

COAST MANAGEMENT ACT

Wholly Amended by Act No. 9552, Mar. 25, 2009

Amended by Act No. 9758, jun. 9, 2009

Act No. 9773, jun. 9, 2009

Act No. 10272, Apr. 15, 2010

Act No. 10331, May 31, 2010

Act No. 11020, Aug. 4, 2011

Act No. 11690, Mar. 23, 2013

Act No. 12089, Aug. 13, 2013

Act No. 12248, Jan. 14, 2014

Act No. 12738, jun. 3, 2014

Article 1 (Purpose)

The purpose of this Act is to prescribe necessary matters concerning the efficient preservation, use, and development of coasts, thereby contributing to enhancing the preservation of the coastal environment, facilitating the sustainable development of coasts, and creating pleasant and affluent coasts as the basis for people's lives.

Article 2 (Definitions)

The definitions of terms used in this Act shall be as follows: *<Amended by Act No. 9773, Jun. 9, 2009; Act No. 11020, Aug. 4, 2011; Act No. 12089, Aug. 13, 2013; Act No. 12738, Jun. 3, 2014>*

1. The term "coast" means coastal sea areas and coastal land areas;
2. The term "coastal sea area" means the following:
 - (a) Beach (referring to land at the distance from the coast line under Article 6 (1) 4 of the Act on Construction, Management, etc. of Spacial Data to the area registered in the cadastral register);
 - (b) Sea (referring to the body of water at the distance from the coast line under Article 6 (1) 4 of the Act on Construction, Management, etc. of Spacial Data to the outer limits of the territorial waters);
3. The term "coastal land area" means the following:
 - (a) Uninhabited islets;
 - (b) Land areas (excluding river areas under subparagraph 2 of Article 2 of the River Act) at a range of 500 meters (in cases of harbors under subparagraph 1 of Article 2 of the Harbor Act, national fishery harbors under subparagraph 3 (a) of Article 2 of the Fishing Villages and Fishery Harbors Act, or industrial complexes under subparagraph 8 of Article 2 of the Industrial Sites and Development Act,

1,000 meters) from the boundary line of land in coastal sea areas, which are prescribed in the plan for integrated coastal management under Article 6 of this Act;

3-2. The term "coastal erosion" means a phenomenon in which the surface of the earth collapses or sand, etc. is washed away by waves, tidal or ocean currents, wind, an elevated sea level, installation of facilities, etc.;

4. The term "coastal maintenance project" means any of the following projects implemented in coasts, implemented in accordance with the implementation plan for coastal maintenance project under Article 25 (1):

(a) Any project for protecting the seashore from tidal waves, wave surges, sea water, coastal erosion, etc. and for maintaining a damaged seashore;

(b) Any project for preserving or improving coastal sea areas;

(c) Any project for facilitating the pleasant use of coasts, such as the creation of recreational places;

5. The term "sea area for coastal use" means a coastal sea area determined under a plan for a coastal management area provided for in Article 9, the purpose of which is predetermined to prevent any overlap for the purpose of improving public welfare through efficient preservation, use, and development of coastal sea area;

6. The term "functional area for coastal sea area" means a coastal sea area determined by the status of use and function under a plan for a coastal management area provided for in Article 9 for the purpose of improving and supplementing functions of sea area for coastal use and of reasonably preserving, using, and developing coastal sea area;

6-2. The term "coastal erosion management area" means an area designated and publicly announced pursuant to Article 20-2;

7. The term "natural coast" means coast where natural coast line is well preserved without any structure, such as by artificial facilities, roads, etc.

Article 3 (Basic Principles for Coastal Management)

Coasts shall be preserved, used and developed under the following basic principles:

1. Coasts shall be preserved, used and developed from a comprehensive and future-oriented perspective to ensure that the public interest is satisfied and ecological, cultural, and economic value co-exist harmoniously;

2. Coasts shall be used and developed in a manner that harmoniously preserves the coastal environments;

3. The public shall be granted more opportunities to participate in formulating policies for preserving and managing coastal environments and in using coastal environments in a sound manner;

4. Beaches shall be efficiently managed to prepare against tidal waves, erosion, etc. due to climate change;

5. Inter-Korean cooperation and international cooperation shall be facilitated to realize integrated coastal management.

Article 4 (Duties of State, etc.)

- (1) The State and local governments shall formulate policies necessary to preserve, use and develop coasts in a sustainable manner.
- (2) The State and local governments shall endeavor to increase the public awareness about the basic principles for coastal management, and to prevent any damage to the coastal environment.
- (3) The public shall pro-actively cooperate in policies by the State and local governments for the purposes of preserving, improving and using the scenic and pleasant coastal environment in a sustainable manner.

