

GRASSLAND ACT

Wholly Amended by Act No. 3238, Jan. 4, 1980

Amended by Act No. 3539, Dec. 31, 1981

Act No. 3642, Dec. 31, 1982

Act No. 3886, Dec. 31, 1986

Act No. 4212, Jan. 13, 1990

Act No. 4216, Jan. 13, 1990

Act No. 4378, May 31, 1991

Act No. 4557, Jun. 11, 1993

Act No. 4748, Mar. 24, 1994

Act No. 4817, Dec. 22, 1994

Act No. 5111, Dec. 29, 1995

Act No. 5153, Aug. 8, 1996

Act No. 5324, Apr. 10, 1997

Act No. 5453, Dec. 13, 1997

Act No. 5454, Dec. 13, 1997

Act No. 5720, Jan. 29, 1999

Act No. 5763, Feb. 5, 1999

Act No. 5893, Feb. 8, 1999

Act No. 5914, Feb. 8, 1999

Act No. 6697, May 13, 2002

Act No. 6841, Dec. 30, 2002

Act No. 6842, Dec. 30, 2002

Act No. 7167, Feb. 9, 2004

Act No. 7297, Dec. 31, 2004

Act No. 7335, Jan. 14, 2005

Act No. 7677, Aug. 4, 2005

Act No. 7678, Aug. 4, 2005

Act No. 7849, Feb. 21, 2006

Act No. 7995, Sep. 27, 2006

Act No. 8337, Apr. 6, 2007

Act No. 8338, Apr. 6, 2007



Act No. 8352, Apr. 11, 2007
Act No. 8354, Apr. 11, 2007
Act No. 8852, Feb. 29, 2008
Act No. 9366, Jan. 30, 2009
Act No. 10243, Apr. 12, 2010
Act No. 10977, Jul. 28, 2011
Act No. 11690, Mar. 23, 2013
Act No. 11743, Apr. 5, 2013
Act No. 13021, Jan. 20, 2015
Act No. 13426, Jul. 24, 2015
Act No. 13796, Jan. 19, 2016
Act No. 14303, Dec. 2, 2016
Act No. 15265, Dec. 19, 2017
Act No. 16549, Aug. 27, 2019
Act No. 16790, Dec. 10, 2019
Act No. 16989, Feb. 11, 2020
Act No. 17219, Apr. 7, 2020

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to contribute to the promotion of cattle farming by prescribing matters concerning the creation, management, use and conservation of grasslands.

Article 2 (Definitions)

The terms used in this Act are defined as follows:

1. The term "grassland" means land to grow improved perennial grasses, forage field, and land for pasture roads, access roads, livestock pens and incidental facilities prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs;
2. The term "forage field" means land to grow annual plants to produce coarse forage;
3. The term "undeveloped land" means land appropriate for the creation of grassland (including farmland deemed essential for the creation of grassland), which is not yet used as grassland, regardless of whatever statutory land category is assigned to the land by law, such as forest, barren land, natural grassland, marsh, derelict salt farm, abandoned river bed, reclaimed land enclosed by sea walls, etc.;

4. The term "conversion of the use of grassland" means that grassland is used for a purpose, other than the purposes of grassland, such as cases where the form and quality of the grassland is changed, or where a facility or structure that obstructs the use of grassland has been installed;
5. The term "unit cost for creating farmland" means cost needed to create one square meter of farmland, which is calculated and publicly notified by the Minister of Agriculture, Food and Rural Affairs every year.

Article 3 (Restrictions on Creation of Grassland)

(1) No grassland shall be created on any of the following land:

1. Land which is used or is definitely planned to be used for official purposes, public purposes, business purposes or conservation purposes by the State or a local government;
2. A seed production forest, experimental forest or arboreal genetic resources protection forest;
3. A national cemetery, public cemetery, private graveyard or a site planned for national or public cemetery, which is designated by the State or a local government;
4. An urban area under the National Land Planning and Utilization Act;
5. An ecological or scenery conservation area under Article 12 of the Natural Environment Conservation Act;
6. A special protection district for wildlife under Article 27 of the Wildlife Protection and Management Act.

(2) Where undeveloped land is located in an area, the use of which is restricted pursuant to other Acts (including land under paragraph (1) 1, 2 or 4), such as a preserved mountainous district under the Mountainous Districts Management Act, land treated for the control of erosion or collapse under the Erosion Control Work Act, natural park under the Natural Parks Act, development restriction zone under the National Land Planning and Utilization Act, national industrial complex, general industrial complex, up-to-date city industrial complex and agricultural and industrial complex under the Industrial Sites and Development Act, area for inducement under the Industrial Cluster Development and Factory Establishment Act, etc., the Mayor of a Special Self-Governing City, Governor of a Special Self-Governing Province, head of a Si, Gun or autonomous Gu (hereinafter referred to as "head of a Si/Gun/Gu") may allow the creation of grassland thereon after holding consultations with the heads of relevant administrative agencies.

Article 4 Deleted. <Apr. 10, 1997>

CHAPTER II CREATION OF GRASSLAND

Article 5 (Permission to Create Grassland)

(1) A person who intends to create grassland shall file an application for approval for the creation of grassland with the head of a Si/Gun/Gu having jurisdiction over the relevant land, as prescribed by Presidential Decree.

