister of Maritime Affairs and Fisheries, as prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. This shall also apply to the suspension, recommencement or discontinuation of the relevant business. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 20 (Succession of Business)

(1) When any deep sea water developer has transferred the relevant business to another person or dies, or a corporate merger has been carried out, the relevant transferee, successor, or corporation surviving or resulting from such merger shall succeed to rights and duties related to the relevant license.

(2) Anyone who has taken over all facilities and equipment of deep sea water developers in accordance with auctions under the Civil Execution Act, conversion under the Debtor Rehabilitation and Bankruptcy Act and the sale of seized property under the National Tax Collection Act, the Customs Act or the Local Tax Act, or other procedures corresponding thereto shall succeed to rights and duties related to the relevant licenses.

(3) Anyone who has succeeded to rights and duties related to a license of a deep sea water developer under paragraphs (1) and (2) shall make reports to the Minister of Maritime Affairs and Fisheries, within one month after such succession, as prescribed by Ordinance of the Ministry of Maritime Affairs and

Fisheries. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>

(4) The provisions of Article 13 shall apply mutatis mutandis to succession under paragraphs (1) and (2).

Article 21 (Submission of Data)

The Minister of Maritime Affairs and Fisheries may order deep sea water developers to submit data on the amounts and quality of the water and sales records, as prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>

Article 22 (Order to Suspend Intake of Deep Sea Water)

The Minister of Maritime Affairs and Fisheries may order deep sea water developers to suspend the intake of deep sea water, as prescribed by Presidential Decree, in cases falling under any of the following subparagraphs: <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>

1. Where facilities for the intake, drainage, storage or supply of deep sea water fail to meet the facility standards under Article 15;
2. Where the quality of deep sea water fails to meet the standards for the water quality under Article 24 (1);
3. Where the development of deep sea water is likely to cause a serious damage to the marine environment or the marine ecosystem.

Article 23 (Revocation, etc. of Licenses)

(1) Where any deep sea water developer falls under any of the following subparagraphs, the Minister of Maritime Affairs and Fisheries may revoke his/her license or issue an order to suspend their licenses for a fixed period of up to six months: Provided, That he/she shall revoke their licenses, if they fall under subparagraph 1 or 2: <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>

1. Where a deep sea water developer falls under any of the subparagraphs of Article 13: Provided, That this shall not apply to cases falling under any of the following items:
 - (a) Where any executive officer of a corporation falls under any of subparagraphs 1 through 3 of Article 13, and such executive officer is replaced by another person within two months;
 - (b) Where a successor who has inherited a license for a deep sea water development business under Article 20 (1) falls under any of subparagraphs 1 through 3 of Article 13, but he/she transfers the relevant business to another person within three months after succession;
2. Where a deep sea water developer obtains a license or a revised license for a deep sea water development business by fraud or other improper means;
3. Where a deep sea water developer violates conditions attached to licenses under Article 10 (2);
4. Where facilities for the intake, drainage, storage and supply of deep sea water fail to meet the facility standards under Article 15;
5. Where a deep sea water developer commences a business without obtaining confirmation of the completion of construction under Article 18 (2);
6. Where a deep sea water developer violates the order to suspend the intake of deep sea water under Article 22;

7. Where the quality of deep sea water fails to meet the standards for the water quality under Article 24 (1), or indication standards under Article 24 (2) are violated;
 8. Where a deep sea water developer fails to take necessary measures under Article 37 (1) or violates an order to take measures to preserve the marine environment or corrective measures under Article 37 (2);
 9. Where a deep sea water developer fails to pay fees for the use of deep sea water under Article 39 for at least six months without any justifiable ground and he/she fails to comply with a request for payment thereof within a period exceeding three months;
 10. Where a deep sea water developer fails to commence the relevant business one year after obtaining a license for a deep sea water development business, or he/she temporarily closes the relevant business for at least six months;
 11. Where a deep sea water developer engages in a business during suspension of his/her license.
- (2) Where it is deemed inevitable for a deep sea water developer to delay the commencement or resumption of his/her business for reasons beyond his/her control, such as following administrative procedures necessary for implementation plans, the Minister of Maritime Affairs and Fisheries may delay such commencement or resumption for up to six months, only once, as prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries, notwithstanding the provisions of paragraph (1) 10. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*
- (3) Detailed standards for dispositions under paragraph (1) shall be prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries, taking into account the type and degree of violation. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 24 (Standards for Quality of Deep Sea Water, etc.)

