

ENFORCEMENT DECREE OF THE FOREST PROTECTION ACT

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Presidential Decree No. 22560, Dec. 29, 2010
Presidential Decree No. 22625, Jan. 17, 2011
Presidential Decree No. 23409, Dec. 28, 2011
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Presidential Decree No. 24058, Aug. 22, 2012
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Presidential Decree No. 32528, Mar. 8, 2022
Presidential Decree No. 32993, Nov. 15, 2022

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Decree is to provide for the matters delegated by the Forest Protection Act and matters necessary for the enforcement thereof.

Article 2 (Definitions)

(1) "Agencies specified by Presidential Decree, including central administrative agencies and agencies affiliated thereto" in subparagraph 9 of Article 2 of the Forest Protection Act (hereinafter referred to as the "Act") means the following agencies: <Amended on Aug. 22, 2012; Nov. 19, 2014; Dec. 31, 2015; Jul. 26, 2017; Jan. 15, 2019>

1. A central administrative agency specified in any subparagraph of Article 26 (1) of the Government Organization Act;
2. The Supreme Prosecutors' Office, the Korean National Police Agency, the National Fire Agency, the Cultural Heritage Administration, the Korea Meteorological Administration, the Rural Development Administration, or the Korea Coast Guard;
3. The Army Headquarters, the Navy Headquarters, or the Air Force Headquarters;
4. The Korea National Park Service, the Korea Electric Power Corporation, the Korea Highway Corporation, or the Korea Railroad Corporation.

(2) "Agencies prescribed by Presidential Decree, including central administrative agencies and agencies affiliated thereto" in subparagraph 12 of Article 2 of the Act means the following agencies: <Newly Inserted on Aug. 22, 2012; Mar. 23, 2013; Nov. 19, 2014; Jul. 26, 2017>

1. The Ministry of National Defense, the Ministry of the Interior and Safety, the Ministry of Agriculture, Food and Rural Affairs, the Ministry of Environment, the Ministry of Land, Infrastructure and Transport, or the Office for Government Policy Coordination;
2. The Korean National Police Agency, the National Fire Agency, the Cultural Heritage Administration, the Korea Meteorological Administration, the Rural Development Administration, or the Korea Coast Guard;
3. An agency specified in paragraph (1) 3 or 4;
4. The National Forestry Cooperative Federation specified in subparagraph 4 of Article 2 of the Forestry Cooperatives Act or the Erosion Control Association specified in Article 22-2 of the Erosion Control Work Act;
5. Other agencies or organizations publicly announced by the Minister of the Korea Forest Service as deemed particularly necessary for preventing and controlling landslides and recovering from landslides.

CHAPTER II FOREST CONSERVATION ZONES

Article 3 (Restrictions on Activities within Forest Conservation Zones)

(1) "Activities specified by Presidential Decree as changing the form or quality of land" in Article 9 (1) 4 of the Act means the following activities:

1. Changing the shape of land by cutting, filling, or leveling earth;
2. Extracting or gathering soil and rock.

(2) "Activities specified by Presidential Decree" in Article 9 (2) 1 of the Act means the following activities: Provided, That subparagraphs 2 through 4, 14, and 16 shall not apply to the forest genetic resources protection zones defined in Article 7 (1) 5 of the Act (hereinafter referred to as "forest genetic resources protection zones"); and subparagraph 13 shall not apply to the conservation zones for development of water resources referred to in Article 7 (1) 3 of the Act, which are prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, as well as to the conservation zones for disaster prevention and the forest genetic resources protection zones defined in Article 7 (1) 4 of the Act:

<Amended on Dec. 3, 2014; Dec. 31, 2015; Jul. 6, 2016; Jan. 16, 2018; Jul. 2, 2019; Jun. 2, 2020>

1. Felling standing trees damaged by a disease or pest, forest fire, or natural disaster: Provided, That the foregoing shall not apply where felling standing trees at an area destroyed by a forest fire is likely to cause a disaster, such as soil erosion or landslide;
2. Felling standing trees in order to reattempt to afforest an area where attempts to afforest have been unsuccessful or to change the species of trees in a forest with malformed and poor-quality trees (referring to trees not grown straight or with no economic value). In such case, the area subject to the felling of trees shall not exceed 50,000 square meters;
3. Felling standing trees by not exceeding one-third of all standing trees for the purpose of growing shiitake mushrooms, the volume of which shall not exceed 50 cubic meters per year;

4. Extracting soil by the owner of a forest or a person who has a right to use a forest for profit for the purpose of improving the quality of soil or extracting soil of not exceeding 30 cubic meters for consumption not for profit from the same area;
 5. Creating a forest trail of not wider than one point five meters under subparagraph 6 of Article 2 of the Forestry Culture and Recreation Act: Provided, That the width of a forest may exceed one point five meters at a place where it is inevitable, such as a reversely curved area (S-shaped terrain) or a resting place;
 6. Constructing facilities for a forest road necessary for the conservation and management of a forest, or for a road or skid trail for the transportation of forestry products;
 7. Installing utility poles or mobile network base stations;
 8. Constructing appurtenant facilities for the construction of facilities specified in Article 11 (1) 1 (c) and 2 (b) of the Act and subparagraphs 7, 10 through 14, 16, and 17 of this paragraph, such as access roads and site offices;
 9. Felling trees for forest tending to the extent of not contravening the purposes of the designation of a forest genetic resources protection zone, felling standing trees or bamboo or extracting or gathering forestry products so as to improve a forest's functionality;
 10. Activities for the safety management or emergency restoration of transmission towers, etc.;
 11. Constructing facilities for erosion control defined in subparagraph 3 of Article 2 of the Erosion Control Work Act or for the prevention of forest disasters, such as forest fires or landslides;
 12. Constructing facilities for the extermination and prevention of diseases and pests;
 13. Establishing a woodland burial ground defined in subparagraph 14 of Article 2 of the Act on Funeral Services, which is less than 100,000 square meters;
 14. Creating a forest visitor center for little children specified in Article 12 (1) of the Forest Education Promotion Act;
 15. Felling a standing tree after obtaining consent from the owner of the relevant forest, where the standing tree is likely to cause sun shading or any other damage because it is located in an area connected to any farmland or house (limited to where the distance from the outer boundary line of the farmland or house to the standing tree is shorter than the height of the tree);
 16. Installing a facility to explore and drill minerals defined in subparagraph 1 of Article 3 of the Mining Industry Act;
 17. Searching for and excavating war dead remains under Article 9 of the Act on the Excavation of the Remains of Soldiers Killed in the Korean War;
 18. Conducting a ground surface inspection for buried cultural heritage under Article 6 of the Act on Protection and Inspection of Buried Cultural Heritage and excavating buried cultural heritage pursuant to the proviso of Article 11 (1) of that Act.
- (3) "Activities specified by Presidential Decree" in Article 9 (2) 2 of the Act means the following activities: <Amended on Jul. 6, 2016>

1. Felling trees for the purpose of developing a broad-leaved forest or a mixed forest so as to develop and improve water sources. In such case, the area of trees subject to felling shall not exceed 50,000 square meters, and countermeasures shall be taken to prevent soil erosion after felling such trees;
 2. Felling trees for the purpose of developing a multiple-layered forest;
 3. Growing, extracting, or gathering fruits and nuts, mushrooms, wild greens, wild herbs, or medicinal plants, without felling standing trees.
- (4) "Activities specified by Presidential Decree, such as thinning out standing trees for installing a fire-arresting line" in Article 9 (2) 3 of the Act means the following activities: <Amended on Apr. 10, 2012; Nov. 1, 2016>

1. Felling standing trees or extracting or gathering forestry products for the purpose of installing a fire-arresting line;
2. Activities specified in the provisions of subparagraphs 1 through 9 of Article 43 of the Enforcement Decree of the Creation and Management of Forest Resources Act;
3. Projects implemented in an area destroyed by a natural disaster to restore its functionality defined in subparagraph 6 of Article 3 of the Regulations on the Standards for Payment of Expenses for Natural Disaster Relief and Recovery.

Article 4 (Management of Forest Conservation Zones)

Pursuant to Article 10 (2) of the Act, the Minister of the Korea Forest Service or the Mayor of the Special Metropolitan City, a Metropolitan City, or a Special Self-Governing City, or the Governor of a Do or a Special Self-Governing Province (hereinafter referred to as "Mayor/Do Governor") may grant subsidies for the following expenses, within budgetary limits: <Amended on Dec. 3, 2014>

1. Expenses incurred in installing facilities for the protection of a forest conservation zone;
2. Expenses incurred in maintaining and improving the functionality of a forest conservation zone;
3. Other expenses incurred in performing agreements on conservation and management of forests under Article 10 (1) of the Act.

Article 5 (Compensation for Losses)

(1) If the owner of a forest conservation zone wishes to receive compensation for losses under Article 10 (3) of the Act, he or she shall file a claim for compensation for losses with the Minister of the Korea Forest Service or the competent Mayor/Do Governor within one month from the date a decision is made not to give permission, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013; Dec. 3, 2014>

(2) Upon receipt of a claim for compensation for losses under paragraph (1), the Minister of the Korea Forest Service or a Mayor/Do Governor shall make a decision on compensation within 15 days from the filing date of the claim, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, and shall notify the claimant of the decision. <Amended on Mar. 23, 2013; Dec. 3, 2014; Dec. 31, 2015>

(3) The Minister of the Korea Forest Service or a Mayor/Do Governor shall seek opinions from appraisers, witnesses, and other stakeholders before making a decision on compensation for losses under paragraph (2). <Amended on Dec. 3, 2014>

Article 5-2 (Management of Forest Genetic Resource Protection Zones within National Parks)

"Activities prescribed by Presidential Decree" in Article 10-2 (1) 4 of the Act means activities specified under Article 19 (1) 10 of the Enforcement Decree of the Natural Parks Act.

Article 5-3 (Formulation and Implementation of Master Plans for Management of Forest Genetic Resources Protection Zones)

"Insignificant matters prescribed by Presidential Decree" in the proviso of Article 10-3 (3) of the Act means matters specified in Article 10-3 (1) 2, 3, and 5 of the Act. <Amended on Jul. 2, 2019>

Article 5-4 (Efficiency Assessment)

(1) The Minister of the Korea Forest Service shall conduct the efficiency assessment of the protection and management of forest genetic resource protection zones under Article 10-4 (1) of the Act (hereafter in this Article, referred to as "efficiency assessment") once every five years, mainly focusing on the following matters:

1. The current status of forest genetic resource protection zones and the plan for the protection and management of such zones;
2. The current status of resources invested in the protection and management of forest genetic resource protection zones and the progress of protection and management;
3. Results of the protection and management of forest genetic resource protection zones.

(2) Specific standards and methods for efficiency assessment shall be determined by the Minister of the Korea Forest Service.