(2) Unless the application under paragraph (1) falls under any of the following cases, the head of a Si/Gun shall grant permission thereto:

1. Where, as a result of inspection of whether the relevant land is appropriate for creating grassland under Article 5-2, conditions for the relevant land prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as altitude, gradient, properties of land, etc., are judged to be inappropriate for the creation and use of grassland;

2. Where the applicant does not hold ownership, right of use or right of benefit over the land on which grassland is to be created (in cases of national land or public land, referring to cases where an agreement between the applicant under paragraph (1) and the management authority or disposition authority over the national land or public land under paragraph (1) (hereinafter referred to as "property management authority") is not reached; matters concerning reaching an agreement shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs);

3. Other cases that violate restrictions under this Act or other statutes.

(3) When the head of a Si/Gun/Gu gives permission for the creation of grassland pursuant to paragraph (2), he/she may attach a condition prescribed by ordinance of the relevant local government, such as a period for creating grassland and plans for the prevention of damage caused in the course of creating grassland. <Amended on Aug. 27, 2019>

Article 5-2 (Inspection of Appropriateness of Land for Creating Grassland)

(1) The head of a Si/Gun/Gu who receives an application for permission for creating grassland pursuant to Article 5 (1) shall inspect whether conditions of land on which grassland is intended to be created are appropriate for the creation and use of grassland, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(2) Where necessary for an inspection under paragraph (1), the relevant inspector may enter the relevant land or adjoining land belonging to another person, or change or remove standing trees, soil, rocks, or other obstacles on such land.

(3) If an inspector intends to change or remove obstacles pursuant to paragraph (2), he/she shall, in advance, notify the owner, occupant or caretaker of the land of his/her intention.

(4) A person who conducts an inspection pursuant to paragraph (1) shall carry a certificate indicating his/her authority and produce it to the relevant persons.

(5) If a person sustains loss due to entry or the change or removal of obstacles under paragraph (2), the head of a Si/Gun/Gu shall compensate him/her for such loss, as prescribed by Presidential Decree.

Article 6 Deleted. <Feb. 5, 1999>

Article 7 Deleted. <Apr. 10, 1997>

Article 8 Deleted. <Feb. 5, 1999>

CHAPTER III Deleted.

Article 9 Deleted. <Dec. 31, 1981>

Article 10 Deleted. <Dec. 31, 1981>

Article 11 (Succession to Status)

Where a person who has obtained permission to create grassland pursuant to Article 5 dies, or transfers or leases the relevant land to a third party, his or her heir, transferee or tenant shall succeed to the rights and obligations appurtenant to the permission to create grassland, unless his or her heir, transferee or tenant expresses opposition.

Article 12 (Revocation of Permission)

Where an applicant for permission for grassland development falls under any of the following cases, the head of a Si/Gun/Gu may cancel permission therefor referred to in Article 5: <Amended on Dec. 11, 2020>

1. If an applicant fails to start the project even after one year elapses from the date when permission is granted or suspends the project for at least one year after he or she starts the project;
2. Where the applicant obtains permission by fraud or other improper means;
3. Where the applicant violates a condition attached to the permission;
4. If the applicant who inherits, acquires or leases the land, before the creation of grassland is completed, expresses his or her opposition to the succession to status under Article 11.

Article 12-2 Deleted. <Amended on Sep. 27, 2006>

Article 13 (Financial Support)

(1) The Government may provide full or partial financial aid necessary for the creation of grassland under this Act to the project implementer or lend him/her such money.

(2) If the Minister of Agriculture, Food and Rural Affairs deems it necessary, he/she may disburse all or some of the funds under paragraph (1) to the project implementer even before the project is completed.

Article 14 Deleted. <Apr. 10, 1997>

Article 15 Deleted. <Apr. 10, 1997>

Article 15-2 (Lease of Undeveloped Private Land for Creation of Grassland thereon, etc.)

(1) The following shall apply to the lease relationship in cases of lease of undeveloped private land and the creation of grassland thereon: <Amended on Apr. 5, 2013>

1. The lease term shall be fixed by an agreement between parties, which shall be at least five years from the date when a contract is concluded: Provided, That where parties fail to reach an agreement, it shall be five years;
2. The lease term may be extended continuously by an agreement between parties;
3. The rent per annum in cases under subparagraph 1 or 2 shall be determined by an agreement between parties, which shall not exceed 1/100 of the price of the land in an undeveloped state at the time grassland is created (where lease term is extended, referring to the price of adjoining land in an undeveloped state at the time of extension): Provided, That where an agreement is not reached between parties, the rent per annum shall be 1/100 of the price of the land;
4. The rents under subparagraph 3 shall be paid from the year following the year in which the creation of grassland is completed.

(2) Deleted. <Feb. 5, 1999>

(3) Deleted. <Feb. 5, 1999>

(4) Where the ownership of grassland is transferred during the lease term under paragraph (1) 1 and 2, lease relationship between the person succeeding to the ownership and the tenant shall be deemed to subsist. <Amended on Apr. 5, 2013>

(5) A person who intends to lease undeveloped private land and create grassland thereon under the lease relationship under paragraph (1) shall obtain consent from the landowner before he/she applies for permission to create grassland under Article 5. <Amended on Apr. 5, 2013>

Article 16 Deleted. <Apr. 10, 1997>

Article 17 (Lease of State-Owned Land or Public Land)

(1) A person who has obtained permission to create grassland on State-owned land or public land shall apply for lease to the competent property management authority within 15 days from the date when permission is granted, and the property management authority shall, without delay, lease the land, except in extenuating circumstances, notwithstanding the provisions of any other Act.