- (1) Standards for the quality of deep sea water shall be prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*
- (2) The Minister of Maritime Affairs and Fisheries shall determine and publicly notify indication standards concerning the origin, ingredients and contents of commercially available deep sea water. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*
- (3) Matters concerning indication standards under paragraph (2) shall be prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 25 (Examining Quality of Deep Sea Water, etc.)

- (1) The Minister of Maritime Affairs and Fisheries may designate research institutes specializing in deep sea water as an institution examining the quality of deep sea water (hereinafter referred to as "water quality examination institution") and publicly notify such designations, as prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries, where necessary to promote the production and distribution of deep sea water which satisfies the standards for water quality under Article 24 (1) and protect consumers. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(2) Each deep sea water developer shall undergo examinations of the quality of deep sea water subject to the relevant licenses, conducted by water quality examination institutions, as prescribed by Presidential Decree.

(3) The Minister of Maritime Affairs and Fisheries shall determine and publicly notify official methods to test the quality of deep sea water, so as to ensure the accuracy and consistency in examining the quality of deep sea water under paragraph (2). *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 26 (Fees)

Water quality examination institutions may receive fees from applicants for examinations, as prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 27 (Permission, etc.)

(1) Anyone who intends to engage in manufacturing deep sea drinking water shall obtain permission from the Mayor/Do governor, as prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries, with facilities satisfying the required standards furnished, as prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. This shall also apply to revisions to significant matters prescribed by Presidential Decree, from among permitted matters. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(2) Anyone who intends to engage in importing deep sea drinking water shall register with the Mayor/Do governor, as prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. This shall also apply to revisions to significant matters prescribed by Presidential Decree, from among registered matters. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(3) The Mayor/Do governor may attach conditions to permission under paragraph (1), as prescribed by Presidential Decree.

(4) Where anyone who has obtained permission under paragraph (1) (hereinafter referred to as "manufacturer of deep sea drinking water") or filed for registration under paragraph (2) (hereinafter referred to as "importer of deep sea drinking water") intends to temporarily close, resume or close down the relevant business, he/she shall make a report thereon to the Mayor/Do governor, as prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 28 (Restrictions on Permission, etc.)

No one falling under any of the following subparagraphs may obtain permission or file for registration under paragraphs (1) and (2) of Article 27: *<Amended by Act No 12548, Mar. 24 2014>*

1. Person under adult guardianship or person under limited guardianship: Provided, That where a person under limited guardianship proves that he/she has legal capacity as prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries, he/she shall not be restricted from obtaining a license;
2. Any person for whom his/her imprisonment with labor for any violation of this Act declared by a court has not been completely executed (including cases where execution is deemed to have been

completed) or the non-execution of such sentence has not become final and conclusive;

3. Any person whose permission for the manufacture of deep sea drinking water or whose registration of imports of deep sea drinking water was revoked, and for whom two years have not elapsed since such revocation;

4. A corporation, the executive officer of which falls under any of subparagraphs 1 through 3.

Article 29 (Quality Control Managers)

(1) Manufacturers of deep sea drinking water shall employ quality control managers who control the quality of deep sea drinking water in the processes of manufacturing and manage manufacturing facilities in a sanitary manner, as prescribed by Presidential Decree: Provided, That manufacturers of deep sea drinking water are not required to employ quality control managers separately, in cases where such manufacturers perform duties of a quality control manager.

(2) No manufacturer of deep sea drinking water shall obstruct duties of quality control managers under paragraph (1), and such manufacturers shall, upon requests necessary for performing duties of quality control managers, comply with such requests, unless any justifiable ground exists to the contrary.

(3) Quality control managers shall receive education on quality management provided by the Minister of Maritime Affairs and Fisheries. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>

(4) Standards for the qualifications of quality control managers under paragraph (1) shall be prescribed by Presidential Decree, and matters concerning institutions providing education on quality management and details of such education under paragraph (3) shall be prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>

Article 30 (Medical Examination)

(1) A person engaged in the business of manufacturing deep sea drinking water (referring to a person who works in directly related facilities, such as facilities for water purification or drainage) shall undergo a medical examination, as prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries: Provided, That anyone who has undergone a medical examination under other Acts and subordinate statutes may be exempt therefrom. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>

(2) No one who has failed to undergo a medical examination under paragraph (1) or who is deemed to have a disease likely to cause harm to other persons or manufacturing processes of deep sea drinking water, upon review of its results, shall perform the relevant tasks.