Article 6 (Cancellation of Designation of Forest Conservation Zones)

(1) "Any other ground prescribed by Presidential Decree" in Article 11 (1) 1 (b) of the Act means where a zone designated as a forest conservation zone falls under any of the following cases: <Amended on Dec. 3, 2014>

1. Where a forest conservation zone is deemed unable to continue to fulfill its functions because of the urbanization or development of the land around the zone;
 2. Where a forest conservation zone is deemed unable to fulfill its functions because the land that surrounds the zone is not a forest defined in subparagraph 1 of Article 2 of the Creation and Management of Forest Resources Act and the area of the zone is less than 10,000 square meters.
- (2) "School facilities, farm road facilities, major industrial facilities, military facilities, river facilities, roads, railroad facilities, or other official or public facilities prescribed by Presidential Decree" in Article

11 (1) 1 (c) of the Act means any of the following facilities: <Amended on Jul. 14, 2014; Dec. 3, 2014; Jul. 20, 2015; Jul. 24, 2015; Jul. 6, 2016; Mar. 29, 2017; Jun. 26, 2018; Jun. 2, 2020; Feb. 2, 2021>

1. A kindergarten defined in subparagraph 2 of Article 2 of the Early Childhood Education Act; school referred to in each subparagraph of Article 2 of the Elementary and Secondary Education Act; and school referred to in each subparagraph of Article 2 of the Higher Education Act;
- 1-2. A road in agricultural and fishing villages defined in Article 2 (1) of the Act on the Maintenance and Improvement of Road Networks in Agricultural and Fishing Villages;
- 1-3. Facilities related to the industrial complexes defined in subparagraph 8 of Article 2 of the Industrial Sites and Development Act, the defense industry defined in Article 2 (1) 2 of the Defense Industry Development and Support Act, and the aerospace industry defined in subparagraph 1 of Article 2 of the Aerospace Industry Development Promotion Act;
- 1-4. National defense and military installations defined in subparagraph 1 of Article 2 of the Act on National Defense and Military Installations Projects;
- 1-5. River facilities defined in subparagraph 3 of Article 2 of the River Act and other facilities similar thereto;
2. Roads defined in subparagraph 1 of Article 2 of the Road Act; railroad facilities defined in subparagraph 2 (a) through (d) of Article 3 of the Framework Act on Railroad Industry Development; electric power source facilities defined in subparagraph 1 of Article 2 of the Electric Power Source Development Promotion Act, the implementation plan for which has been approved under Article 5 of the same Act; storage facilities to fulfill the obligation to stockpile petroleum under Article 17 of the Petroleum and Alternative Fuel Business Act; gas supply facilities defined in subparagraph 5 of Article 2 of the Urban Gas Business Act; airport facilities defined in subparagraph 7 of Article 2 of the Airport Facilities Act; and storage facilities to fulfill the obligation to stockpile liquefied petroleum gas under Article 20 of the Safety Control and Business of Liquefied Petroleum Gas Act;
3. Facilities for tramways or cableways installed by the State or a local government under Article 2 of the Tramway Transportation Act;
4. Facilities for windbreak or firefighting;
5. Observation facilities defined in Article 2 (2) 3 of the Weather Observation Standardization Act;
6. Public office buildings built by the State or a local government;
7. Facilities owned by the State or a local government for testing and research on forestry;
8. Facilities for improving the functionality of forest ecosystem centers or ecological woods referred to in Article 18 (4) of the Act;
9. Facilities built in the Korea National Arboretum or an arboretum created according to a plan approved for the creation of the arboretum under Article 7 of the Act on the Creation and Furtherance of Arboretums and Gardens;
10. Facilities necessary for the maintenance and management of an experimental forest under Article 47 (1) of the Creation and Management of Forest Resources Act;

11. Forest bathing places created according to a plan approved for the creation of forest bathing places under Article 20 of the Forestry Culture and Recreation Act;
 12. National communications systems or telecommunications systems defined in subparagraph 2 of Article 2 of the Framework Act on Telecommunications;
 13. Forest education centers established under Article 13 (1) of the Forest Education Promotion Act.
- (3) "Purposes prescribed by Presidential Decree, such as the development of farmland, facilities such as farmhouses, and facilities for fishery farming" in Article 11 (1) 1 (d) of the Act means the following purposes: <Amended on Jan. 17, 2011; Mar. 23, 2013; Jul. 14, 2014>
1. The purpose of installing any of the following facilities by farmers or fishermen defined in subparagraph 3 of Article 3 of the Special Act on Quality Improvement of Life of Farmers and Fishermen and Development Promotion of Agricultural and Fishing Villages: Provided, That the building sites of such facilities in a conservation zone for disaster prevention specified in Article 7 (1) 4 of the Act shall be limited to a forest not visible from a railroad defined in subparagraph 5 of Article 3 of the Framework Act on Railroad Industry Development or from a road defined in subparagraph 1 of Article 2 of the Road Act:
 - (a) Improved facilities of a farmhouse;
 - (b) Facilities for the storage of machines for agriculture or forestry;
 - (c) Farmers' huts, facilities for growing mushrooms, or facilities for the storage of agricultural or fishery products;
 2. The purpose of installing a maintenance house on a building site of less than 100 square meters by the owner of a forest conservation zone to the extent of not contravening the purposes of designation of the forest conservation zone;
 3. The purpose of developing the land into the area to any of the following land categories: Provided, That in cases of the creation of farmland or grassland, it shall be limited to a forest conservation zone prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, the gradient of which is less than 21°:
 - (a) Farmland under the Farmland Act;
 - (b) Grassland under the Grassland Act;
 - (c) Land necessary for the mining industry under the Mining Industry Act.
- (4) "Where any ground prescribed by Presidential Decree arises" in Article 11 (1) 1 (e) of the Act means any of the following cases: <Amended on Dec. 29, 2010; Jan. 16, 2018; Jun. 2, 2020>
1. Where deemed necessary for the designation and management of a protection zone (including an area occupied by the State-designated cultural heritage) under Article 27 of the Cultural Heritage Protection Act;
 2. Where deemed necessary to use the area as premises of a traditional temple for the designation as a traditional temple preservation zone under Article 6 of the Korean Traditional Temples Preservation and Support Act;

3. Where deemed necessary to install a social welfare facility under Article 2 of the Social Welfare Services Act;

4. Where deemed necessary to install water supply facilities under Article 3 of the Water Supply and Waterworks Installation Act or a public sewage treatment plant under Article 12 of the Water Environment Conservation Act;

5 Deleted; <Dec. 3, 2014>

6 Deleted. <Dec. 3, 2014>

(5) "Where it is intended to use the relevant forest conservation zone for purposes prescribed by Presidential Decree, such as collecting sand or stones in some parts of the forest conservation zone" in Article 11 (1) 1 (f) of the Act means the following cases:

1. Where it is necessary to extract and gather soil and rock for recovery from a natural disaster and any similar disaster;

2. Where facilities for exploration and drilling for minerals defined in Article 3 of the Mining Industry Act are installed to excavate minerals, but the area of such facilities, including facilities for screening and processing minerals and access roads, is less than 20,000 square meters.

(6) "Site for another purpose prescribed by Presidential Decree" in Article 11 (1) 1 (g) of the Act means the following building sites: <Amended on Dec. 3, 2014>

1. A building site for installing a sports facility for a sports facility business under Article 10 (1) 1 of the Installation and Utilization of Sports Facilities Act;

2. A building site specified by another statute or regulation as one that may be excluded from a conservation zone for development of water resources under Article 7 (1) 3 of the Act.

(7) "Where any ground prescribed by Presidential Decree arises" in Article 11 (1) 1 (h) of the Act means cases where it is deemed necessary for the designation and management of a City/Do-designated cultural heritage protection zone (including an area occupied by a City/Do-designated cultural heritage) under Article 70-2 of the Cultural Heritage Protection Act. <Newly Inserted on Jun. 2, 2020>

(8) "Facilities specified by Presidential Decree for official or public purposes" in Article 11 (1) 2 (b) of the Act means any of the following facilities: <Amended on Jun. 26, 2018; Jun. 2, 2020>

1. Railroad facilities defined in subparagraph 2 (a) through (d) of Article 3 of the Framework Act on Railroad Industry Development, observation facilities defined in Article 2 (2) 3 of the Weather Observation Standardization Act, roads defined in subparagraph 1 of Article 2 of the Road Act, and airport facilities defined in subparagraph 7 of Article 2 of the Airport Facilities Act;

2. Electric power source facilities defined in subparagraph 1 of Article 2 of the Electric Power Source Development Promotion Act, the facilities for which an implementation plan is approved under Article 5 of that Act, and telecommunications equipment defined in subparagraph 2 of Article 2 of the Framework Act on Telecommunications;

3. Facilities specified in paragraph (2) 7 through 10.

Article 6-2 (Procedures and Method for Cancellation of Designation of Forest Conservation Zones)

(1) Where the Minister of the Korea Forest Service or a Mayor/Do Governor fully or partially cancels the designation of any forest conservation zone pursuant to Article 11 (1) of the Act, he or she shall publicly announce the following matters, and notify the landowners and the head of the competent Si/Gun/Gu (the head of a Gu refers to the head of an autonomous Gu; hereinafter the same shall apply) of such fact:

1. Grounds for the cancellation of the designation;
2. Location and area of the forest conservation zone subject to the cancellation of the designation;
3. Period for raising an objection to the cancellation of the designation;
4. Any other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(2) The landowners or a person who has direct interests in the relevant forest, may raise an objection to the cancellation of the designation of a forest conservation zone during the period for raising an objection referred to in paragraph (1), as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(3) The Minister of the Korea Forest Service or the competent Mayor/Do Governor shall make a decision within 20 days after receipt of an objection raised under paragraph (2), and shall notify the person who has raised the objection of the decision without delay.

(4) Where no objection is raised under paragraph (2) or where no ground for raising an objection is deemed to exist, the Minister of the Korea Forest Service or the competent Mayor/Do Governor shall cancel the designation of the relevant forest conservation zone and publicly notify such fact; and shall notify the landowners and the head of the competent Si/Gun/Gu of such fact. In such cases, the Minister of the Korea Forest Service or the competent Mayor/Do Governor shall also publicly notify the topographical drawing, etc. referred to in Article 8 (3) of the Framework Act on the Regulation of Land Use, when publicly notifying the cancellation of the designation of the forest conservation zone.

(5) The cancellation of the designation of a forest conservation zone shall become effective from the date the cancellation of its designation is publicly notified pursuant to paragraph (4).

Article 6-3 (Consultation on Cancellation of Designation of Forest Conservation Zones)

Where a Mayor/Do Governor intends to cancel the designation of a forest conservation zone on the grounds specified in any subparagraph of Article 11 (2) of the Act, he or she shall file an application for consultation on the cancellation of its designation with the Minister of the Korea Forest Service, after undergoing the procedures under Article 6-2 (1) through (3). In such cases, where the landowners of the forest conservation zone subject to the cancellation of the designation, local residents, or relevant central administrative agencies have any opinion, the Mayor/Do Governor shall attach a statement on such opinion to the application.

Article 7 (Purchase and Exchange of Land within Forest Conservation Zones)

"Parcels of land specified by Presidential Decree around a forest conservation zone" in Article 12 (1) of the Act means the following:

1. Parcels of land around a forest conservation zone, necessary for the protection of the forest conservation zone or for the maintenance and improvement of functionality thereof;
2. Practically non-subdividable parcels of land adjacent to a forest conservation zone;
3. Parcels of land surrounded by a forest conservation zone.

Article 7-2 (Circumstances under which Veteran Trees can be Managed after Relocation)

"School facilities, farm road facilities, major industrial facilities, military facilities, river facilities, roads, railroad facilities, or any other facilities for official or public purposes prescribed by Presidential Decree" in Article 13-2 (1) 1 of the Act means facilities for the projects referred to in the subparagraphs of Article 4 of the Act on Acquisition of and Compensation for Land for Public Works Projects.

Article 7-3 (Procedures and Methods for Revoking Designation of Veteran Trees)

(1) A Mayor/Do Governor or the director general of a regional office of forest service shall publicly announce the following matters in order to revoke the designation of a tree that requires special protection (hereinafter referred to as "veteran tree"), such as an old tree, giant tree, or rare tree of historic or scientific value, pursuant to Article 13-4 (1) of the Act:

1. Serial number of the veteran tree the designation of which is to be revoked;
2. Species of the veteran tree the designation of which is to be revoked;
3. Address of the veteran tree the designation of which is to be revoked;
4. Grounds for revoking the designation;
5. The period for filing an objection to revoking the designation.

(2) With respect to revoking the designation of a veteran tree, its owner or any person who has a direct interest in the veteran tree may file an objection within the period for filing an objection to revoking the designation under paragraph (1) 5, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(3) A Mayor/Do Governor or the director general of a regional office of forest service shall notify the applicant of a determination as to an objection within 20 days of receipt of the objection filed under paragraph (2).