(2) The lease term under paragraph (1) shall be five years.

(3) When the lease term expires, the competent property management authority shall extend the lease term continuously for at least another five years: Provided, That where the property management authority

intends to directly use the leased land for public interest, it may terminate the lease contract.

(4) Notwithstanding the main clause of paragraph (3), a property management authority may choose not to extend the lease term of the land that has been leased for at least 25 years from the date on which the creation of grassland was completed, taking into consideration whether the purpose of creating grassland has been achieved and the actual state of use of the grassland.

(5) Where a property management authority terminates a lease contract pursuant to the proviso to paragraph (3), it shall give the person who manages grassland a reasonable period of time necessary for the relocation of a livestock farm, etc. and reimburse him or her for expenses incurred in creating grassland and installing incidental facilities, such as livestock pens, etc. In such cases, matters necessary to calculate and pay such expenses shall be prescribed by Presidential Decree. <Amended on Dec. 2, 2016>

(6) Where a person who creates grassland or manages grassland creates grassland on the State-owned land or public land leased pursuant to paragraph (1) and installs thereon livestock pens or other permanent facilities for a use and in a size prescribed by Presidential Decree in order to make use of such grassland, he/she may install such facilities without condition that such permanent facilities be donated to the State or competent local government or be removed, or that the land be restored to the original state, notwithstanding the provisions of the State Property Act, the Public Property and Commodity Management Act and the State Forest Administration and Management Act. <Amended on Dec. 2, 2016>

Article 18 (Lease Fees for State-Owned Land or Public Land)

The lease fees for State-owned land or public land leased pursuant to Article 17 shall be prescribed by Presidential Decree or municipal ordinances of local governments that are property management authorities, respectively, within 1/100 of the price of land in an undeveloped state at the time of lease (where lease term is extended, referring to the price of adjoining land in an undeveloped state at the time of extension), notwithstanding the provisions of the State Property Act, the Public Property and Commodity Management Act and the State Forest Administration and Management Act. <Amended on Jan. 20, 2015>

Article 19 (Appraisal of Land Price)

The officially assessed individual price of the relevant land under the Act on the Public Announcement of Real Estate Values (referring to an amount calculated based on the officially announced price of reference land under Article 8 of the Act on the Public Announcement of Real Estate Values, where no officially assessed individual price of the relevant land exists) shall apply to the land price under Articles 15-2 (1) 3 and 18. <Amended on Jan. 19, 2016>

Article 20 (Constructive Permission, Authorization, etc.)

(1) If permission for the creation of grassland is obtained pursuant to Article 5, the following permission, authorization, etc. shall be deemed obtained:

1. Permission for occupying and using public waters pursuant to Article 8 of the Public Waters Management and Reclamation Act;
 2. Permission to occupy and use river under Article 33 of the River Act, permission for acts within a flood control zone under Article 38 of the aforesaid Act, or permission to use river water under Article 50 of the aforesaid Act;
 3. Permission for the conversion of the use of mountainous districts, reports on the conversion of the use of mountainous districts, permission for the temporary use of mountainous districts and reports on the temporary use of mountainous districts under Articles 14, 15 and 15-2 of the Mountainous Districts Management Act (excluding national forests prescribed by Presidential Decree, in consideration of the location, shape, size, etc. of forests for the efficient management of national forests), authorization for alteration of a forest management plan under Article 13 (5) of the Creation and Management of Forest Resources Act, and permission for and reports on cutting standing trees under Articles 19 (5) and 36 (1) and (4) of the same Act;
 4. Canceling the designation of an area of land for erosion control under Article 20 of the Erosion Control Work Act;
 5. Permission to divert farmland under Article 34 (1) of the Farmland Act;
 6. Permission for the alteration of the form and quality of land, etc. in a publicly announced area or industrial complex under Article 12 of the Industrial Sites and Development Act.
- (2) A person who intends to obtain constructive permission, authorization, etc. under paragraph (1) shall also submit relevant documents prescribed by relevant Acts when he/she files an application for permission to create grassland.
- (3) Where any of the subparagraphs of paragraph (1) is related to the permission to create grassland, the head of a Si/Gun/Gu shall consult with heads of the relevant administrative agencies in advance.

CHAPTER IV FOLLOW-UP MANAGEMENT OF GRASSLAND

Article 21 Deleted. <Sep. 27, 2006>

Article 21-2 (Restrictions on Conducts within Grassland)

(1) No person shall perform the following conducts without permission from the head of a Si/Gun/Gu, within grassland created with permission obtained pursuant to Article 5: <Amended on Dec. 19, 2017; Aug. 27, 2019>

1. Altering the form and quality of land or installing artificial structures thereon;
2. Digging a grave;
3. Gathering and removing soil and rocks;
4. Other acts encumbering the use of grassland, which are prescribed by ordinance of the relevant local government.