(3) Types of diseases which prohibit persons from performing the relevant tasks under paragraph (2) shall be prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>

Article 31 (Succession of Business)

(1) Where a manufacturer of deep sea drinking water or an importer of deep sea drinking water transfers the relevant operation to another person or dies, or a corporate merger has been carried out, the relevant transferee, successor, or corporation surviving or resulting from such merger shall succeed to the status.

(2) Any person who has taken over all facilities and equipment for the business of manufacturing or the business of importing deep sea drinking water through an auction under the Civil Execution Act, conversion under the Debtor Rehabilitation and Bankruptcy Act and the sales of seized property under the National Tax Collection Act, the Customs Act or the Framework Act on Local Taxes, or other procedures corresponding thereto shall succeed to rights and duties related to the relevant permission or registration.

<Amended by Act No. 10219, Mar. 31, 2010>

(3) Any person who has succeeded to rights and duties related to permission for or registration of the business of manufacturing or the business of importing deep sea drinking water under paragraphs (1) and (2) shall make a report thereon to the Mayor/Do governor within one month after such succession, as prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(4) The provisions of Article 28 shall apply mutatis mutandis to succession under paragraphs (1) and (2).

Article 32 (Revocation, etc. of Permission, etc.)

(1) Where any manufacturer or importer of deep sea drinking water falls under any of the following subparagraphs, the Mayor/Do governor may revoke the relevant permission or registration, or issue an order to suspend the relevant business for up to six months: Provided, That he/she shall revoke permission or registration, if they fall under subparagraph 1 or 2:

1. Cases where manufacturers or importers of deep sea drinking water fall under any of the subparagraphs of Article 28: Provided, That this shall not apply to cases falling under any of the following items:

(a) Where the executive officers of a corporation fall under any of subparagraphs 1 through 3 of Article 28, and such executive officers are replaced by other persons within two months;

(b) Where successors to the business of manufacturing or the business of importing deep sea drinking water under Article 31 (1) fall under any of subparagraphs 1 through 3 of Article 28, but such successors transfer the relevant business to other persons within three months after succession;

2. Cases where manufacturers of deep sea drinking water obtain permission or revised permission for the business of manufacturing deep sea drinking water, or importers of deep sea drinking water obtain registration or revised registration of the business of importing deep sea drinking water by fraud or other improper means;

3. Where manufacturers or importers of deep sea drinking water fail to satisfy the standards for manufacturing facilities under Article 27 (1);

4. Where manufacturers or importers of deep sea drinking water violate conditions under Article 27 (3);

5. Where manufacturers or importers of deep sea drinking water fail to employ quality control managers under Article 29 (1) or violate the provisions of Article 29 (2);

6. Where manufacturers or importers of deep sea drinking water fail to undergo a medical examination under Article 30 (1);

7. Where manufacturers or importers of deep sea drinking water fail to satisfy the required standards under Article 33 (1) and (2);
 8. Where manufacturers or importers of deep sea drinking water violate indication standards under Article 35;
 9. Where manufacturers or importers of deep sea drinking water fail to take necessary measures under Article 37 (1) or violate an order to take measures to preserve the marine environment or corrective measures under Article 37 (2);
 10. Where manufacturers or importers of deep sea drinking water sell deep sea drinking water which has no charges certification marks under Article 42;
 11. Where manufacturers or importers of deep sea drinking water violate any ban or restriction under Article 51 (1) or violate orders or measures under Article 51 (2).
- (2) Where manufacturers of deep sea drinking water continue to engage in the relevant business, violating a suspension order under paragraph (1), the Mayor/Do governor may revoke the relevant permission, and where importers of deep sea drinking water continue to engage in the relevant business, violating a suspension order under paragraph (1), he/she may revoke the relevant registration.
- (3) Detailed standards for administrative dispositions under paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries, by taking into account the type and degree of violation. *<Amended by Act No. 8852, Feb. 29, 2008>*

Article 33 (Standards for Water Quality, etc.)

- (1) Standards for the quality of deep sea drinking water shall be governed by the provisions of Article 5 (3) of the Drinking Water Management Act.
- (2) Standards concerning the shelf life of deep sea drinking water, etc. shall be prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*
- (3) The Minister of Maritime Affairs and Fisheries shall consult with the heads of the relevant central administrative agencies before determining standards under paragraph (2). *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*
- (4) No one shall sell, manufacture or import, store or transport, display for sale, or commercially use deep sea drinking water which fails to meet the required standards under paragraphs (1) and (2).