(4) If no objection is filed under paragraph (2) or a Mayor/Do Governor or the director general of a regional office of forest service deems that an objection is groundless, the Mayor/Do Governor or the director general of the regional office of forest service shall revoke the designation of the veteran tree.

Article 7-4 (Composition of Deliberative Committee on Veteran Trees)

(1) Every deliberative committee on veteran trees established under Article 13-5 (1) of the Act (hereinafter referred to as “deliberative committee”) shall be composed of not more than seven persons, including one chairperson and one vice-chairperson. In this case, civilian members described in paragraph (2) 2 shall form a majority of the deliberative committee:

(2) Members of the deliberative committee shall be:

1. Public officials under the control of, and nominated by, a Mayor/Do Governor or the director general of a regional office of forest service;
2. Persons appointed by a Mayor/Do Governor or the director general of a regional office of forest service considering gender balance, from among the following:
 - (a) Persons with considerable knowledge and experience in trees;
 - (b) Residents in his or her jurisdiction.

(3) The chairperson of a deliberative committee shall be elected among and by its members; and the vice-chairperson shall be nominated by the chairperson of the deliberative committee.

(4) Members appointed under paragraph (2) 2 shall hold office for a two-year term and may be appointed only one further term.

(5) Every deliberative committee shall have one secretary, who shall be appointed by a Mayor/Do Governor or the director general of a regional office of forest service from among public officials under his or her control.

Article 7-5 (Operation of Deliberative Committee)

(1) The chairperson of the deliberative committee shall represent the deliberative committee, exercise general supervision over its affairs, convene meetings, and preside over the meetings.

(2) If the chairperson of the deliberative committee is unable to perform his or her duties due to any unavoidable cause, the vice-chairperson shall act on behalf of the chairperson.

(3) A majority of the members of the deliberative committee shall constitute a quorum at all its meetings; and any decision thereof shall require the concurring vote of a majority vote of those present.

(4) Except as provided in paragraphs (1) through (3), matters necessary for operating the deliberative committees shall be determined by the head of a local government or the director general of a regional office of forest service.

Article 7-6 (Exclusion and Abstention of Members)

(1) A member of the deliberative committee shall be excluded from deliberating and resolving on the relevant agenda item if:

1. The member has advised on, researched into, provided service on, or appraised the relevant agenda item;
2. The member or his or her spouse is the owner or superfiiciary of the land related to the relevant agenda item, or has a praedial servitude, right to lease on a deposit basis or leasehold.

(2) A member of the deliberative committee shall voluntarily abstain from deliberating and resolving on the relevant agenda item if the member is disqualified as prescribed in each subparagraph of paragraph (1).

(3) A Mayor/Do Governor or the director general of a regional office of forest service may remove or dismiss a member of the deliberative committee if:

1. The member of the deliberative committee becomes unable to perform duties due to a mental or physical disability;
2. The member of the deliberative committee is deemed unsuitable as a member due to neglect of a duty, loss of dignity, or other causes;
3. The member of the deliberative committee does not abstain despite he or she is disqualified as prescribed in each subparagraph of paragraph (1).

Article 7-7 (Allowances for Deliberative Committees)

Members of deliberative committees that attend meetings may be paid allowances and reimbursed for travel expenses, within budgetary limits: Provided, That the foregoing shall not apply if any member who is a public official attends a meeting in direct connection with his or her duties.

Article 7-8 (Scope of Veteran Trees Eligible for Support for Damage)

(1) Where the State or a local government supports a person who suffers damage due to its mismanagement of a veteran tree under Article 13-6 (1) of the Act, the veteran tree shall be any of the following:

1. A veteran tree, if the adjacent area to the veteran tree is used as a resting spot by many people;
2. A veteran tree that could cause damage a house, parking lot, or similar structure adjacent to the veteran tree;
3. Other veteran trees, if support for damage caused by such trees is deemed necessary by a Mayor/Do Governor or the director general of a regional office of forest service.

(2) If damage occurs due to the mismanagement of a veteran tree under paragraph (1), an aggrieved person may request compensation for such damage from a Mayor/Do Governor or the director general of a regional office of forest service.

(3) Upon receipt of a request for compensation for damage under paragraph (2), a Mayor/Do Governor or the director general of a regional office of forest service may compensate for the damage if the damage is found to be bodily injury, death, or property loss prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs by his or her investigation into such damage.

Article 8 (Designation of Forest Cleanup Zones)

When the Minister of the Korea Forest Service, a Special Self-Governing City Mayor, a Special Self-Governing Province Governor, the head of a Si/Gun/Gu, or the head of each Regional Forest Office intends to designate an area as a forest cleanup zone under Article 14 (1) of the Act, he or she shall take

the following factors into account. In such cases, if he or she intends to designate a forest managed under another Act or subordinate statute as a forest cleanup zone, he or she shall first consult with the heads of related administrative agencies thereon: <Amended on Dec. 3, 2014; Dec. 31, 2015>

1. An area where a large volume of waste is created by frequent access of many people, such as a mountaineering trail;
2. An area where the forest is likely to be polluted by frequent access of many visitors, such as a natural recreation forest defined in subparagraph 2 of Article 2 of the Forestry Culture and Recreation Act or a forest exercise area;
3. An area necessary for the conservation of a forest ecosystem, such as a forest genetic resource protection zone or a seed-gathering forest or experimental forest under the Creation and Management of Forest Resources Act.

Article 9 (Standards for Designation of Ecological Woods)

"Standards prescribed by Presidential Decree" in Article 18 (3) of the Act means an area of at least 300 thousand square meters (or at least 200 thousand square meters, where it is possible to enhance the area's function of education, exploration, experiencing and similar because the area is adjacent to a natural recreation forest defined in subparagraph 2 of Article 2 of the Forestry Culture and Recreation Act or an urban forest defined in subparagraph 1 of Article 2 of the Creation and Management of Urban Forest Act) with a stable forest ecosystem or with a high diversity of forest creatures. <Amended on Jun. 8, 2021>

Article 10 (Examination and Assessment of Levels of Health and Vitality of Forests)

(1) The standards for the examination of the levels of health and vitality of a forest under Article 19 (3) of the Act are as follows:

1. The level of growth of plants;
2. The level of health of the soil environment, including the degree of acidification of soil;
3. The degree of damage to the forest by air pollution or forest diseases and pests;
4. The level of diversity of the forest ecosystem;
5. Other factors that have an impact on the health of a forest.

(2) The levels of health and vitality of a forest under Article 19 (3) of the Act shall be assessed by comparative assessment annually or at intervals of five years with the results of the examination conducted in accordance with the standards for examination under paragraph (1).

(3) Pursuant to Article 19 (3) of the Act, the Minister of the Korea Forest Service shall formulate a plan for the examination of the levels of health and vitality of forests annually, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, and shall notify the head of each related administrative agency and each Mayor/Do Governor of the plan as formulated. <Amended on Mar. 23, 2013>

CHAPTER III PREVENTIVE OBSERVATION AND CONTROL MEASURES AGAINST FOREST DISEASES AND PESTS

Article 11 (Formulation of Long-Term Plans for Preventive Observation and Control Measures against Forest Diseases and Pests)

(1) "Matters specified by Presidential Decree" in Article 20 (1) 6 of the Act means the following:

1. Publicity activities for preventive observation and control measures against forest diseases and pests;
2. Planning and supervision of projects for control measures against forest diseases and pests;
3. Fostering of organizations, etc. for preventive observation and control measures against forest diseases and pests.

(2) When the Minister of the Korea Forest Service formulates or amends a long-term nationwide plan for preventive observation and control measures against forest diseases and pests under Article 20 (1) of the Act (hereinafter referred to as "long-term nationwide plan"), he or she shall notify each Mayor/Do Governor and the head of each Regional Forest Office of the plan as formulated or amended and shall publicly announce the same on bulletin boards, websites, etc. so as to ensure that citizens are informed thereof.

(3) When a Mayor/Do Governor or the head of a Regional Forest Office formulates or amends a long-term regional plan for preventive observation and control measures against forest diseases and pests under Article 20 (2) of the Act (hereinafter referred to as "long-term regional plan"), he or she shall notify the head of each institution responsible for preventive observation and control measures against forest diseases and pests of the plan as formulated or amended and shall publicly announce the same on bulletin boards, websites, etc. so as to ensure that residents are informed thereof.

(4) If any of the following events occurs, the Minister of the Korea Forest Service, the competent Mayor/Do Governor, or the head of the relevant Regional Forest Office may amend the relevant long-term nationwide plan or long-term regional plan:

1. Outbreak of a new forest disease or pest;
2. Rapid change in the situation of a new forest disease or pest;
3. Occurrence of any other event by which it is deemed inevitable to amend the long-term nationwide plan or the long-term regional plan.

Article 12 (Annual Plans for Preventive Observation and Control Measures against Forest Diseases and Pests)

(1) An annual nationwide plan for preventive observation and control measures against forest diseases and pests under Article 21 (1) of the Act (hereinafter referred to as "annual nationwide plan") and an annual regional plan for preventive observation and control measures against forest diseases and pests under

Article 21 (2) of the Act (hereinafter referred to as "annual regional plan") shall include the following matters, respectively:

1. An implementation plan for the preventive observation and investigations of major forest diseases and pests;
 2. An implementation plan for control measures against major forest diseases and pests;
 3. An implementation plan for the examination of effects of control measures against forest diseases and pests;
 4. A budget for control measures against forest diseases and pests and a plan for securing human resources;
 5. A plan for publicity to citizens on forest diseases and pests;
 6. Matters that require cooperation of institutions responsible for preventive observation and control measures against forest diseases and pests.
- (2) The Minister of the Korea Forest Service shall formulate an annual nationwide plan for each year by January 10 of that year, while each Mayor/Do Governor and the head of each Regional Forest Office shall formulate an annual regional plan for each year by January 25 of that year, respectively.
- (3) Each Mayor/Do Governor and the head of each Regional Forest Office shall submit a report on the results of the implementation of the annual regional plan for each year to the Minister of the Korea Forest Service by December 31 of that year.

Article 12-2 (Policies on Treatment of Trees)

"Matters prescribed by Presidential Decree" in Article 21-3 (1) 3 of the Act means the following:

1. Establishment of a system for the treatment of trees;
2. Development and diffusion of technologies for the treatment of trees;
3. Assistance in training personnel for the treatment of trees, publicity activities, consulting services, etc.;
4. Fostering of and support for the industries related to the treatment of trees;
5. Other matters necessary for fostering and supporting the treatment of trees.

Article 12-3 (Formulation and Enforcement of Policies on Treatment of Trees)

- (1) Pursuant to Article 21-3 (1) of the Act, the Minister of the Korea Forest Service shall annually formulate a national policy on the treatment of trees (hereinafter referred to as "national policy on the treatment of trees") and shall notify each Mayor/Do Governor and the head of each Regional Forest Office thereof. The foregoing shall also apply where he or she amends a national policy on the treatment of trees.
- (2) Each Mayor/Do Governor and the head of each Regional Forest Office shall annually formulate and implement a regional policy on the treatment of trees (hereinafter referred to as "regional policy on the treatment of trees") in accordance with the national policy on the treatment of trees, taking into consideration the local conditions of the region within his or her jurisdiction.

(3) The Minister of the Korea Forest Service shall formulate a national policy on the treatment of trees for each year by January 10 of that year, while each Mayor/Do Governor and the head of each Regional Forest Office shall formulate a regional policy on the treatment of trees for each year by January 25 of that year.

(4) Except as otherwise provided for in paragraphs (1) through (3), matters necessary for the formulation and implementation of policies on the treatment of trees shall be determined by the Minister of the Korea Forest Service.