(2) The head of a Si/Gun/Gu shall notify the applicant as to whether he or she grants permission, within five days from the date on which an application for permission under paragraph (1) is received. <Newly Inserted on Dec. 19, 2017>

(3) Where the head of a Si/Gun/Gu fails to notify the applicant of whether he or she will grant permission or of an extension of the processing period under statutes or regulations relating to processing civil petitions within the period prescribed in paragraph (2), permission shall be deemed granted on the day following the date said period (referring to the relevant processing period if the processing period has been extended or re-extended under statutes or regulations relating to processing civil petitions) has passed. <Newly Inserted on Dec. 19, 2017>

Article 22 Deleted. <Feb. 5, 1999>

Article 23 (Conversion, etc. of Use of Grassland)

(1) Conversion of the use of grassland created pursuant to this Act shall be limited to any of the following cases: <Amended on Jul. 24, 2015>

1. Where its use is converted to a use for a site of important industrial facilities, public interest facilities, residential facilities, or tourist facilities;
2. Where its use is converted to a use for housing to be built by a farmer under subparagraph 2 of Article 2 of the Farmland Act;
3. Where its use is converted to a use for a facility for treating, processing or storing agricultural or marine products, or an agricultural or fisheries facility;
4. Where its use is converted to a use for farmland to cultivate crops: Provided, That where its use is converted to a use for a site other than orchard, conversion of the grassland with a gradient of 15 degrees or less shall be allowed only;
5. Where its use is converted to a use for Jeju Investment Promotion Zone to be designated pursuant to Article 162 of the Special Act on the Establishment of Jeju Special Self-Governing Province and the Development of Free International City;
6. Where its use is converted to a use for a free economic zone to be designated pursuant to Article 4 of the Special Act on Designation and Management of Free Economic Zones;
7. Where its use is converted to a use for a special economic zone to be designated pursuant to Article 9 (1) of the Act on Special Cases concerning the Regulation of the Special Economic Zones for Specialized Regional Development;
8. Where its use is converted in order to start up a business under subparagraph 1 of Article 2 of the Support for Small and Medium Enterprise Establishment Act;
9. Where its use is converted to a use for a facility deemed to be particularly necessary by the head of a Si/Gun/Gu (excluding the Mayor of a Special Self-Governing City and the Governor of a Special Self-Governing Province) after holding consultations with the Special Metropolitan City Mayor,

Metropolitan City Mayor or Do Governor, or to a use for facilities deemed to be particularly necessary by the Mayor of a Special Self-Governing City or Governor of a Special Self-Governing Province.

(2) A person who intends to convert the use of grassland to another use pursuant to paragraph (1) shall obtain permission from the head of a Si/Gun/Gu. The same shall also apply where he/she intends to alter important matters prescribed by Presidential Decree, such as the size, boundary of grassland, for which conversion of use has been permitted, etc.

(3) Notwithstanding the provisions of paragraph (2), a person who intends to convert the use of grassland after 25 years pass from the date on which the creation of grassland was completed, shall make a report to the head of a Si/Gun/Gu. The same shall also apply where any alteration to such report is intended.

(4) Where the State or a local government intends to convert the use of grassland in order to use it as a site for a facility for official purposes or public purposes, it shall consult with the head of a Si/Gun/Gu in place of the permission or reports under paragraph (2) or (3). The same shall also apply where any alteration to such consultation is intended.

(5) Notwithstanding the provisions of paragraphs (2) and (3), a person who intends to use grassland created pursuant to this Act as a site for livestock pens (excluding livestock pens under subparagraph 1 of Article 2 of this Act) to raise livestock under subparagraph 1 of Article 2 of the Livestock Industry Act may convert the use of grassland without obtaining permission for conversion of the use of grassland or making a report thereon.

(6) The head of a Si/Gun/Gu shall notify an applicant of whether to grant permission or accept a report within 35 days from the date an application for permission or a report under paragraph (2) or (3) is received. *<Newly Inserted on Dec. 19, 2017>*

(7) Where the head of a Si/Gun/Gu fails to notify an applicant of whether to grant permission or accept a report or of the extension of the processing period in accordance with the statutes related to civil petition services within the period prescribed in paragraph (6), permission or a report shall be deemed to be granted or accepted the following day after the end of such period (where the processing period was extended or re-extended in accordance with the statutes related to civil petition services, referring to the relevant processing period). *<Newly Inserted on Dec. 19, 2017>*

(8) Costs incurred in creating substitute grassland shall be imposed and collected by the head of a Si/Gun/Gu, and a person who intends to convert the use of grassland after obtaining permission, making a report, or holding consultations under paragraphs (2) through (4) (including cases where permission, report, or consultation is deemed obtained, made, or held pursuant to other Acts) shall pay costs incurred in creating substitute grassland to the Livestock Development Fund under Article 43 of the Livestock Industry Act: Provided, That where any of subparagraphs 5 through 8 of paragraph (1) is applicable or any of the following subparagraphs is applicable, the costs incurred in creating substitute grassland may be reduced or exempted: *<Amended on Jan. 20, 2015; Jul. 24, 2015; Dec. 19, 2017>*