Article 34 (Quality Control, etc.)

- (1) The Minister of Maritime Affairs and Fisheries shall formulate necessary policies on the quality examination and safety management of deep sea drinking water. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*
- (2) Deleted. *<by Act No. 10154, Mar. 22, 2010>*
- (3) Manufacturers of deep sea drinking water shall conduct self examinations or entrust examinations to other institutions, as prescribed by Presidential Decree, so as to ascertain whether deep sea drinking water satisfies the standards under Article 33 (1) and (2).

(4) Entrusted examinations under paragraph (3) shall be conducted by examination institutions designated under Article 43 (1) of the Drinking Water Management Act.

(5) The Minister of Maritime Affairs and Fisheries may order the public officials under his/her control or water quality examination institutions to conduct necessary examinations of deep sea drinking water, which importers of deep sea drinking water intend to import, before the customs procedures are completed. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 35 (Indication Standards)

The Minister of Maritime Affairs and Fisheries shall determine and publicly notify necessary standards concerning indications on containers and packages of deep sea drinking water and the use of product names. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 36 (Standards for Purpose of Exports and Indication Standards)

(1) With respect to the standards for deep sea drinking water manufactured or produced for the purpose of export and its indication standards, the standards and indication standards demanded by importers of the relevant deep sea drinking water shall be followed, notwithstanding the provisions of Articles 33 and 35.

(2) When manufacturers of deep sea drinking water intend to manufacture deep sea drinking water in accordance with the standards and indication standards demanded by importers of deep sea drinking water under paragraph (1), they shall submit documents verifying such fact, etc. to the Minister of Maritime Affairs and Fisheries in advance, as prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 37 (Measures to Preserve the Marine Environment)

(1) Business entities engaged in a business related to deep sea water shall take necessary measures to ensure that the survey of deep sea water, installment of facilities for the intake of deep sea water or the intake, drainage and storage of deep sea water do not pollute the marine environment, as prescribed by Presidential Decree.

(2) The Minister of Maritime Affairs and Fisheries may conduct a survey, as prescribed by Presidential Decree and order the relevant administrative agency or business entity responsible for the damage to take measures to preserve the marine environment or take corrective measures, as prescribed by Presidential Decree, where the business activities of business entities engaged in a business related to deep sea water are deemed to cause or are deemed likely to cause damage to the marine ecosystem. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(3) The Minister of Maritime Affairs and Fisheries shall conduct water quality examinations for the sea water intake area on a regular basis, as prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 38 (Entry and Exit, Inspection, Collection, Etc.)

(1) The Minister of Maritime Affairs and Fisheries or the Mayor/Do governor may order business entities engaged in a business related to deep sea water or related persons to submit necessary data, and may order the relevant public officials to enter the facilities for a business related to deep sea water, inspect deep sea

water for sale or used for business or products, containers and packages related to deep sea water and manufacturing or business facilities, collect the minimum quantities of deep sea water or products, containers and packages related to deep sea water, which are necessary for inspections, free of charge, and peruse registers or documents related to such business, where it is deemed necessary to verify matters falling under any of the following subparagraphs: *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

1. Whether business entities follow the conditions attached to licenses under Article 10 (2);
 2. Whether business entities comply with the facility standards under Article 15 and standards for the quality of deep sea water under Article 24 (1);
 3. Whether business entities follow the quality control of deep sea drinking water under Article 34;
 4. Whether business entities fulfill their duty to preserve the marine environment under Article 37 (1).
- (2) When the Minister of Maritime Affairs and Fisheries or the Mayor/Do governor intends to issue orders of the entry and exit, inspections, collection or perusal under paragraph (1), he/she shall notify the relevant business entities of the names of the relevant public officials and the dates, places and purposes of the aforementioned activities in writing beforehand, and when the relevant public officials enter and exit facilities, inspect products, etc., collect necessary items, peruse documents, etc., they shall carry an identification verifying their authority and show it to interested persons. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*
- (3) Matters concerning detailed standards and procedures for the entry and exit, inspection, collection or perusal under paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 39 (Imposition and Collection of Fees for Use)

- (1) The head of a Si/Gun/Gu who has applied for the designation of the sea water intake area under Article 9 (1) shall impose fees for using deep sea water on deep sea water developers in the relevant sea water intake area and collect such fees, in accordance with the rates and calculation methods prescribed by Presidential Decree. In such cases, fees for the occupation and use, imposed and collected under Article 8 (1) 1 and 5 of the Public Waters Management and Reclamation Act, may be reduced or exempted, notwithstanding the provisions of Article 13 (1) of the aforementioned Act. *<Amended by Act No. 10272, Apr. 15, 2010>*
- (2) In cases falling under any of the following subparagraphs, fees for using deep sea water may be reduced or exempted, as prescribed by Presidential Decree, notwithstanding the provisions of paragraph (1):
1. Where deep sea water is used for cultivating crops, etc. or increasing and raising marine resources;
 2. Where deep sea water is used for research and development;
 3. Other cases where deep sea water is used for serving the public interest, as prescribed by Presidential Decree.