Article 12-4 (Inspection of Current Status of Treatment of Trees)

(1) In order to efficiently formulate and implement a policy on the treatment of trees, the Minister of the Korea Forest Service, a Mayor/Do Governor, or the head of a Regional Forest Office may conduct inspections on the current status to ascertain the present condition of damage to trees, the causes of damage, etc.

(2) The scope and methods of inspections of the current status under paragraph (1) and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

Article 12-5 (Administration of Qualifying Examinations for Tree Doctors)

(1) The Minister of the Korea Forest Service shall administer the qualifying examination for tree doctors at least once a year: Provided, That the foregoing shall not apply in any of the following circumstances:

1. If very few or no person is likely to apply for the qualifying examination for tree doctors considering the number of persons who have completed training at the training institutions for tree doctors designated under Article 21-7 of the Act;
2. If the number of qualified tree doctors is too much for industrial demand.

(2) The Minister of the Korea Forest Service shall determine a plan for administering qualifying examinations for tree doctors for the following year, including the following matters, and publicly announce the administration plan on its website, etc. by December 1 each year:

1. Eligibility criteria;
2. Examination dates and venues and application procedure;
3. Examination subjects and criteria for determining successful applicants;
4. Dates and methods for announcing successful applicants;
5. Other matters necessary to administer the examinations.

(3) The Minister of the Korea Forest Service may modify the administration plan determined under paragraph (2) if the demand for tree doctors is likely to change suddenly or there is an urgent reason causing the Minister of the Korea Forest Service to administer a qualifying examination for tree doctors. In such cases, the Minister of the Korea Forest Service shall publicly announce the modified plan and reason on its website, etc. not later than 60 days from the examination date.

(4) Except as provided in paragraphs (1) through (3), matters necessary for administering the qualifying examinations for tree doctors shall be determined by the Minister of the Korea Forest Service.

Article 12-6 (Eligibility Criteria and Methods for Qualifying Examinations for Tree Doctors)

(1) Eligibility criteria for applying for qualifying examinations for tree doctors under Article 21-4 (2) of the Act shall be as prescribed in attached Table 1.

(2) Examination subjects of qualifying examinations for tree doctors referred to in Article 21-4 (2) of the Act shall be as prescribed in attached Table 1-2.

(3) Qualifying examinations for tree doctors, which consist of a multiple-choice written examination (hereinafter referred to as “first examination”) and an essay-type written examination and an examination of practical skills (hereinafter referred to as “second examination”), are separately administered; and only the persons who have passed the first examination are eligible for applying for the second examination.

(4) To pass the first examination and the second examination, an applicant shall obtain at least 40 marks in each subject and the average of at least 60 marks in all subjects, out of 100 full marks.

(5) A person who passed the first examination is exempt from the first examinations administered for the two-year period beginning on the date the person passed the first examination: Provided, That, if the qualifying examination for tree doctors is administered less than two times for the two-year period beginning on the date the person passed the first examination, the person is exempt from the next-conducted first examination once.

Article 12-7 (Standards for Administrative Dispositions with Respect to Qualifications for Tree Doctors and Tree Treatment Technicians)

Detailed standards for revoking or suspending the qualification of, tree doctors and tree treatment technicians (hereinafter referred to as “tree doctors, etc.”) under Article 21-6 (6) of the Act shall be as prescribed in attached Table 1-3.

Article 12-8 (Designation of Training Institutions for Tree Doctors)

(1) The requirements for designation of training institutions for tree doctors, etc. (hereinafter referred to as “training institutions”) under Article 21-7 (1) of the Act shall be as prescribed in attached Table 1-4.

(2) Where any of the following institutions or organizations meets the requirements for designation under paragraph (1), the Minister of the Korea Forest Service may designate such institution or organization as a training institution: <Amended on Feb. 17, 2022>

1. The Korean Association of Tree Doctors established under Article 21-11 of the Act;
2. A school defined in each subparagraph of Article 2 of the Higher Education Act;
3. A special education and training institution established under Article 4 (1) of the Act on the Capacity Development of Public Officials;

4. A vocational skills development training establishment defined in subparagraph 3 of Article 2 of the National Lifelong Vocational Skills Development Act;
 5. The National Forestry Cooperative Federation established under the Forestry Cooperatives Act;
 6. The Korea Forestry Promotion Institute established under the Forestry and Mountain Villages Development Promotion Act;
 7. A non-profit corporation related to treatment of trees, established with permission under the Civil Act or other statutes;
 8. An institution that conducts research on forest protection under the control of a local government.
- (3) A person who intends to be designated as a training institution under paragraph (2) shall apply for the designation of a training institution to the Minister of the Korea Forest Service, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.
- (4) Upon designating a training institution, the Minister of the Korea Forest Service shall issue a certificate of designation prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs to the applicant, and publicly announce such designation on its website, etc.
- (5) Circumstances under which the Minister of the Korea Forest Service may revoke a designation or issue a corrective order under Article 21-7 (2) 3 of the Act are as follows:
1. Where a training institution is found to operate its training courses for tree doctors, etc. differently from the courses it submitted at the time of designation;
 2. Where a training institution fails to open training courses within one year from the date of designation under paragraph (4) or does not operate for at least one year;
 3. Where a training institution operates training courses at any location other than the training places designated under paragraph (4);
 4. Where a training institution fails to comply with a corrective order issued by the Minister of the Korea Forest Service within one month.
- (6) Detailed standards for revoking the designation of training institutions and for issuing corrective orders under Article 21-7 (2) of the Act shall be as prescribed in attached Table 1-5.
- (7) Except as provided in paragraphs (1) through (6), matters necessary for the designation, etc. of training institutions for tree doctors shall be determined by the Minister of the Korea Forest Service.

Article 12-9 (Registration of Tree Hospitals)

- (1) The registration requirements for each type of tree hospital under Article 21-9 (1) of the Act shall be as prescribed in attached Table 1-6.
- (2) “Significant matters prescribed by Presidential Decree” in Article 21-9 (3) of the Act means the following:
1. Name of the tree hospital;
 2. Representative of the tree hospital;

3. Address of the tree hospital;
4. Matters about the appointment of tree doctors, etc.

Article 12-10 (Standards for Revocation of Registration and Business Suspension of Tree Hospitals)

Detailed standards for revoking the registration of, and for suspending the business of, tree hospitals under Article 21-10 (1) of the Act shall be as prescribed in attached Table 1-7.

Article 12-11 (Matters to Be Stated in Articles of Association)

Other matters to be included in the articles of association of the Korean Association of Tree Doctors under Article 21-11 (3) of the Act shall be as follows:

1. Purpose;
2. Name;
3. Address of the head office;
4. Business activities;
5. Membership and withdrawal, and rights and obligations of members;
6. Education for members;
7. Property and accounting;
8. Organization and structure;
9. General meetings and the board of directors;
10. Amendments of the articles of association.

Article 12-12 (Training for Tree Doctors)

"Grounds prescribed by Presidential Decree, such as a disease and leave of absence" in the proviso of Article 21-13 (1) of the Act means the grounds for which it is difficult to receive education on a regular basis, such as diseases, leave of absence, and military service.

Article 13 (Central Headquarters for Preventive Observation and Control Measures against Forest Diseases and Pests)

(1) The central headquarters for preventive observation and control measures under Article 22 (1) of the Act (hereinafter referred to as "central headquarters for preventive observation and control measures") shall appoint its deputy head who shall assist the head (hereinafter referred to as "head of the central headquarters for preventive observation and control measures"), from among public officials in general service, who are in charge of control measures against forest diseases and pests in the Korea Forest Service and who are members of the Senior Executive Service.

(2) The head of the central headquarters for preventive observation and control measures shall administer all control measures against forest diseases and pests and may establish and operate task force teams for specific tasks in order to conduct preventive observation, prevent the spread of forest diseases and pests,

and remove and dispose of trees damaged by forest diseases and pests.

(3) The central headquarters for preventive observation and control measures shall perform the following tasks:

1. Formulation of detailed implementation plans, based on the annual nationwide plan;
2. Assistance in taking control measures against forest diseases and pests in each region;
3. Periodic inspection and instruction on control measures against forest diseases and pests;
4. Establishment of a system for cooperation with related central administrative agencies;
5. Activities for publicity to citizens on control measures against forest diseases and pests;
6. Implementation of plans for nationwide preventive observation for searching for damaged trees;
7. Other tasks related to nationwide control measures against forest diseases and pests.

(4) The period of operation of the central headquarters for preventive observation and control measures shall begin on June 1 and end on August 31 annually: Provided, That the head of the central headquarters for preventive observation and control measures may change the period according to the present status of forest diseases and pests.

(5) Except as provided in this Decree, matters necessary for the formation and operation of the central headquarters for preventive observation and control measures shall be determined by the head of the central headquarters for preventive observation and control measures.

Article 14 (Regional Headquarters for Preventive Observation and Control Measures against Forest Diseases and Pests)

(1) Each regional headquarters for preventive observation and control measures under Article 22 (2) of the Act (hereinafter referred to as "regional headquarters for preventive observation and control measures") shall appoint the deputy head of the relevant local government or the relevant agency as its deputy head who shall assist the head (hereinafter referred to as "head of a regional headquarters for preventive observation and control measures").

(2) The head of a regional headquarters for preventive observation and control measures shall operate a regional council for control measures against forest diseases and pests, which shall be comprised of the heads of competent authorities for preventive observation and control measures against forest diseases and pests, administer all control measures against forest diseases and pests, and may establish and operate task force teams for specific tasks in order to conduct activities for publicity to residents and preventive observation against forest diseases and pests, prevent the spread of forest diseases and pests, and remove and dispose of trees damaged by forest diseases and pests.

(3) Each regional headquarters for preventive observation and control measures shall perform the following tasks:

1. Formulation of detailed implementation plans, based on the annual regional plan;
2. Establishment of a system for cooperation with competent authorities for preventive observation and control measures against forest diseases and pests;

3. Activities for publicity to local residents on forest diseases and pests and operation of a resident reporting system;
 4. Implementation of control measures on damaged trees and disposal of removed trees;
 5. Joint preventive observation and examinations to find damaged trees;
 6. Formulation of preventive measures against safety-related accidents;
 7. Other matters concerning control measures against forest diseases and pests in each region.
- (4) The period of operation of each regional headquarters for preventive observation and control measures shall begin on June 1 and end on August 31 annually: Provided, That the head of each regional headquarters for preventive observation and control measures may change the period according to the present status of forest diseases and pests.
- (5) Except as provided in this Decree, matters necessary for the formation and operation of each regional headquarters for preventive observation and control measures shall be determined by the head of each regional headquarters for preventive observation and control measures.

Article 15 (Subsidization for Expenses of Control Measures)

- (1) Pursuant to Article 24 (7) of the Act, a Mayor/Do Governor, the head of a Si/Gun/Gu, or the head of a Regional Forest Office may subsidize expenses incurred in conducting preventive observation and control measures against forest diseases and pests, such as the cost of pesticide and labor cost, within budgetary limits. *<Amended on Aug. 22, 2012>*
- (2) The guidelines and methods for subsidizing expenses incurred in taking control measures under paragraph (1) and other necessary matters shall be determined and publicly announced by the Minister of the Korea Forest Service.