1. Where its use is converted to a use for an important industrial facility prescribed by Presidential Decree;

2. Where the State or a local government converts its use to a use for official purposes or public purposes;
 3. Where its use is converted to a use for a site necessary for agriculture, livestock industry, forestry or fisheries;
 4. Where its use is converted to a use for a site necessary for golf course business belonging to sports facility business requiring registration under Article 10 (1) 1 of the Installation and Utilization of Sports Facilities Act among development projects, for which approval for implementation has been obtained pursuant to Article 147 of the Special Act on the Establishment of Jeju Special Self-Governing Province and the Development of Free International City;
 5. Other cases of minor conversion of the use of grassland prescribed by Presidential Decree.
- (9) A standard payment amount of costs incurred in creating substitute grassland shall be the amount aggregating a unit cost for creating grassland under subparagraph 5 of Article 2 (which shall be based on ploughed grassland) and grassland management costs spent for three years after creation of grassland. *<Newly Inserted on Jan. 20, 2015; Dec. 19, 2017>*
- (10) The Minister of Agriculture, Food and Rural Affairs shall publicly notify the standard payment amount of costs incurred in creating substitute grassland under paragraph (9) every year. *<Newly Inserted on Jan. 20, 2015; Dec. 19, 2017>*
- (11) The criteria for reduction of and exemption from costs incurred in creating substitute grassland shall be prescribed by Presidential Decree, in consideration of matters such as the purposes of and public interests in converting the use of grassland. *<Newly Inserted on Jan. 20, 2015; Dec. 19, 2017>*
- (12) Where the costs incurred in creating substitute grassland under paragraph (8) to be imposed exceeds the level prescribed by Presidential Decree, the head of a Si/Gun/Gu may allow such amount to be paid in installments, as prescribed by Presidential Decree. *<Newly Inserted on Dec. 10, 2019>*
- (13) Where the head of a Si/Gun/Gu intends to allow the installment payments of costs incurred in creating substitute grassland under paragraph (12), he/she shall have a person who intends to pay the costs in installments deposit in advance the insurance certificate of payment guarantee, etc. for the costs incurred in creating substitute grassland to be paid in installments, as prescribed by Presidential Decree: Provided, That the same shall not apply where a person who intends to pay the farmland preservation charges in installments is the State, a local government, or any other person prescribed by Presidential Decree. *<Newly Inserted on Dec. 10, 2019>*
- (14) Matters concerning procedures for permission for, reports on or consultation on the conversion of the use of grassland under paragraphs (2) through (4) and procedures, etc. for the payment of costs incurred in creating substitute grassland under paragraph (8) shall be prescribed by Presidential Decree. *<Amended on Jan. 20, 2015; Dec. 19, 2017; Dec. 10, 2019>*

Article 23-2 (Revocation, etc. of Permission for Conversion of Use of Grassland)

(1) Where a person who has obtained permission to convert the use of grassland or made a report on the conversion of the use of grassland under Article 23 (2) or (3) falls under any of the following, the head of a Si/Gun/Gu may revoke permission or order such person to stop relevant construction work, suspend the project, reduce the scale of the project or alter the project plan, or may take other necessary measures, as prescribed by Presidential Decree: <Amended on Dec. 19, 2017; Feb. 11, 2020>

1. Where he or she has obtained permission or filed a report by false or other unjust means;
 2. If he or she violates the purpose or condition of permission or alters the project plan or the scale of the project without obtaining permission or making a report;
 3. If he or she fails to commence the project for which the use of grassland is converted without good cause prescribed by Presidential Decree, such as alteration of a project plan relating to the project for which the use of grassland is converted for at least two years after obtaining permission or making a report, or if he/she has suspended construction work for at least one year after he or she commenced the project for which the use of grassland was converted;
 4. If he or she fails to pay costs incurred in creating a substitute grassland under Article 23 (8).
- (2) Notwithstanding the provisions of paragraph (1), if a person who has obtained permission to convert the use of grassland falls under paragraph (1) 1 or violates an order to take measures under the same paragraph, his or her permission shall be revoked.

Article 23-3 (Approval of Converted Use)

(1) Where a person intends to convert the use of any grassland being used or used for an intended project for grassland for another purpose within the period prescribed by Presidential Decree through the procedures under Article 23 (2) or (3), he or she shall obtain approval from the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(2) A person subject to approval under paragraph (1) who intends to use any grassland converted to a site for facilities for which the costs incurred in creating substitute grassland are reduced or exempted as a site for facilities of which rate of reduction or exemption of the costs incurred in creating substitute grassland is lower than that of the said site shall pay the corresponding costs incurred in creating substitute grassland, as prescribed by Presidential Decree.

Article 24 (Inspection of Actual Condition of Grassland Management)

The head of a Si/Gun/Gu shall inspect necessary matters at least once a year to understand the actual condition of the management of grassland: Provided, That with regard to a grassland managed by the State or a local government, the head of an administrative agency or the head of the local government managing the grassland shall conduct an inspection and notify the head of a Si/Gun/Gu of the results thereof.

Article 24-2 (Measures for Grassland Unmanageable as Grassland)

(1) If grassland falls under any of the following cases, the head of a Si/Gun/Gu may exclude it from the category of grassland:

1. If the use of grassland has been converted without obtaining permission, making a report or holding consultations, in violation of Article 23, or has been converted after obtaining permission by any fraudulent means, and the conservation thereof is impossible;
2. If the person managing the grassland renounces the management thereof due to changes in the condition of the use of grassland following the implementation of a project under other statutes;
3. If no person is managing the grassland or an unidentified person, if any, is managing the grassland;
4. Grassland for which 25 years have passed after its creation was completed, which has neither been managed nor used for at least two consecutive years without a natural disaster or any other inevitable reason;
5. Other cases prescribed by Presidential Decree where the grassland has lost its function as grassland.