(3) Fees for using deep sea water under paragraph (1) shall be regarded as income for the relevant Si/Gun/autonomous Gu.

(4) The head of a Si/Gun/Gu may collect fees from persons who have failed to pay fees for use under paragraph (1), in the same manner as the delinquent local taxes are collected.

(5) Matters necessary for the imposition and collection of fees for using deep sea water shall be prescribed by Presidential Decree.

Article 40 (Imposition and Collection of Charges for Using Deep Sea Water)

(1) The Minister of Maritime Affairs and Fisheries shall impose charges for using deep sea water (hereinafter referred to as "charges") on manufacturers of deep sea drinking water, importers of deep sea drinking water and persons who purchase deep sea water from deep sea water developers for commercial purposes, and collect such fees from them, as prescribed by Presidential Decree. In such cases, deep sea water developers who manufacture products for commercial purposes on their own by using deep sea water shall be deemed purchasers of deep sea water for commercial purposes. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(2) The Minister of Maritime Affairs and Fisheries may order deep sea water developers to pay charges, which need to be paid by manufacturers of deep sea drinking water under paragraph (1), in a lump sum. In such cases, the Minister of Maritime Affairs and Fisheries shall pay expenses incurred for the payment of charges by proxy, as prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(3) Charges shall be imposed on or collected from manufacturers or importers of deep sea drinking water according to the rates prescribed by Presidential Decree, within the range of 75/1,000 of the average sales price of deep sea drinking water, and charges shall be imposed on or collected from purchasers of deep sea water for commercial purposes according to the rates prescribed by Presidential Decree, within the range of 150/1,000 of the average supply price of deep sea water.

(4) The Minister of Maritime Affairs and Fisheries may allow persons obliged to pay charges to make the payment in installments. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(5) The Minister of Maritime Affairs and Fisheries shall pay charges collected under paragraphs (1) and (2) for the Fisheries Development Fund established under Article 46 of the Framework Act on Fishers and Fishing Villages Development. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9626, Apr. 22, 2009; Act No. 11690, Mar. 23, 2013; Act No. 13383, Jun. 22, 2015>*

(6) Charges shall be used for the following projects:

1. Projects for the research and development of marine resources, such as deep sea water;
2. Projects for maintaining the quality of deep sea water and deep sea drinking water;
3. Projects for fostering industries related to deep sea water;
4. Projects for preventing damage to the marine ecosystem, such as the water quality examination for the sea water intake area;

5. Projects for repairing the marine ecosystem which has been damaged due to the intake of deep sea water;

6. Projects related to subparagraphs 1 through 5, which are prescribed by Presidential Decree.

(7) In cases where the Minister of Maritime Affairs and Fisheries entrusts the authority to collect charges under paragraphs (1) and (2) and surcharges under Article 41 (2) to the Mayor/Do governor, he/she may grant amounts corresponding to 10/100 of the collected charges and surcharges to the Mayor/Do governor as expenses for collection thereof. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(8) Matters regarding the methods of calculating the average sales price or average supply price, with regard to methods of calculating charges under paragraphs (1) and (2), and other methods and procedures for imposing and collecting charges shall be prescribed by Presidential Decree.

Article 41 (Compulsory Collection of Charges and Surcharges)

(1) Where any person obliged to pay any charge under Article 40 fails to make the payment by the deadline, the Minister of Maritime Affairs and Fisheries shall issue a demand notice to him/her within 30 days after the lapse of such deadline. In such cases, the deadline for paying such charge shall be 20 days from the date on which such demand notice is issued. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(2) Where any person who has received a demand notice under paragraph (1) fails to make the payment by the deadline, the Minister of Maritime Affairs and Fisheries may collect surcharges for a period from a day immediately following such deadline to a day immediately before the date of payment, within a range not exceeding 5/100 of such charges.