Article 16 (Planning and Supervision of Pest Control Projects)

- (1) A pest control project subject to planning and supervision under Article 26 (1) of the Act shall be a project for control measures against forest diseases and pests in an area of at least one million square meters: Provided, That the Minister of the Korea Forest Service or the head of an institution responsible for preventive observation and control measures against forest diseases and pests may plan and supervise a project even in an area of less than one million square meters, if he or she deems necessary, such as in a forefront area infected by a forest disease or pest (referring to an area where damage has recently occurred and the amount of damage is highly likely to increase).
- (2) "Persons specified by Presidential Decree" in Article 26 (2) 3 of the Act means the following: *<Amended on Jun. 26, 2018>*
1. A Class 1 tree hospital registered under Article 21-9 (1) of the Act and attached Table 1-6 of this Decree;
 2. A corporation specializing in control measures against forest tending and forest diseases and pests under Article 25 and attached Table 1 of the Enforcement Decree of the Creation and Management of

Forest Resources Act;

3. A forestry cooperative or the National Forestry Cooperative Federation under the Forestry Cooperatives Act.

Article 17 (Measures Necessary in Special Pest Control Zones)

The measures that can be taken in a special pest control zone for prompt preventive observation and control measures under Article 27 (3) of the Act are as follows:

1. Urgently cutting down trees infected by a forest disease or pest or prohibiting the transportation of cut trees. In such cases, the owner of the relevant forest shall be informed of the measures taken without delay;
2. Establishment and operation of the central headquarters for preventive observation and control measures or a regional headquarters for preventive observation and control measures (limited to cases arising at a certain time other than the period of operation under Article 13 (4) or 14 (4)).

CHAPTER IV PREVENTION OF FOREST FIRE AND RESTORATION OF FOREST

SECTION 1 Formulation of Measures for Prevention of Forest Fires

Article 18 (Formulation of Long-Term Measures for Prevention of Forest Fires)

(1) "Matters specified by Presidential Decree" in Article 28 (1) 8 of the Act means the following:

1. Programs for reducing the danger of forest fires;
2. Participation and fostering of non-governmental organizations for preventing forest fires;
3. International cooperation in preventing forest fires;
4. Publicity activities for preventing forest fires.

(2) Pursuant to Article 28 (3) of the Act, the Minister of the Korea Forest Service, a Mayor/Do Governor, or the head of a Regional Forest Office may request the head of a competent authority for forest fires to furnish him or her with the following information:

1. The current status of human resources, equipment, and facilities secured as necessary for preventing forest fires;
2. Measures to assist in emergency recovery at the time of a forest fire;
3. Other information necessary for evacuating residents at the time of a forest fire.

(3) When the Minister of the Korea Forest Service formulates or amends nationwide long-term measures for preventing forest fires under Article 28 (1) or (5) of the Act, he or she shall notify each Mayor/Do Governor, the head of each Regional Forest Office, the head of each central administrative agency involved in preventing forest fires, and the head of each competent authority for forest fires thereof and shall publicly announce the same on bulletin boards, websites, etc. so as to ensure that citizens are

informed thereof.

(4) When a Mayor/Do Governor or the head of a Regional Forest Office formulates or amends regional long-term measures for preventing forest fires under Article 28 (2) or (5) of the Act, he or she shall notify the Minister of the Korea Forest Service, and the heads of the relevant local government, the relevant Regional Forest Office, the relevant State Forest Office affiliated to the relevant Regional Forest Office, and the competent authorities for forest fires (hereinafter referred to as "regional agencies responsible for control of forest fires") thereof and shall publicly announce the same on bulletin boards, websites, etc. so as to ensure that residents are informed thereof.

(5) In any of the following cases, the Minister of the Korea Forest Service, a Mayor/Do Governor, or the head of a Regional Forest Office may amend nationwide long-term measures for preventing forest fires under Article 28 (1) of the Act or regional long-term measures for preventing forest fires under Article 28 (2) of the Act:

1. Where a change occurs in the organization, human resources, or finance for the prevention of forest fires;
2. Where the policy on the prevention of forest fires is significantly changed;
3. Where it is deemed inevitable on any other ground to amend long-term measures for preventing forest fires.

Article 19 (Formulation and Implementation of Annual Measures for Preventing Forest Fires)

(1) The annual nationwide measures for preventing forest fires under Article 29 (1) of the Act (hereinafter referred to as "annual nationwide measures for preventing forest fires") and the annual regional measures for preventing forest fires under Article 29 (2) of the Act (hereinafter referred to as "annual regional measures for preventing forest fires") shall include the following matters, respectively:

1. Goals and the strategy for the pertinent year for preventing forest fires;
2. A detailed plan for each major sector in preventing forest fires;
3. Matters concerning the operation of the headquarters for preventive measures against forest fires under Article 30 of the Act;
4. Matters that require cooperation with competent authorities for forest fires;
5. Other matters deemed necessary for preventing forest fires.

(2) The Minister of the Korea Forest Service shall formulate the annual nationwide measures for preventing forest fires for each year by January 10 of that year, while the head of each regional agency responsible for control of forest fires shall formulate the annual regional measures for preventing forest fires for each year by January 25 of that year.

(3) Each Mayor/Do Governor and the head of each Regional Forest Office shall submit a report on the results of implementation of the annual regional measures for preventing forest fires for each year to the Minister of the Korea Forest Service by December 31 of that year.

Article 20 (Operation of Headquarters for Preventive Measures against Forest Fires)

(1) The central headquarters for preventive measures against forest fires under Article 30 (1) of the Act (hereinafter referred to as "central headquarters for preventive measures against forest fires") shall appoint the Vice Minister of the Korea Forest Service as the deputy head who shall assist the head of the central headquarters for preventive measures against forest fires, while each regional headquarters for preventive measures against forest fires under Article 30 (2) of the Act (hereinafter referred to as "regional headquarters for preventive measures against forest fires") shall appoint the deputy head of the relevant regional agency responsible for control of forest fires as the deputy head who shall assist the head of the regional headquarters for preventive measures against forest fires.

(2) The head of the central headquarters for preventive measures against forest fires or the head of a regional headquarters for preventive measures against forest fires shall administer and manage affairs of the relevant headquarters for preventive measures against forest fires.

(3) The central headquarters for preventive measures against forest fires shall perform the following tasks:

1. Overall command over nationwide activities for preventing forest fires;
2. Establishment of a system for cooperation with related central administrative agencies;
3. Inspection and coaching on the operating status of regional agencies responsible for control of forest fires;
4. Formulation of plans for fighting forest fires, operation of forest aircraft referred to in Article 50 of the Act, and establishment of telecommunications systems for extinguishing fires by airborne operations;
5. Requesting the heads of related central administrative agencies to provide human resources and resources for assisting in firefighting.

(4) Each regional headquarters for preventive measures against forest fires shall perform the following tasks:

1. Overall control over regional activities for preventing forest fires;
2. Operation of related budgets and human resources;
3. Establishment of a system for cooperation with competent regional authorities for forest fires;
4. Activities for publicity to residents on the prevention of forest fires;
5. Implementation of projects for preventing forest fires;
6. Receiving reports on forest fires, reporting of the situation and results of firefighting, etc.

(5) Except as provided in this Decree, matters necessary for the formation, operation, etc, of the central headquarters for preventive measures against forest fires and each regional headquarters for preventive measures against forest fires shall be determined by the Minister of the Korea Forest Service or the head of each regional agency responsible for control of forest fires.

Article 21 (Formation of Council for Prevention of Forest Fires)

(1) Pursuant to Article 30 (4) of the Act, the head of the central headquarters for preventive measures against forest fires may organize and operate the central council for prevention of forest fires, comprised of competent authorities for forest fires in order to discuss the following matters for preventing forest fires:

1. Activities for preventing forest fires;
2. Provision of human resources and equipment for assisting in fighting a forest fire upon outbreak thereof;
3. Cooperation in securing human resources, organizations, and budgets for preventing forest fires.

(2) The central council for prevention of forest fires shall be comprised of the following:

1. Public officials at the level of Director in central administrative agencies specified in subparagraphs 1 and 2 of Article 2;
2. Field-grade officers of institutions specified in subparagraph 3 of Article 2;
3. Employees at the level of General Manager in institutions specified in subparagraph 4 of Article 2.

(3) The Vice Minister of the Korea Forest Service shall serve as the chairperson of the central council for prevention of forest fires, and the public official in general service, who is a member of the Senior Executive Service and is in charge of the prevention of forest fires in the Korea Forest Service shall serve as the vice chairperson of the council.

(4) The central council for prevention of forest fires shall appoint one secretary who shall take charge of administrative affairs of the council, and the Director of the Division in charge of the prevention of forest fires in the Korea Forest Service shall serve as the secretary.

(5) The chairperson of the central council for prevention of forest fires may convene meetings, whenever he or she deems necessary.

(6) A Mayor/Do Governor or the head of a Si/Gun/Gu may organize and operate a regional council for prevention of forest fires, comprised of competent local authorities for forest fires in order to discuss the following matters for preventing forest fires:

1. Activities for preventing forest fires;
2. Provision of human resources and equipment for assisting in fighting a forest fire upon outbreak thereof;
3. Cooperation in securing human resources, organizations, and budgets for preventing forest fires.

(7) A regional council for prevention of forest fires shall be comprised of the following:

1. The head of the relevant Regional Forest Office or the head of the relevant State Forest Office affiliated to the relevant Regional Forest Office (hereinafter referred to as "head of the relevant State Forest Office");
2. Public officials at the level of Director in competent local authorities for forest fires.

(8) The depute head of the Special Metropolitan City, a Metropolitan City, Special Self-Governing City, Do, or Special Self-Governing Province (hereinafter referred to as "City/Do"), or a Si/Gun/Gu (referring

to an autonomous Gu; hereinafter the same shall apply) shall serve as the chairperson of each regional council for prevention of forest fires, and the high-ranking public official or the Director of the Division, who is in charge of the prevention of forest fires in the relevant City/Do or Si/Gun/Gu, shall serve as the vice chairperson of the council. <Amended on Dec. 31, 2015>

(9) Each regional council for prevention of forest fires shall appoint one secretary who shall take charge of administrative affairs of the council, and the Director of the Division in charge of the prevention of forest fires in each City/Do or Si/Gun/Gu shall serve as the secretary.

(10) The chairperson of each regional council for prevention of forest fires may convene meetings, whenever he or she deems necessary.

Article 22 (Designation of Forest Fire Alert Period)

Pursuant to Article 31 (2) of the Act, the Minister of the Korea Forest Service or the head of each local government shall annually designate the period from February 1 to May 15 as the forest fire alert period in spring, and the period from November 1 to December 15 as the forest fire alert period in winter: Provided, That such periods may be adjusted according to weather conditions and local conditions.

Article 23 (Issuance of Forest Fire Warning)

(1) The Minister of the Korea Forest Service shall observe the guidelines prescribed for issuing forest fire warnings in attached Table 1-8 to issue a national crisis warning of the disaster by a forest fire (hereinafter referred to as "forest fire warning") under Article 32 (1) of the Act. <Amended on Jun. 26, 2018; Jul. 2, 2019>

(2) "Guidelines prescribed by Presidential Decree for countermeasures against each forest fire warning" in Article 32 (2) of the Act shall be as prescribed in attached Table 2.

SECTION 2 Preventing and Fighting Forest Fires

Article 24 (Restriction on Activities for Prevention of Forest Fires)

(1) "Where a measure specified by Presidential Decree, such as removing combustible substances, has been taken" in Article 34 (2) 1 of the Act means to perform the following activities using fire: Provided, That activities within a park area referred to in the Natural Parks Act shall be governed by the Natural Parks Act: <Amended on Nov. 15, 2022>

1. Deleted; <Nov. 15, 2022>
2. Deleted; <Nov. 15, 2022>
3. Prevention and control of forest diseases and pests;
4. Academic research and survey;
5. Other activities necessary to prevent the spread of forest fires.

(2) "An area specified by Presidential Decree, such as a camp site in which camping is permitted" in Article 34 (2) 2 of the Act means a youth camp specified in subparagraph 1 (e) of Article 10 of the Youth

Activity Promotion Act or a camp site, forest cottage, forest recreation center, or communal kitchen specified in Article 7 (1) of the Enforcement Decree of the Forestry Culture and Recreation Act. <Amended on Dec. 31, 2015>

Article 24-2 (Mandatory Provisions of Articles of Incorporation)

Pursuant to Article 35-5 (1) of the Act, the articles of incorporation of the Korea Forest Fire Prevention Technology Association shall include provisions concerning the following matters:

1. Objectives;
2. Name;
3. Principal place of business;
4. Business activities;
5. Qualifications for membership;
6. Membership fee;
7. Property and accounting;
8. Number and term of executives, the methods of appointing executives, and employees;
9. Organs and organization;
10. General meeting and the board of directors;
11. Amendment of the articles of incorporation.