Article 5 (Basic Research, etc. on Coasts)

- (1) The Minister of Oceans and Fisheries shall conduct basic research on the actual conditions of coasts (hereinafter referred to as "basic research on coasts") every five years for the efficient management of coasts: Provided, That research and measurement on actual conditions of natural coasts, beaches, etc. in the basic research on coasts may be conducted each decade. *<Amended by Act No. 11690, Mar. 23, 2013>*
- (2) The Minister of Oceans and Fisheries may conduct supplementary research on areas in which apparent changes are recognized to take place in coastlines, ecosystems, etc. based on the results of basic research under paragraph (1). *<Amended by Act No. 11690, Mar. 23, 2013>*
- (3) The Minister of Oceans and Fisheries shall conduct research on the actual conditions of coastal erosion each year, and conduct close research on areas deemed especially necessary for the execution of coastal maintenance projects. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12089, Aug. 13, 2013>*
- (4) Where the Minister of Oceans and Fisheries conducts research pursuant to paragraphs (1) through (3), he/she may request the heads of relevant administrative agencies to submit necessary documents. In such cases, the heads of relevant administrative agencies shall comply with such request unless any extenuating reason exists to the contrary. *<Amended by Act No. 11690, Mar. 23, 2013>*
- (5) The Metropolitan City Mayor, the Do Governor, the Governor of a Special Self-Governing Province (hereinafter referred to as the "Mayor/Do Governor") may conduct research on coasts under his/her jurisdiction, as prescribed by Municipal Ordinances of local governments. In such cases, the Major/Do Governor shall consult, in advance, with the Minister of Oceans and Fisheries, and notify the outcomes of research to the Minister of Oceans and Fisheries. *<Amended by Act No. 11690, Mar. 23, 2013>*
- (6) Details and methods of research, and other necessary matters under paragraphs (1) through (3) shall be prescribed by Presidential Decree.

Article 6 (Formulation of Plan for Integrated Coastal Management)

- (1) The Minister of Oceans and Fisheries shall formulate a plan for integrated coastal management (hereinafter referred to as "integrated plan") each decade following deliberation by the Central Committee for Deliberation on Coastal Management under Article 30, in order to preserve, use, and develop coasts in a comprehensive manner. *<Amended by Act No. 11690, Mar. 23, 2013>*
- (2) Where the Minister of Oceans and Fisheries intends to formulate the integrated plan, he/she shall have a prior consultation with the heads of the relevant central administrative agencies after hearing opinions of the Mayor/Do Governor, the head of a Si/Gun/Gu (referring to the head of an autonomous Gu; hereinafter

the same shall apply), and relevant experts. <Amended by Act No. 11690, Mar. 23, 2013>

(3) Where the Minister of Oceans and Fisheries intends to formulate the integrated plan, he/she may request the heads of the relevant administrative agencies to submit materials necessary therefor. In such cases, the heads of the relevant administrative agencies shall, upon receipt of such request, comply therewith unless any extenuating ground exists otherwise. <Amended by Act No. 11690, Mar. 23, 2013>

Article 7 (Details of Integrated Plan)

(1) The integrated plan shall include the following: <Amended by Act No. 12089, Aug. 13, 2013>

1. Scope of coastal land areas;
2. Areas subject to plan formulation;
3. Basic policy directions concerning coastal management;
4. Matters concerning the desired preservation, use, and development of coasts, such as the preservation of the coastal environment and sustainable development of coasts;
5. Basic management directions for sea areas for coastal use, and functional areas for coastal sea areas;
- 5-2. Basic direction-setting for designation and management of coastal erosion management areas;
6. Management directions for natural coasts management by objective under Article 32;
7. Basic directions for coast maintenance business;
8. Other matters deemed necessary by Presidential Decree.

(2) Where the scope of coastal land areas and areas subject to plan formulation under paragraph (1) 1 and 2 are prescribed, the following shall be considered:

1. Administrative districts and topography;
2. Plans concerning the classification of use districts, etc., land use, etc. under other Acts and subordinate statutes;
3. Water system and tides of rivers and seabed topography;
4. Matters concerning the preservation of the natural environment, such as coastal environment, sceneries, etc.;
5. Status on the use of sea areas, such as the fisheries, mining, and tourism industries;
6. Extent of diffusion of land-based sources of pollution;
7. Correlation to social and economic activities.

Article 8 (Public Notification, etc. of Integrated Plan)

(1) Where the Minister of Oceans and Fisheries formulates an integrated plan, he/she shall immediately notify such fact in the Official Gazette, and notify the heads of the relevant central administrative agencies and the relevant Mayors/Do Governors thereof. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Upon receipt of the notification under paragraph (1), the relevant Mayors/Do Governors (excluding the Governor of a Special Self-Governing Province) shall, without delay, have the heads of Sis/Guns/Gus allow public perusal of the integrated plan on their jurisdictional coasts: Provided, That upon receipt of the notification under paragraph (1), the Governor of a Special Self-Governing Province shall directly allow public perusal of integrated plans on their jurisdictional coasts.

(3) Necessary matters concerning public announcement, notification, and perusal under paragraphs (1) and (2) shall be prescribed by Presidential Decree.

Article 9 (Formulation, etc. of Plans for Coastal Management Areas)

(1) The Governor of a Special Self-Governing Province and the heads of Sis/Guns/Gus may formulate a plan for coastal management areas (hereinafter referred to as "local plan") on an area recognized necessary for the efficient preservation, use, and development of their jurisdictional coasts within the scope of the integrated plan.