(2) If any grassland created on leased State-owned land or public land under Article 17 (1) is excluded from the category of grassland pursuant to paragraph (1), the competent property management authority may terminate the lease contract.

Article 24-3 (Removal, etc. of Permanent Facilities)

(1) A person who creates grassland on leased State-owned land or public land under Article 17 (1) and installs a permanent facility thereon shall remove the permanent facility within a period specified by the competent property management authority if the lease contract is terminated pursuant to Article 24-2 (2): Provided, That where the competent property management authority deems that removing the permanent facility is impracticable or unnecessary, or where 25 years elapse after the grassland was created, it may exempt the person from the obligation of removing the permanent facility at his/her request.

(2) Where a person who has an obligation of removing a permanent facility is exempted from the obligation of removing the permanent facility pursuant to the proviso to paragraph (1), ownership of the permanent facility shall devolve on the State if the permanent facility is installed on State-owned land or on a local government if it is installed on public land.

(3) Where a person who has an obligation of removing a permanent facility pursuant to paragraph (1) fails to remove it even after the period for removal elapses, the competent property management authority may remove the permanent facility, in accordance with the Administrative Vicarious Execution Act.

CHAPTER V SUPPLEMENTARY PROVISIONS

Article 25 Deleted. <Jan. 5, 1999>

Article 26 Deleted. <Jan. 31, 1991>

Article 27 (Restoration)

(1) The head of a Si/Gun/Gu may issue an order of restoration to any of the following persons, within a prescribed period: <Amended on Dec. 10, 2019>

1. A person who has been subject to revocation of permission to create grassland pursuant to Article 12;
2. A person who has converted the use of grassland or uses it for another purpose without obtaining permission to convert the use of grassland, in violation of Article 23 (2);
3. A person who has converted grassland or has used it for other purposes without filing a report on the diversion of grassland under Article 23 (3);
4. A person who violates an order to take measures under Article 23-2 (1), who is subject to a disposition to revoke permission to convert grassland or who has filed a report on the conversion of grassland under Article 23-2;
5. A person who uses land which has undergone conversion of grassland for other purposes without obtaining approval therefor, in violation of Article 23-3 (1).

(2) Where a person who receives an order of restoration under paragraph (1) fails to comply with such order within the period, the head of a Si/Gun/Gu may conduct restoration on behalf of the person in accordance with the Administrative Vicarious Execution Act if he or she deems that such noncompliance is very harmful to the public interest. <Amended on Dec. 10, 2019; Feb. 11, 2020>

(3) Where a person who is to pay expenses pursuant to paragraph (2) fails to pay the expenses within a specified period, such expenses may be collected in the same manner as delinquent national taxes are collected.

Article 27-2 (Sale of Land on which Grassland is Created)

(1) Where a property management authority leasing public land pursuant to Article 17 sells such land, it shall give a right of first refusal on the sale to the person who leases the land.

(2) Notwithstanding the provisions of the Public Property and Commodity Management Act, etc., the price of adjoining land in an undeveloped state appraised by an appraiser at the time of sale shall be the sale price of land under paragraph (1). <Amended on Apr. 7, 2020>

Article 28 (Delegation of Authority)

@Part of the authority of the Minister of Agriculture, Food and Rural Affairs under this Act may be delegated to the Special Metropolitan City Mayor, Metropolitan City Mayor, Mayor of a Special Self-Governing City, Do Governor or Governor of a Special Self-Governing Province, as prescribed by Presidential Decree. In such cases, the Special Metropolitan City Mayor, Metropolitan City Mayor or Do Governor may re-delegate the delegated authority to the heads of Sis/Guns/Gus (excluding the Special Metropolitan City Mayor and Governor of a Special Self-Governing Province) with approval from the Minister of Agriculture, Food and Rural Affairs.

Article 29 (Hearings)

Where the head of a Si/Gun/Gu intends to make any of the following dispositions, he/she shall hold a hearing:

1. Revocation of permission to create grassland under Article 12;
2. Revocation of permission to convert the use of grassland under Article 23-2.

CHAPTER VI? PENALTY PROVISIONS

Article 30 (Penalty Provisions)

Any person who has converted the use of grassland to another use in violation of Article 23 (2) or (3) without obtaining permission or making a report, or has obtained permission to convert the use of grassland to another use by a fraudulent means shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding three times the amount calculated by multiplying the cost incurred in creating grassland in the year when such fact is verified, by the size (in square meters) of the portion of grassland, the use of which is converted to another use. *<Amended on Dec. 10, 2019>*

(2) A person who uses land which has been converted from grassland for other purposes without obtaining approval thereof, in violation of Article 23-3 (1), shall be punished by imprisonment with labor for not more than one year, or by a fine not exceeding 10 million won. *<Newly Inserted on Dec. 10, 2019>*

Article 31 (Penalty Provisions)

Any person who violates any of the subparagraphs of Article 21-2 (1) shall be punished by a fine not exceeding five million won. *<Amended on Dec. 19, 2017>*

Article 31-2 Deleted. *<Sep. 27, 2006>*

Article 32 (Joint Penalty Provisions)

Where the representative of a corporation, or an agent, servant or any other employee of a corporation or individual commits an offense under Article 30 or 31 with respect to the business of such corporation or individual, not only shall the offender be punished but the corporation or individual also shall be punished by a fine under the relevant provisions: Provided, That the same shall not apply to cases where such corporation or individual has not been neglected to pay due attention and supervision concerning the business in order to prevent such violation.