Article 25 (Consolidated Command of Fighting Forest Fires)

(1) Forest fires shall be classified into large forest fires and small- or medium-scale forest fires under Article 37 (1) and (2) of the Act as follows:

1. Large forest fires: Forest fires spread to an area to destroy a forest of at least one million square meters in the area or forest fires that persist for at least 24 hours;
2. Small- or medium-scale forest fires: Forest fires not classified into the category of subparagraph 1.

(2) If a small- or medium-scale forest fire grows into a large forest fire, a Special Self-Governing City Mayor, a Special Self-Governing Province Governor, the head of a Si/Gun/Gun, or the head of a State Forest Office, who has consolidated command over fighting the small- or medium-scale forest fire under Article 37 (1) of the Act shall notify the competent Mayor/Do Governor of the situation and transfer consolidated command immediately to the Mayor/Do Governor, along with all matters relevant to consolidated command over fighting the forest fire. <Amended on Dec. 3, 2014>

(3) If further large forest fires break out at one or more places while a Mayor/Do Governor is in consolidated command over fighting a large forest fire already broken out, the Mayor/Do Governor may delegate his or her consolidated command over fighting the large forest fires broken out later to the head of the relevant Si/Gun/Gu pursuant to the proviso to Article 37 (2) of the Act.

(4) In any of the following cases, the Minister of the Korea Forest Service or a Mayor/Do Governor may delegate his or her consolidated command over fighting forest fires to the competent Mayor/Do Governor

or the head of the relevant Si/Gun/Gu pursuant to the latter part of Article 37 (3) of the Act, taking into consideration geographical conditions, the extent of damage, etc:

1. Where a forest fire is a small- or medium-scale one;
2. Where forest fires break out simultaneously at many places throughout the country or over a City/Do.

Article 26 (Request for Cooperation)

(1) "Forestry-related agencies or organizations specified by Presidential Decree" in Article 39 (1) 7 of the Act means the following: <Amended on Jun. 26, 2018>

1. Deleted; <Jun. 26, 2018>
2. Forestry cooperatives and the National Forestry Cooperative Federation under the Forestry Cooperatives Act;
3. Operators of private aircraft;
4. Other corporations established for the purpose of the conservation of forests or the conservation of natural environment.

(2) When the consolidated commander requests providing private aircraft for assistance under paragraph (1), he or she shall compensate for losses incurred by operating such aircraft.

Article 27 (Request for Censure in Connection with Prevention of Forest Fires)

(1) If the Minister of the Korea Forest Service, the head of a local agency responsible for control of forest fires, or the consolidated commander intends to give notice of the list of public officials or employees of the local agency responsible for control of forest fires or the competent agency for forest fires, who fails to follow an instruction or command or who has neglected a task assigned, pursuant to Article 40 (1) or (2) of the Act, he or she shall give the notice in writing, along with the following documents:

1. A statement of the tasks assigned to the relevant agency, organization, or individual;
2. Relevant documents evidencing the allegation that the agency, organization, or individual fails to follow an instruction or command or has neglected a task assigned or a written opinion of the Minister of the Korea Forest Service, the head of the local agency responsible for control of forest fires, or the consolidated commander.

(2) When the head of an agency or organization intends to censure a public official or employee of the agency or organization, upon receipt of notice under Article 40 (1) or (2) of the Act, the State Public Officials Act or the Local Public Officials Act shall apply to such public official, and the regulations of the relevant agency or organization shall apply to such employee.

(3) The official order of investigation indicating the authority for investigation shall serve as the identification card of a public official in charge of investigation under Article 40 (4) of the Act.

Article 28 (Formation and Operation of Forest Firefighting Forces)

(1) The forest firefighting forces under Article 41 (1) of the Act (hereinafter referred to as "forest firefighting forces") may be established in the Forest Air Service Headquarters, Forest Air Service Offices, Regional Forest Offices, and State Forest Offices affiliated to each Regional Forest Offices, respectively.

<Amended on Oct. 18, 2010>

(2) Each forest firefighting force shall be comprised of approximately ten members, including one leader, and the leader and members of each forest firefighting force shall be appointed by the Minister of the Korea Forest Service from among the public officials referred to in Article 41 (1) of the Act.

(3) Each forest firefighting force shall be comprised of one aerial firefighting squad and two or three ground firefighting teams.

(4) When the leader of a forest firefighting force fights a forest fire at the scene thereof, he or she shall comply with the command of the consolidated commander.

(5) Except as provided in paragraphs (1) through (5), matters necessary for the formation and operation of forest firefighting forces shall be determined by the Minister of the Korea Forest Service.

Article 29 (Composition and Operation of Specialized Forest Fire-Fighting and Prevention Squad)

(1) Each specialized forest firefighting and prevention squad under Article 41 (2) of the Act (hereinafter referring to as "specialized forest firefighting and prevention squad") shall be composed of approximately 10 members.

(2) Deleted. *<May 10, 2013>*

(3) The tasks of each specialized forest firefighting and prevention squad are as follows:

1. Preventive programs, such as awareness-building for the prevention of forest fires and the pro-active elimination of causes of forest fires;
2. Fighting forest fires and watching embers;
3. Activities related to the prevention of forest fires, including maintenance and management of equipment.

(4) Except as provided in paragraphs (1) through (3), matters necessary for the formation and operation of the specialized forest firefighting and prevention squad shall be prescribed by the Minister of the Korea Forest Service. *<Amended on May 10, 2013>*

Article 29-2 (Composition and Operation of Special Fire-Fighting Squad for Forest Fire Disasters)

(1) A special firefighting unit for forest fire disasters under Article 41 (2) of the Act (hereinafter referred to as "special firefighting squad for forest fire disasters") shall be comprised of approximately 12 members.

(2) Tasks of a special firefighting squad for forest fire disasters shall be as follows:

1. Fighting forest fires that are likely to spread into large forest fires;
2. Fighting forest fires in areas with limited access;

3. Support for fighting forest fires in areas outside their jurisdiction;
 4. Maintenance and management of the firefighting equipment for forest fires;
 5. Education and training for fighting and coping with forest fires and activities for preventing forest fires.
- (3) Except as provided in paragraphs (1) and (2), matters necessary for the composition and operation of a special firefighting squad for forest fire disasters shall be determined by the Minister of the Korea Forest Service.

SECTION 3 Recovery of Areas Destroyed by Forest Fire

Article 30 (Composition and Operation of Special Investigation Team for Forest Fires)

(1) Each special investigation team for forest fire under Article 42 (2) of the Act (hereinafter referred to as "special investigation team for forest fire") shall be composed of approximately five members, including one leader of the special team; and members of a special team for investigation of a forest fire shall be appointed or commissioned by the Minister of the Korea Forest Service or the head of each regional agency responsible for control of forest fires, from among the following persons: <Amended on Dec. 30, 2011; Sep. 5, 2017; Jul. 2, 2019>

1. A person who has worked in the field of investigation, research, or education on forest fires for at least two years;
2. A public official who has worked in the field of law enforcement for at least three years, among public officials engaging in the protection of forests;
3. A public official who has completed at least a one-week special training course on forest fires in the Forest Training Institute, among public officials engaging in the protection of forests for at least three years;
4. A person who has completed a specified professional training course provided by a domestic or foreign institution specializing in investigation and examination of forest fires.

(2) Tasks of a special investigation team for forest fire shall be as follows:

1. Investigation of the cause of a forest fire, the spot of ignition, the course of spread, etc.;
2. Investigation of casualties and property damage caused by a forest fire;
3. Examination of evidence for arresting the culprit of a forest fire;
4. Management and operation of equipment for investigation of forest fires;
5. Other tasks related to investigation of forest fires.

(3) A special investigation team for forest fire shall promptly report the results of investigation under paragraph (2) 1 or 2 to the Minister of the Korea Forest Service or the head of the relevant regional agency responsible for control of forest fires.

(4) If a forest fire into which a special investigation team for forest fire has conducted an investigation under paragraph (2) 3 is a large forest fire defined under Article 25 (1) 1 (hereinafter referred to as "large

forest fire") or a forest fire caused by arson, the head of the relevant regional agency responsible for control of forest fires may request the relevant police agency to cooperate in arresting the culprit.

(5) The Minister of the Korea Forest Service or the head of a regional agency responsible for control of forest fires may reimburse persons appointed or commissioned as members of a special investigation team for forest fire for allowances, travel expenses, and other expenses necessary for activities of investigation of forest fires, within budgetary limits: Provided, That the foregoing shall not apply where the members of a special team for investigation of a forest fire are public officials.

(6) If the Minister of the Korea Forest Service or the head of a regional agency responsible for control of forest fires deems necessary to improve practical skills of members of a special investigation team for forest fire, he or she may instruct them to complete a training course in a specialized training institution.

Article 31 (Guidelines for Payment of Compensation to Casualties)

(1) Pursuant to Article 44 of the Act, the Minister of the Korea Forest Service or the head of a regional agency responsible for control of forest fires may compensate the persons killed or wounded while performing a duty to prevent or fight a forest fire or rescue human life or attending a training course for forest firefighting for medical care, disabilities, funeral service, or bereaved family's benefits. <Amended on Jul. 2, 2019>

(2) A person who wishes to receive compensation under paragraph (1) shall file a claim for compensation within six months from the date he or she sustains an injury by a disaster, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, and the guidelines for compensation to casualties of a forest fire shall be as prescribed in attached Table 3. <Amended on Mar. 23, 2013>

(3) Upon receipt of a claim for compensation under paragraph (2), the Minister of the Korea Forest Service or the head of a regional agency responsible for control of forest fires shall examine whether the claimant is eligible for compensation according to the guidelines for compensation to casualties of a forest fire and pay the compensation: Provided, That the compensation may be paid the amount remaining after deducting an amount equivalent to the compensation already paid under any other statutes or regulations, if the claimant has received such compensation.

Article 32 (Evaluation and Analysis of Response to Forest Fires)

(1) Pursuant to Article 45 of the Act, the Minister of the Korea Forest Service shall evaluate and analyze problems in the response to the outbreak of a large forest fire, measures for improvement, etc., mainly focusing on the following matters:

1. Problems in the course of preventing and responding to the forest fire;
2. Efficiency in the course of preventing and responding to the forest fire;
3. The degree of efforts made to secure manpower and equipment, etc.;
4. Systemicity in the operation of the consolidated command headquarters at the scene of the forest fire under Article 38 of the Act;

5. Measures for improving preparations and practice for preventing and responding to forest fires;
 6. Maintenance of records of measures taken or the progress of firefighting in different situations, etc.
- (2) If the outbreak of a large forest fire results in casualties and refugees, the Minister of the Korea Forest Service may hold a briefing session for evaluation with the heads of central administrative agencies, etc.
- (3) If the Minister of the Korea Forest Service deems necessary for the evaluation and analysis under paragraph (1), he or she may request the heads of related administrative agencies and the head of the relevant regional agency responsible for control of forest fires to submit data, and the heads of related administrative agencies and the head of the relevant regional agency responsible for control of forest fires so requested shall comply with such request, except in extenuating circumstances.
- (4) The Minister of the Korea Forest Service may operate an evaluation team comprised of forest fire experts so as to efficiently conduct the evaluation under paragraph (1).
- (5) Matters necessary for the formation and operation of the evaluation team comprised of forest fire experts under paragraph (4) shall be determined by the Minister of the Korea Forest Service.