(3) Where charges under paragraph (1) and surcharges under paragraph (2) are not paid within the payment deadline, the Minister of Maritime Affairs and Fisheries may collect such charges in the same manner as the delinquent national taxes are collected. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(4) Matters regarding detailed standards and calculation methods for charges and surcharges and procedures for the imposition thereof shall be prescribed by Presidential Decree.

Article 42 (Charges Certification Marks)

(1) The Minister of Maritime Affairs and Fisheries may order manufacturers of deep sea drinking water to affix a mark proving that they are paying or are exempt from charges (hereinafter referred to as "charges certification mark") on containers of deep sea drinking water delivered from a warehouse, as prescribed by Presidential Decree. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(2) Matters regarding standards and methods of indication for charges certification marks and management of charges certification marks shall be prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(3) The Minister of Maritime Affairs and Fisheries may impose restrictions on the use of charges certification marks for manufacturers of deep sea drinking water who have failed to pay charges on at least two occasions. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 43 (Manufacturers of Charges Certification Marks)

(1) The Minister of Maritime Affairs and Fisheries may designate persons who have facilities prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries as manufacturers of charges certification marks. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(2) Where manufacturers of charges certification marks designated under paragraph (1) fall under any of the following subparagraphs, the Minister of Maritime Affairs and Fisheries shall revoke such designation: *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

1. Where manufacturers of charges certification marks are designated by fraud or other improper means;
2. Where manufacturers of charges certification marks fail to satisfy the requirements for designation under paragraph (1).

Article 44 (Penalty Surcharges on Intake Activities without Licenses)

(1) The Minister of Maritime Affairs and Fisheries may impose amounts within the range of two times the total amount of incomes generated from the relevant intake of deep sea water and fees for using deep sea water under Article 39, on persons engaged in the intake of deep sea water without a license for a deep sea water development business, and collect such charges from them. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(2) Where penalty surcharges on the intake of deep sea water under paragraph (1) are not paid within the payment deadline, the Minister of Maritime Affairs and Fisheries shall collect such penalty surcharges in the same manner as delinquent national taxes are collected. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(3) Matters regarding detailed standards for the imposition of penalty surcharges on the intake of deep sea water and methods for the collection thereof under paragraph (1) shall be prescribed by Presidential Decree.

Article 45 (Penalty Surcharges)

(1) A Mayor/Do governor may impose penalty surcharges of up to 50 million won, in lieu of business suspension under Article 32 (1), as prescribed by Presidential Decree.

(2) Where penalty surcharges under paragraph (1) are not paid within the payment deadline, the Mayor/Do governor shall collect such penalty surcharges pursuant to the Act on the Collection, etc. of Local Non-Tax Revenue. *<Amended by Act No. 11998, Aug. 6, 2013>*

(3) Necessary matters such as the amount of penalty surcharges, depending on the type and degree of violation subject to penalty surcharges under paragraph (1), shall be prescribed by Presidential Decree.

Article 46 (Measures for Closure, etc.)

(1) The Minister of Maritime Affairs and Fisheries may order the relevant public officials to close down the relevant place of business, as prescribed by Presidential Decree, where a business entity conducts a business without obtaining a license for a deep sea water development business, in violation of Article 10, conducts a business after the expiration of a license under Article 14, or continues to conduct a business even after a license for a deep sea water development business has been revoked or an order to suspend a

business has been given under Article 23. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(2) A Mayor/Do governor may order the relevant public officials to close down the relevant place of business, as prescribed by Presidential Decree, where a business entity conducts a business without obtaining permission for the business of manufacturing deep sea drinking water or filing for registration of the business of importing deep sea drinking water in violation of Article 27 (1) or (2), or continues to conduct a business even after permission for the business of manufacturing deep sea drinking water or registration of the business of importing deep sea drinking water has been revoked or an order to suspend a business has been given under Article 32 (1).

(3) The Minister of Maritime Affairs and Fisheries or the Mayor/Do governor shall, before taking measures for closure under paragraphs (1) and (2), notify, in writing, the relevant business entities or their agents of the date and place of measures for closure and names of the relevant public officials. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(4) Relevant public officials shall carry an identification indicating their authority and show it to interested persons in cases falling under paragraphs (1) and (2).

Article 47 (State Subsidy)

The Minister of Maritime Affairs and Fisheries may grant a subsidy to help cover all or part of the expenses falling under each of the following subparagraphs within budgetary limits: *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

1. Expenses incurred in conducting an examination, etc. by water quality examination institutions designated under Article 25 (1);
2. Expenses incurred in managing water quality supervisors under Article 49 (1);
3. Other matters prescribed by Ordinance of the Ministry of Maritime Affairs and Fisheries.