ADDENDA *<Act No. 3238, Jan. 4, 1980>*

Article 1 (Enforcement Date)

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

Article 2 Omitted.

Article 3 (Transitional Measure)

A disposition made pursuant to former provisions before this Act enters into force shall be deemed to have been made pursuant to this Act.

Article 4 (Same as above)

A loan made to a person who has developed a grassland on State-owned or public land loaned pursuant to former provisions shall be deemed to be given pursuant to this Act on the enforcement date of this Act.

Article 5 (Same as above)

As to acts committed before this Act enters into force, former penal provisions shall apply.

Article 6 (Transitional Measures concerning Amendments of the Forestry Act, etc.)

(1) The term "Articles 8, 62 (including cases to which the aforesaid Article shall apply mutatis mutandis pursuant to Article 52), and 90 of the Forestry Act" in subparagraph 3 of Article 20 shall be construed as "Articles 8, 10, 24, and 48 of the Forestry act, Article 2 of the Act on Control of Forestry Products, and Article 10 of the Forest Development Act" until June 30, 1980.

(2) The term "Natural Parks Act" in Article 6 (2) shall be construed as "Parks Act" until May 31, 1980.

ADDENDA <Act No. 3539, Dec. 31, 1981>

(1) (Enforcement Date) This Act shall enter into force three months after the date of its promulgation.

(2) Omitted.

(3) (Transitional Measure) A person who filed an application for selection of the land eligible for the development of grassland pursuant to former provisions before this Act enters into force shall be deemed to have filed an application for permission for the development of grassland under this Act.

ADDENDA <Act No. 3642, Dec. 31, 1982>

Article 1 (Enforcement Date)

This Act shall enter into force on February 1, 1983.

Articles 2 through 7 Omitted.

ADDENDA <Act No. 3886, Dec. 31, 1986>

(1) (Enforcement Date) This Act shall enter into force six months after the date of its promulgation.

(2) (Transitional Measure concerning Term of Lease and Rent) The term of lease (including the extended term of lease) and rent for grassland developed by leasing private undeveloped land, not included in a

complex development zone, before this Act enters into force shall be determined in accordance with the previous contract until the term of lease expires, notwithstanding Article 14 (3), (4), and (6) that shall otherwise apply mutatis mutandis pursuant to Article 15-2.

ADDENDA <Act No. 4212, Jan. 13, 1990>

Article 1 (Enforcement Date)

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

Articles 2 through 8 Omitted.

ADDENDA <Act No. 4216, Jan. 13, 1990>

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. 4378, May 31, 1991>

(1) (Enforcement Date) This Act shall enter into force six months after the date of its promulgation.

(2) (Amendments of Other Acts) Omitted.

ADDENDA <Act No. 4557, Jun. 11, 1993>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

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. 4817, Dec. 22, 1994>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 1996.

Articles 2 through 16 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.

ADDENDA <Act No. 5153, Aug. 8, 1996>

Article 1 (Enforcement Date)

This Act shall enter into force on the enforcement date of the Presidential Decree on the Organization of the Ministry of Maritime Affairs and Fisheries and the Korea Coast Guard under the amended provisions of Article 41 within 30 days after the date of its promulgation.

Articles 2 through 4 Omitted.

ADDENDA <Act No. 5324, Apr. 10, 1997>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Permission for Development and Diversion of Grassland)

(1) Permission granted by a permitting authority to develop or divert grassland pursuant to former provisions before this Act enters into force shall be deemed the permission given to develop or divert grassland pursuant to this Act.

(2) An application filed for permission to develop or divert grassland pursuant to former provisions and pending permission at the time this Act enters into force shall be deemed to have been filed and pending permission pursuant to this Act.

Article 3 (Transitional Measure concerning Restoration to Original Condition)

An order given by a permitting authority under former Article 27 in regard to restoration to original condition shall be deemed to have been given by the head of a Si/Gun pursuant to this Act.

Article 4 (Transitional Measure concerning Land Price for Calculation of Rent, etc.)

The land price that shall serve as the basis for the calculation of the rent or loan fee for the land leased or loaned pursuant to former provisions at the time this Act enters into force shall be determined pursuant to former provisions.

Article 5 (Transitional Measure concerning Application of Penalty Provisions)

As to acts committed before this Act enters into force, the previous penalty provisions shall apply.

ADDENDA <Act No. 5453, Dec. 13, 1997>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 1998. (Proviso Omitted.)

Article 2 (Transitional Measures concerning Amendments of the Grassland Act, etc.)

(1) The term "the head of a Si/Gun" in the amended provisions of Article 12-2 of the Grassland Act shall be construed as "permitting authority" until April 10, 1998.

(2) through (8) Omitted.

ADDENDUM <Act No. 5454, Dec. 13, 1997>

This Act shall enter into force on January 1, 1998. (Proviso Omitted.)