CHAPTER V PREVENTION OF, RESPONSE TO, AND RECOVERY FROM LANDSLIDES

SECTION 1 Formulation of Measures for Preventing Landslides

Article 32-2 (Formulation of Long-term Plans for Preventing Landslides)

- (1) "Matters prescribed by Presidential Decree" in Article 45-2 (1) 9 of the Act means the following:
1. Participation of non-governmental organizations in preventing landslides and fostering of such organizations;
 2. International cooperation in preventing landslides;
 3. Publicity activities for preventing landslides
- (2) In any of the following cases, the Minister of the Korea Forest Service, a Mayor/Do Governor, or the head of a Regional Forest Office may amend a long-term national plan for preventing landslides under Article 45-2 (1) of the Act or a long-term regional plan for preventing landslides under Article 45-2 (3) of the Act:
1. Where the policy on landslide prevention is significantly changed;
 2. Where it is deemed inevitable on any other ground to amend the long-term plan for preventing landslides.

Article 32-3 (Formulation and Implementation of Annual Measures for Preventing Landslides)

- (1) Annual national measures for preventing landslides under Article 45-3 (1) of the Act (hereafter in this Article, referred to as "annual national measures for preventing landslides") and annual local measures for preventing landslides under Article 45-3 (3) of the Act (hereafter in this Article, referred to as "annual

local measures for preventing landslides") shall include the following matters: <Amended on Dec. 31, 2015>

1. Goals and the strategy for landslide prevention for the pertinent year;
2. A detailed implementation plan for each major sector of landslide prevention;
3. Matters that require cooperation with landslide-related institutions;
4. Other matters deemed necessary for preventing landslides.

(2) When the head of a local government, a Regional Forest Office, or a State Forest Office (hereinafter referred to as "local landslide prevention institution") formulates annual local measures for preventing landslides, he or she shall notify the heads of related local landslide prevention institutions or the heads of landslide-related institutions thereof. The foregoing shall also apply where any annual local measure for preventing landslides is amended.

(3) The Minister of the Korea Forest Service shall formulate annual national measures for preventing landslides for each year by March 31 of that year, while the head of a local landslide prevention institution shall formulate annual local measures for preventing landslides for each year by April 30 of that year.

(4) Each Mayor/Do Governor and the head of each Regional Forest Office shall submit a report on the results of implementation of annual local measures for preventing landslides for each year to the Minister of the Korea Forest Service by December 31 of that year.

Article 32-4 (Composition and Operation of Landslide Prevention Support Center)

(1) The deputy head shall be appointed to assist the head of the landslide prevention support center under Article 45-4 (1) of the Act (hereafter in this Article, referred to as "landslide prevention support center"); and the Deputy Minister of the Korea Forest Service shall serve as the deputy head. <Amended on Dec. 31, 2015>

(2) Except as provided in paragraph (1), matters necessary for the composition and operation of the landslide prevention support center shall be determined by the head of the landslide prevention support center.

Article 32-5 (Establishment and Operation of Landslide Information System)

(1) When the Minister of the Korea Forest Service establishes a landslide information system under Article 45-5 (1) of the Act, he or she shall establish a system for enabling access to the database so that the Korea Forest Service and local landslide prevention institutions can jointly respond to landslides.

(2) If the Minister of the Korea Forest Service deems necessary for the establishment and operation of a landslide information system, he or she may request the heads of landslide-related institutions to submit data. The heads of landslide-related institutions so requested shall comply with such request, except in extenuating circumstances.

(3) Except as provided in paragraphs (1) and (2), detailed matters necessary for the establishment and operation of a landslide information system shall be determined by the Minister of the Korea Forest Service.

Article 32-6 (Provision of Landslide Prediction Information and Issuance of Landslide Crisis Alerts)

(1) If a landslide is anticipated, the Minister of the Korea Forest Service may provide the head of the local landslide prevention institution with the information about the predicted landslide, pursuant to Article 45-6 (1) of the Act, by the system for enabling access to the database referred to in Article 32-5 (1) of the Act or by text message, voice message, or any similar means through the information communications network defined in subparagraph 1 of Article 2 of the Act on Promotion of Information and Communications Network Utilization and Information Protection.

(2) If any change occurs with regard to the telephone number of the person in charge of related affairs or any other information, the head of the relevant local landslide prevention institution shall notify the Minister of the Korea Forest Service of the change immediately so that the information about predicted landslides under paragraph (1) can be transmitted promptly and accurately.

(3) The Minister of the Korea Forest Service may formulate and implement detailed guidelines for the provision of information about predicted landslides.

(4) The standards for issuing landslide crisis alerts and for taking measures under Article 45-6 (4) of the Act shall be as prescribed in attached Table 3-2. *<Newly Inserted on Jun. 26, 2018>*

SECTION 2 PREVENTION OF, AND RESPONSE TO, LANDSLIDES

Article 32-7 (Formation of Committees for Designation of Areas Vulnerable to Landslides)

(1) A committee for the designation of areas vulnerable to landslides under the jurisdiction of the director general of a regional office of forest service under Article 45-9 (1) of the Act, and a committee for the designation of areas vulnerable to landslides under the jurisdiction of the head of a local government under Article 45-9 (2) of the Act (hereinafter referred to as “each committee”), shall be comprised of not more than 10 members, including one chairperson and one vice chairperson, respectively.

(2) The members of the committee for the designation of areas vulnerable to landslides under the jurisdiction of the director general of a regional office of forest service, shall be the following:

1. Public officials appointed by the director general of the regional office of forest service from among public officials of the regional office of forest service;
2. Persons commissioned by the director general of the regional office of forest service from among the following:
 - (a) Persons with considerable knowledge and experience in the field of landslides, soil erosion control, or disasters;
 - (b) Executive officers or employees of institutions and organizations specializing in the field of landslides, soil erosion control, or disasters;
 - (c) Residents in the area within his or her jurisdiction.

(3) The members of the committee for the designation of areas vulnerable to landslides under the jurisdiction of the head of a local government, shall be the following:

1. Public officials appointed by the head of the local government from among public officials of the local government;
2. Persons commissioned by the head of the local government from among those falling under any item of paragraph (2) 2.

(4) The chairperson of each committee shall be elected among and by the members specified in paragraph (2) or (3), and the vice chairperson shall be appointed by the chairperson.

(5) The term of office of the members commissioned under paragraph (2) 2 or (3) 2 shall be two years.

(6) Each committee shall have one secretary, and the secretary shall be appointed by the head of each local government or the director general of each regional office of forest service from among public officials of the local government or of the regional office of forest service.

(7) Articles 7-5 through 7-7 shall apply mutatis mutandis to the operation of each committee, disqualification, abstention, removal, and dismissal of, and allowances for, members. In this case, "deliberative committee" shall be construed as "each committee", and "Mayor/Do Governor" as "head of a local government". <Newly Inserted on Jul. 2, 2019>

Article 32-8 Deleted. <Jul. 2, 2019>

Article 32-9 Deleted. <Jul. 2, 2019>

Article 32-10 Deleted. <Jul. 2, 2019>

Article 32-11 (Order to Take Safety Measures)

When the head of a local landslide prevention institution issues an order to take safety measures under Article 45-11 (2) of the Act, he or she shall issue written orders to take safety measures, stating the following matters therein, to landowners and interested parties:

1. Results of on-site inspections;
2. Reasons why the order to take safety measures is issued;
3. Matters that require safety measures;
4. Methods of safety measures;
5. Deadline for taking safety measures.

Article 32-12 (Purchase and Exchange of Mountainous Districts in Areas Vulnerable to Landslides)

"A mountainous district in the vicinity of an area vulnerable to landslides prescribed by Presidential Decree" in Article 45-12 (1) of the Act means the following mountainous districts:

1. A mountainous district adjacent to an area vulnerable to landslides;
2. A mountainous district surrounded by an area vulnerable to landslides.

Article 32-13 (Formation and Operation of Prevention Teams at Scene of Landslides)

(1) A prevention team at the scene of landslides under Article 45-15 (2) of the Act (hereafter in this Article, referred to as "prevention team at the scene of landslides") shall be comprised of approximately ten persons.

(2) The members of a prevention team at the scene of landslides shall be selected by the head of the relevant local landslide prevention institution from among residents over the age of 20 in the area within his or her jurisdiction. *<Amended on Mar. 23, 2013; Dec. 3, 2014>*

(3) The members selected under paragraph (2) for a prevention team at the scene of landslides shall complete a training course for preventing landslides prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Newly Inserted on Dec. 3, 2014>*

(4) The tasks of a prevention team at the scene of landslides are as follows: *<Amended on Dec. 3, 2014>*

1. Activities for preventing and responding to landslides in the area within its jurisdiction;
2. Survey of the areas vulnerable to landslides in the area within its jurisdiction and collection of basic information for formulating measures to prevent landslides;
3. Activities for training and informing residents in the area within its jurisdiction to prevent and respond to landslides properly.

(5) Except as provided in paragraphs (1) through (4), matters necessary for the formation and operation of prevention teams at the scene of landslides shall be determined by the Minister of the Korea Forest Service. *<Amended on Dec. 3, 2014>*

SECTION 3 Recovery of Areas where Landslides Occurred

Article 32-14 (Evaluation and Analysis of Response to Landslides)

(1) Pursuant to Article 45-17 (1) of the Act, the Minister of the Korea Forest Service shall evaluate and analyze problems in responding to a landslide at the area where the landslide occurred, measures for improvement, etc., mainly focusing on the following matters:

1. Problems in the course of preventing and responding to the landslide;
2. Efficiency in the course of preventing and responding to the landslide;
3. Appropriateness of measures formulated and implemented to prevent the landslide;
4. Measures for improvement in relation to preparations and practice in preventing and responding to the landslide.

(2) If the Minister of the Korea Forest Service deems necessary for evaluation and analysis under paragraph (1), he or she may request the head of a local landslide prevention institution or the head of a landslide-related institution to furnish him or her with data. The head of a local landslide prevention

institution or the head of a landslide-related institution, so requested, shall comply with such request, except in extenuating circumstances.

(3) The Minister of the Korea Forest Service may operate an evaluation team comprised of experts in landslides so as to efficiently conduct evaluation under paragraph (1).

(4) Matters concerning the formation and operation of the evaluation team under paragraph (3) shall be determined by the Minister of the Korea Forest Service.

CHAPTER VI SUPPLEMENTARY PROVISIONS

Article 33 (Payment of Rewards)

(1) An amount equivalent to 10/100 of the aggregate of fines collected for the relevant case and the value of unlawful forestry products confiscated or seized shall be paid as the reward payable under subparagraph 1 of Article 48 of the Act, but such reward shall not exceed two million won.

(2) The reward payable under subparagraph 2 or 4 of Article 48 of the Act shall not exceed two million won. *<Amended on Aug. 22, 2012>*

(3) The reward payable under subparagraph 3 of Article 48 of the Act shall not exceed three million won.

Article 34 (Delegation and Entrustment of Authority)

(1) Pursuant to Article 52 (1) of the Act, the Minister of the Korea Forest Service shall delegate his or her authority specified in subparagraphs 1 and 2 to each Mayor/Do Governor with respect to State-owned forests not within jurisdiction of the Korea Forest Service, public forests, and private forests and to the director general of each regional office of forest service with respect to State-owned forests within the jurisdiction of the Korea Forest Service, and his or her authority specified in subparagraph 4 to the President of the National Institute of Forest Science: *<Amended on Aug. 22, 2012; Dec. 3, 2014; Dec. 31, 2015>*

1. Authority to designate conservation zone for development of water resources under Article 7 (1) of the Act;

2. Authority to manage forest conservation zones under Article 10 of the Act;

3. Deleted; *<Aug. 22, 2012>*

4. Authority to examine and assess the levels of health and vitality of forests under Article 19 (1) and (3) of the Act;

5. Deleted; *<Dec. 31, 2015>*

6. Deleted. *<Dec. 31, 2015>*

(2) Pursuant to Article 52 (1) of the Act, the Minister of the Korea Forest Service shall delegate the following authority to the director general of each regional office of forest service: *<Newly Inserted on Dec. 3, 2014>*

1. Authority to publicly announce an area prearranged for the designation of a forest conservation zone under Article 8 of the Act, receive written objections, designate and give public notice of a forest conservation zone;
2. Authority to permit activities in a forest conservation zone under Article 9 (2) of the Act or receive a report on such activities;
3. Authority to completely or partially cancel the designation of a forest conservation zone under Article 11 of the Act.