Article 48 (Support for Research and Development, etc.)

The Minister of Maritime Affairs and Fisheries may support the development of deep sea water, research on practical use of deep sea water and business related to deep sea water, within budgetary limits. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 49 (Water Quality Supervisors)

(1) The Ministry of Maritime Affairs and Fisheries and local governments shall employ water quality supervisors in charge of the guidance on and supervision of the criteria and standards related to deep sea water and deep sea drinking water and business activities. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(2) Qualifications, appointment and job scope of water quality supervisors and other necessary matters shall be prescribed by Presidential Decree.

Article 50 (Prohibition against False Indications, etc.)

No person who has obtained a license under Article 10 shall indicate that sea water, underground salt water or underground sea water, other than deep sea water taken in the sea water intake area, is deep sea

water, or distribute and sell such water.

Article 51 (Restrictions on Advertisements)

(1) The Minister of Maritime Affairs and Fisheries may prohibit or restrict advertisements for deep sea drinking water in cases falling under any of the following subparagraphs: *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

1. Where advertisements for deep sea drinking water are likely to mislead the public about health issues;
2. Where advertisements for deep sea drinking water are likely to obstruct the business of supplying the tap water.

(2) Where manufacturers or importers of deep sea drinking water violate prohibitions or restrictions under paragraph (1), the Minister of Maritime Affairs and Fisheries may restrict import or sales of the relevant deep sea drinking water or issue an order or take necessary corrective measures, such as the removal of advertisements. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(3) Matters regarding a medium subject to advertisement prohibitions or restrictions under paragraph (1), duration of advertisements, frequency thereof, etc. shall be prescribed by Presidential Decree.

Article 52 (Hearings)

The Minister of Maritime Affairs and Fisheries or a Mayor/Do governor shall hold a hearing, when issuing a disposition falling under any of the following subparagraphs: *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

1. Revoking a license for a deep sea water development business under Article 23 (1);
2. Revoking permission or registration under Article 32 (1);
3. Revoking designation of manufacturers of charges certification marks under Article 43 (2).

Article 53 (Delegation of Authority)

@Part of the authority of the Minister of Maritime Affairs and Fisheries under this Act may be delegated to a Mayor/Do governor or the heads of affiliated institutions, as prescribed by Presidential Decree. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 54 (Penalty Provisions)

A person falling under any of the following subparagraphs shall be punished by imprisonment with labor for up to five years or by a fine of up to 50 million won. In such cases, imprisonment with labor and fines may be imposed concurrently: *<Amended by Act No. 12832, Oct. 15, 2014>*

1. A person who conducts a deep sea water business without a license or a revised license therefor under Article 10 (1) or obtains a license or revised license by fraud or other improper means;
2. A person who conducts the business of manufacturing deep sea drinking water without a license or a revised license under Article 27 (1) or obtains permission or revised permission by fraud or other improper means;
3. A person who manufactures charges certification marks without being designated as manufacturers of charges certification marks under Article 43 (1);

4. A person who counterfeits, forges or reuses charges certification marks, possesses or uses counterfeit or forged charges certification marks or issues such marks to other persons.

Article 55 (Penalty Provisions)

A person falling under any of the following subparagraphs shall be punished by imprisonment with labor for up to three years or by a fine of up to 30 million won. In such cases, imprisonment with labor and fines may be imposed concurrently: <Amended by Act No. 12832, Oct. 15, 2014>

1. A person who violates an order to suspend the intake of deep sea water under Article 22;
2. A person who conducts a deep sea water development business, violating an order of license suspension under Article 23 (1);
3. A person who fails to undergo examinations of deep sea water in violation of Article 25 (2) or has undergone examinations by fraud or other improper means;
4. A person who conducts the business of importing deep sea drinking water without filing for registration or revised registration under Article 27 (2), or files for registration or revised registration by fraud or other improper means;
5. A person who engages in manufacturing or importing deep sea drinking water, in violation of an order to suspend a business under Article 32 (1);
6. A person who manufactures, imports, stores, transports or displays deep sea drinking water or uses such drinking water for commercial purposes, in violation of Article 33 (4);
7. A person who fails to take necessary measures under Article 37 (1) or violates an order to take measures to preserve the marine environment or corrective measures under Article 37 (2);
8. A person who indicates that sea water, underground salt water or underground sea water, other than deep sea water, is deep sea water and distributes or sells such water, in violation of Article 50.