ADDENDA <Act No. 5720, Jan. 29, 1999>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Act No. 5763, Feb. 5, 1999>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

Article 3 (Transitional Measures)

(1) In cases where a landowner intends to manage a grassland developed on private undeveloped land, which was leased before this Act enters into force, before the term of the lease contract expires first after this Act enters into force, former provisions shall apply to payment for costs invested for livestock pens and incidental facilities.

(2) Rents for land and facilities and other charges that a person designated as a management agent before this Act enters into force shall be determined in accordance with former provisions until the end of the contract that expires after this Act enters into force.

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. 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. 6697, May 13, 2002>

(1) (Enforcement Date) This Act shall enter into force three months after the date of its promulgation.

(2) (Applicability of Exemption from Permission for Diversion of Grassland, etc.) The amended provisions of Article 23 (3) shall apply to cases for which a building permit is granted or on which a building report is filed after this Act enters into force.

(3) (Applicability of Abatement or Exemption of Cost of Development of Substitute Grassland) The amended provisions of Article 23 (4) 4 and 5 shall apply to cases in which a grassland is diverted with designation as a Jeju investment promotion district or with approval for the implementation of a development project after this Act enters into force.

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. 6842, Dec. 30, 2002>

Article 1 (Enforcement Date)

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

Articles 2 through 8 Omitted.

ADDENDA <Act No. 7167, Feb. 9, 2004>

Article 1 (Enforcement Date)

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

Articles 2 through 30 Omitted.

ADDENDA <Act No. 7297, Dec. 31, 2004>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDA <Act No. 7335, Jan. 14, 2005>

Article 1 (Enforcement Date)

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

Articles 2 through 12 Omitted.

ADDENDA <Act No. 7677, Aug. 4, 2005>

Article 1 (Enforcement Date)

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

Articles 2 through 8 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. 7849, Feb. 21, 2006>

Article 1 (Enforcement Date)

This Act shall enter into force on July 1, 2006. (Proviso Omitted.)

Articles 2 through 41 Omitted.

ADDENDA <Act No. 7995, Sep. 27, 2006>

Article 1 (Enforcement Date)

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

Article 2 (Applicability of Abatement or Exemption of Cost of Development of Substitute Grassland)

The amended provisions of Article 23 (6) shall apply to cases in which a grassland is diverted with designation as a free economic zone or special development zone or cases where a grassland is diverted for starting up a small or medium enterprise after this Act enters into force.

Article 3 (Applicability of Cancellation of Permission for Diversion of Grassland)

The amended provisions of Article 23-2 shall apply to cases in which permission for diversion of grassland is granted or a report is filed on diversion of grassland after this Act enters into force.

Article 4 (Transitional Measures concerning Permission for Development of Grassland)

(1) A person who obtained permission for the development of grassland pursuant to former provisions at the time this Act enters into force shall be deemed to have obtained the permission for the development of grassland pursuant to this Act.

(2) An application filed for the development of grassland pursuant to former provisions and pending permission at the time this Act enters into force shall be deemed to have been filed and pending permission pursuant to the amended provisions of Article 5 (1).

Article 5 (Transitional Measure concerning Administrative Fines)

Previous provisions shall apply to the imposition of administrative fines on persons who have failed to make a correction after receiving a correction order for correction under the previous Article 24 (2) at the time this Act enters into force.

Article 6 Omitted.

ADDENDA <Act No. 8337, Apr. 6, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 9 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. 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. 8354, Apr. 11, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 9 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. 9366, Jan. 30, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDA <Act No. 10243, Apr. 12, 2010>

(1) (Enforcement Date) This Act shall enter into force six months after the date of its promulgation.

(2) (Applicability) The amended provisions of Article 17 (4) shall apply to land on which the development of grassland is completed after this Act enters into force.

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

Article 1 (Enforcement Date)

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

Articles 2 through 13 Omitted.

ADDENDA <Act No. 10977, Jul. 28, 2011>

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. 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.

ADDENDUM <Act No. 11743, Apr. 5, 2013>

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

ADDENDA <Act No. 13021, Jan. 20, 2015>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Lease Fees for Public Land)

Where a lease contract for public land is entered into or such contract is extended under the previous provisions at the time this Act enters into force, the previous provisions shall apply, notwithstanding the amended provisions of Article 18.

ADDENDA <Act No. 13426, Jul. 24, 2015>

Article 1 (Enforcement Date)

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

Articles 2 through 39 Omitted.

ADDENDA <Act No. 13796, Jan. 19, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force on September 1, 2016.

Articles 2 through 4 Omitted.

ADDENDUM <Act No. 14303, Dec. 2, 2016>

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

ADDENDA <Act No. 15265, Dec. 19, 2017>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Permission for Restricted Conducts within Grassland, etc.)

The amended provisions of Articles 21-2 (2) and (3) and 23 (6) and (7) shall apply beginning with the first application for permission for restricted conducts within grassland or permission for the conversion of the use of grassland, or the first report on the conversion of the use of grassland after this Act enters into force.

ADDENDUM <Act No. 16549, Aug. 27, 2019>

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

ADDENDUM <Act No. 16790, Dec. 10, 2019>

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

ADDENDUM <Act No. 16989, Feb. 11, 2020>

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

ADDENDA <Act No. 17219, Apr. 7, 2020>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

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