(3) Pursuant to Article 52 (2) of the Act, each Mayor/Do Governor (excluding a Special Self-Governing City Mayor and a Special Self-Governing Province Governor) shall delegate his or her authority specified in Article 10 (1) and (2) of the Act to the head of each Si/Gun/Gu. <Amended on Dec. 3, 2014; Dec. 31, 2015>

(4) Pursuant to Article 52 (3) of the Act, the director general of each regional office of forest service shall delegate the following authority to the head of each State Forest Office: <Amended on Dec. 3, 2014>

1. Permitting a person to enter a restricted zone in a mountain under Article 15 (3) of the Act;
2. Taking measures necessary for preventing and fighting forest fires under Article 33 (2) of the Act;
3. Permitting a person to light a fire in a forest or in an area adjacent to a forest or bring a fire into such forest or area under Article 34 (2) 1 of the Act;
4. Taking measures to prohibit persons entering a forest to carry a burner or combustible or inflammable substance under Article 34 (4) of the Act.

(5) Affairs that the Minister of the Korea Forest Service may entrust to an institution or organization under Article 52 (4) of the Act shall be as follows: <Newly Inserted on Jun. 26, 2018>

1. Administering and managing the qualifying examinations for tree doctors under Article 21-4 (1) of the Act;
2. Issuing and re-issuing the certificates of qualification for tree doctors, etc. under Article 21-6 (1) through (3) of the Act.

(6) The Minister of the Korea Forest Service shall select an appropriate person from among those who satisfy the following requirements, entrust the appropriate person with the affairs prescribed in the subparagraphs of paragraph (5) and publicly announce the name and address of the entrusted agency on its website, etc.: <Newly Inserted on Jun. 26, 2018>

1. To be a non-profit corporation;
2. To have the organization, personnel, and equipment to perform the affairs prescribed in the subparagraphs of paragraph (5);
3. To have question designers with expertise in the treatment of trees (limited to where the Minister of the Korea Forest Service entrusts the affairs of administering and managing the qualifying examinations for tree doctors under paragraph (5) 1);
4. To satisfy other requirements determined and publicly notified by the Minister of the Korea Forest Service to perform the affairs prescribed in the subparagraphs of paragraph (5).

Article 34-2 (Processing of Personally Identifiable Information)

The Minister of the Korea Forest Service (including those entrusted with the Minister's authority under Article 34 (6)) may process data containing a resident registration number referred to in subparagraph 1 of Article 19 of the Enforcement Decree of the Personal Information Protection Act if inevitable to perform the following affairs:

1. Administering and managing the qualifying examinations for tree doctors under Article 21-4 (1) of the Act;
2. Issuing the certificates of qualification for tree doctors, etc. under Article 21-6 (1) and (2) of the Act.

[Previous Article 34-2 moved to Article 34-3 <Jun. 26, 2018>]

Article 34-3 (Re-Examination of Regulation)

The Minister of the Korea Forest Service shall examine the appropriateness of the following matters every three years, counting from each base date specified in the following (referring to the period that ends on the day before the base date of every third year) and shall take measures, such as making improvements:

<Amended on Mar. 8, 2022>

1. Scope of activities permitted within forest conservation zones under Article 3 (2): January 1, 2016;
2. Scope of persons eligible to plan and supervise pest control projects under Article 16 (2): January 1, 2016;
3. Deleted; <Mar. 8, 2022>
4. Deleted; <Mar. 8, 2022>
5. Deleted. <Dec. 24, 2018>

[Moved from Article 34-2 <Jun. 26, 2018>]

CHAPTER VII PENALTY PROVISIONS

Article 35 (Payment of Value of Unlawful Forestry Products)

@Articles 132 and 135 and the proviso to Article 219 of the Criminal Procedure Act shall apply mutatis mutandis to the payment of the value of forestry products disposed of under the proviso to Article 55 (1) of the Act.

Article 36 (Criteria for Imposition of Administrative Fines)

The criteria for imposition of administrative fines under Article 57 (1) through (5) of the Act shall be as prescribed in attached Table 4.

ADDENDA <Presidential Decree No. 22073, Mar. 9, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on March 10, 2010.

Article 2 Omitted.

Article 3 (Relationship to other Acts and Subordinate Statutes)

A citation of the former Enforcement Decree of the Creation and Management of Forest Resources Act or any provision thereof by any other Act or subordinate statute in force as at the time this Decree enters into force shall be deemed a citation of this Decree or the relevant provision hereof in lieu of the former Enforcement Decree of the Creation and Management of Forest Resources Act or the provision thereof, if such relevant provision exists in this Decree.

ADDENDA <Presidential Decree No. 22454, Oct. 18, 2010>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Presidential Decree No. 22560, Dec. 29, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on February 5, 2011.

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 22625, Jan. 17, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 24, 2011.

Article 2 Omitted.

ADDENDUM <Presidential Decree No. 23409, Dec. 28, 2011>

This Decree shall enter into force on January 15, 2012.

ADDENDA <Presidential Decree No. 23444, Dec. 30, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 26, 2012.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 23713, Apr. 10, 2012>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDUM <Presidential Decree No. 24058, Aug. 22, 2012>

This Decree shall enter into force on August 23, 2012.

ADDENDA <Presidential Decree No. 24452, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDUM <Presidential Decree No. 24533, May 10, 2013>

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

ADDENDA <Presidential Decree No. 25456, Jul. 14, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 15, 2014.

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 25751, Nov. 19, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of any Presidential Decree promulgated before this Decree enters into force, but the date on which they are to enter into force, has not yet arrived, among the Presidential Decrees amended under Article 5 of the Addenda, shall enter into force on the date such Presidential Decree enters into force.

Articles 2 through 5 Omitted.

ADDENDUM <Presidential Decree No. 25802, Dec. 3, 2014>

This Decree shall enter into force on December 4, 2014.

ADDENDA <Presidential Decree No. 25840, Dec. 9, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2015.

Articles 2 through 16 Omitted.

ADDENDA <Presidential Decree No. 26416, Jul. 20, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 21, 2015.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 26438, Jul. 24, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 29, 2015.

Articles 2 through 5 Omitted.

ADDENDUM <Presidential Decree No. 26629, Nov. 11, 2015>

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

ADDENDA <Presidential Decree No. 26841, Dec. 31, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 6-2 and 6-3 shall enter into force on January 21, 2016.

Article 2 (Transitional Measures concerning Processing Period for Claims for Compensation for Losses)

Notwithstanding the amended provisions of Article 5 (2), the former provisions shall apply to claims for compensation for losses referred to in Article 10 (3) of the Act, which have been received before this Decree enters into force.

Article 3 (Transitional Measures concerning Administrative Fines)

A disposition for imposing an administrative fine under attached Table 4 for an offense committed before this Decree enters into force, shall not be included in the calculation of the number of offenses under the amended provisions of attached Table 4.

ADDENDA <Presidential Decree No. 27309, Jul. 6, 2016>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Creation of Forest Visitor Centers for Little Children)

Where the procedures for cancelling the designation of a forest conservation zone are underway to create a forest visitor center for little children under Article 11 of the Act, as at the time this Decree enters into force, the former provisions shall apply, notwithstanding the amended provisions of Articles 3 (2) 14 and 6 (2) 13.

ADDENDA <Presidential Decree No. 27465, Aug. 29, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on August 30, 2016.

Article 2 Omitted.

ADDENDA <Presidential Decree No. 27572, Nov. 1, 2016>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 27751, Dec. 30, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2017. (Proviso Omitted.)

Articles 2 through 12 Omitted.

ADDENDA <Presidential Decree No. 27972, Mar. 29, 2017>

Article 1 (Enforcement Date)

This Decree shall enter into force on March 30, 2017.

Articles 2 through 10 Omitted.

ADDENDA <Presidential Decree No. 28211, Jul. 26, 2017>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That any Presidential Decree amended by Article 8 of this Addenda, which was promulgated before this Decree enters into force but the enforcement date of which has yet to arrive, shall enter into force on the date of each relevant Presidential Decree.

Articles 2 through 8 Omitted.

ADDENDUM <Presidential Decree No. 28273, Sep. 5, 2017>

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

ADDENDUM <Presidential Decree No. 28582, Jan. 16, 2018>

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

ADDENDA <Presidential Decree No. 28583, Jan. 16, 2018>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 18, 2018.

Article 2 Omitted.

ADDENDA <Presidential Decree No. 28998, Jun. 26, 2018>

Article 1 (Enforcement Date)

This Decree shall enter into force on June 28, 2018.

Article 2 (Period of Validity)

Class 2 tree hospitals prescribed in attached Table 1-6 shall remain effective until June 27, 2023.

Article 3 (Transitional Measures concerning Registration of Class 2 Tree Hospitals)

Class 2 tree hospitals registered under Article 21-9 (1) of the Act and attached Table 1-6 of this Decree shall satisfy the registration requirements for Class 1 tree hospitals and be registered as Class 1 tree hospitals not later than June 27, 2023.

ADDENDA <Presidential Decree No. 29269, Oct. 30, 2018>

Article 1 (Enforcement Date)

This Decree shall enter into force on November 1, 2018.

Articles 2 through 11 Omitted.

ADDENDA <Presidential Decree No. 29360, Dec. 11, 2018>

Article 1 (Enforcement Date)

This Decree shall enter into force on December 13, 2018. (Proviso Omitted.)

Article 2 Omitted.

ADDENDUM <Presidential Decree No. 29421, Dec. 24, 2018>

This Decree shall enter into force on January 1, 2019.

ADDENDA <Presidential Decree No. 29489, Jan. 15, 2019>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 17, 2019.

Article 2 Omitted.

ADDENDA <Presidential Decree No. 29943, Jul. 2, 2019>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 9, 2019: Provided, That the amended provisions of Article 7-8 shall enter into force on July 16, 2019.

Article 2 (Applicability to Support for Damage Caused by Veteran Trees)

The amended provisions of Article 7-8 shall begin to apply from the loss of life or damage to property caused by the mismanagement of a veteran tree, which occurs on or after the date of enforcement specified in the proviso of Article 1 of the Addenda.

ADDENDUM <Presidential Decree No. 29950, Jul. 2, 2019>

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

ADDENDUM <Presidential Decree No. 30739, Jun. 2, 2020>

This Decree shall enter into force on June 4, 2020: Provided, That the amended provisions of Article 3 (2) and 6 (2) and attached Tables 1-5 and 1-7 shall enter into force on the date of its promulgation.

ADDENDUM <Presidential Decree No. 30948, Aug. 19, 2020>

This Decree shall enter into force on August 19, 2020.

ADDENDA <Presidential Decree No. 31328, Dec. 29, 2020>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2022.

Articles 2 through 9 Omitted.

ADDENDA <Presidential Decree No. 31424, Feb. 2, 2021>

Article 1 (Enforcement Date)

This Decree shall enter into force on February 5, 2021.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 31739, Jun. 8, 2021>

Article 1 (Enforcement Date)

This Decree shall enter into force on June 10, 2021.

Article 2 Omitted.

ADDENDA <Presidential Decree No. 32447, Feb. 17, 2022>

Article 1 (Enforcement Date)

This Decree shall enter into force on February 18, 2022.

Articles 2 and 3 Omitted.

ADDENDUM <Presidential Decree No. 32528, Mar. 8, 2022>

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

ADDENDUM <Presidential Decree No. 32993, Nov. 15, 2022>

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

Last updated : 2023-07-26