Article 56 (Penalty Provisions)

A person falling under any of the following subparagraphs shall be punished by imprisonment with labor for up to one year or by a fine of up to ten million won:

1. A person who fails to employ quality control managers or obstructs duties of quality control managers, in violation of Article 29 (1) and (2);
2. A person who fails to conduct a self examination or entrusts examinations to another institution under Article 34 (3);
3. A person who fails to comply with an order to submit data or refuses, obstructs or evades entry and exit, inspection, collection or perusal under Article 38;
4. A person who obstructs measures for closure under Article 46;
5. A person who violates prohibitions against or restrictions on advertisements under Article 51 (1);
6. A person who fails to follow orders or measures under Article 51 (2).

Article 57 (Joint Penalty Provisions)

Where the representative of a corporation or an agent or employee of, or other persons employed by the corporation or an individual commits offences falling under any of the provisions of Articles 54 through

56, in connection with the business of the corporation or individual, such corporation or individual shall, in addition to punishing the violators accordingly, be subject to a fine prescribed in the relevant Articles: Provided, That the same shall not apply to cases where such corporation or individual has not neglected to give due diligence and supervision over the relevant duties in order to prevent such violations.

Article 58 (Administrative Fine)

(1) A person falling under any of the following subparagraphs shall be punished by an administrative fine of up to five million won:

1. A person who fails to make a report under Article 19 or has made a report by fraud or other improper means;
2. A person who fails to make a report under Article 20 (3) or has made a report by fraud or other improper means;
3. A person who fails to make a report under Article 27 (4) or has made a report by fraud or other improper means;
4. A person who fails to receive education on quality control under Article 29 (3);
5. A person who fails to undergo a medical examination under Article 30 (1);
6. A person who fails to make a report under Article 31 (3) or has made a report by fraud or other improper means;

(2) Administrative fines under paragraph (1) shall be imposed and collected by the Minister of Maritime Affairs and Fisheries or a Mayor/Do governor, as prescribed by Presidential Decree. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(3) through (5) Deleted. *<by Act No. 9737, May 27, 2009>*

ADDENDA

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Intake of Deep Sea Water for Research)

When a government-funded science and technology research institute under the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes, Etc. conducts projects for research and development of deep sea water at the time this Act enters into force, the intake of deep sea water may be continued within the scope of the relevant projects for research and development, notwithstanding the provisions of this Act.

Article 3 (Transitional Measures concerning Sea Area where Intake Facilities are Established under Public Waters Management Act)

The sea area where the construction of facilities for the intake of deep sea water is completed, with permission for the occupation and use under Article 5 (1) of the Public Waters Management Act and authorization of implementation plans under Article 8 (1) of the Act, at the time this Act is promulgated, shall be deemed to have been designated as the sea water intake area under Article 9 (1).

Article 4 (Transitional Measures concerning Act on Funeral Services, Etc.)

"Under Article 27 of the Act on Funeral Services, Etc." in the provisions of Article 17 (1) 12 shall be deemed "under Article 23 of the Act on Funeral Services, Etc.," until May 25, 2008.

Article 5 Omitted.

ADDENDA <Act No. 8852, Feb. 29, 2008>

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. 9313, Dec. 31, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 3 Omitted.

ADDENDA <Act No. 9626, Apr. 22, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 12 Omitted.

ADDENDUM <Act No. 9737, May 27, 2009>

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

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. 10154, Mar. 22, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Act No. 10219, Mar. 31, 2010>

Article 1 (Enforcement Date)

This Act shall enter into force on Jan. 1, 2011.

Articles 2 through 12 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. 10599, Apr. 14, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Act No. 11998, Aug. 6, 2013>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Act No. 12548, Mar. 24, 2014>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Incompetent Persons, etc.)

Persons under adult guardianship and persons under limited guardianship under the amended provisions of subparagraph 1 of Article 13 (including cases where applied mutatis mutandis under Article 20 (4)) and subparagraph 1 of Article 28 (including cases where applied mutatis mutandis under Article 31 (4)) shall be deemed to include persons for whom the declaration of incompetency or quasi-incompetency remains effective under Article 2 of the Addenda to the Civil Act (Act No. 10429).

ADDENDUM <Act No. 12832, Oct. 15, 2014>

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

ADDENDA <Act No. 13383, Jun. 22, 2015>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