(2) Notwithstanding paragraph (1), the relevant Mayors/Do Governors (excluding the Governor of a Special Self-Governing Province; hereafter the same shall apply in this paragraph) may formulate a local plan on area recognized necessary for the efficient preservation, use, and development of their jurisdictional coasts within the scope of the integrated plan in two or more Sis/Guns/Gus (referring to an autonomous Gu; hereinafter the same shall apply): Provided, That where different Mayors/Do Governors have jurisdiction over the Sis/Guns/Gus, a joint local plan may be formulated through consultation between the relevant Mayors/Do Governors. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12089, Aug. 13, 2013>*

(3) The Minister of Oceans and Fisheries may formulate guidelines necessary to systematically establish and manage local plans, and notify Mayors/Do Governors or the heads of Sis/Guns/Gus thereof. *<Amended by Act No. 11690, Mar. 23, 2013>*

(4) When Mayors/Do Governors or the heads of Sis/Guns/Gus intend to formulate a local plan, hold a public hearing, in advance, as prescribed by Presidential Decree to hear opinions of local residents and relevant experts, they shall have a consultation with the heads of the relevant administrative agencies, and obtain approval from the Minister of Oceans and Fisheries following deliberation by the Committee for Deliberation on Local Coastal Management under Article 31. *<Amended by Act No. 11690, Mar. 23, 2013>*

(5) Where the Minister of Oceans and Fisheries grants approval under paragraph (4), he/she shall undergo deliberation by the Central Committee for Deliberation on Coastal Management under Article 22. *<Amended by Act No. 11690, Mar. 23, 2013>*

(6) Deleted. *<by Act No. 12089, Aug. 13, 2013>*

(7) Local plans formulated pursuant to paragraphs (1) and (2) shall be implemented by the Governor of a Special Self-Governing Province and the heads of Sis/Guns/Gus with jurisdiction over applicable coasts.

Article 10 (Details of Local Plans)

Local plans shall include the following: *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12089, Aug. 13, 2013>*

1. Scope of jurisdictional coasts;
2. Coasts subject to policy formulation;
3. Policy directions for managing jurisdictional coasts;
4. Necessary coasts concerning implementation of integrated plans;

5. Designation and management of sea areas for coastal use and functional areas for coastal sea areas;
- 5-2. Management directions for jurisdictional coastal erosion management areas;
6. Matters concerning natural coasts management by objective under Article 32;
7. Directions for coast maintenance business for jurisdictional coasts;
8. Other matters recognized necessary by the heads of local governments who formulate local plans.

Article 11 (Public Announcement, etc. of Local Plans)

(1) When the heads of Sis/Guns/Gus formulate local plans under Article 9 (1), they shall immediately give public notice of such plan in the official report, report it to the heads of the relevant administrative agencies, and make it available for public perusal.

(2) When the Mayors/Do Governors (excluding the Governor of a Special Self-Governing Province) formulate local plans under Article 9 (2), he/she or they shall give immediate public notice of such plan in the official report, and report it to the heads of the relevant administrative agencies and the heads of Sis/Guns/Gus. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12089, Aug. 13, 2013>*

(3) Upon receipt of the notification under paragraph (2), the heads of Sis/Guns/Gus shall make it available for public perusal without delay.

(4) The Minister of Oceans and Fisheries may subsidize necessary expenses incurred in the formulation and implementation of the local plan within budgetary limits. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 12 (Amendments to Integrated Plans, etc.)

(1) The Minister of Oceans and Fisheries may verify the feasibility of established and publicly announced integrated plans every five years, and take necessary measures, such as amendments thereto, etc. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) Where deemed necessary to make amendments to the integrated plan or local plans, or where the heads of the relevant administrative agencies make a request for such amendments, the Minister of Oceans and Fisheries, Mayors/Do Governors, or the heads of Sis/Guns/Gus may make amendments thereto. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) When the Minister of Oceans and Fisheries deems it necessary to amend a local plan due to any significant change in details of the relevant integrated plan, he/she may request Mayors/Do Governors or the heads of Sis/Guns/Gus to amend such local plan, and subsidize expenses incurred in amending such plan, within budgetary limits. *<Amended by Act No. 11690, Mar. 23, 2013>*

(4) Articles 6 and 8 shall apply mutatis mutandis to amendments to an integrated plan under paragraphs (1) and (2), respectively: Provided, That Article 8 shall only apply mutatis mutandis to amendments to insignificant matters prescribed by Presidential Decree.

(5) Articles 9 (4) and (5) and 11 shall apply mutatis mutandis to amendments to a local plan under paragraph (2), respectively: Provided, That only Article 11 shall apply mutatis mutandis to amendments to insignificant matters prescribed by Presidential Decree, such as changes in geographical features. *<Amended by Act No. 12089, Aug. 13, 2013>*

(6) Article 9 (7) shall apply mutatis mutandis to the implementation of local plans amended by the Mayors/Do Governors (excluding the Governor of a Special Self-Governing Province) pursuant to paragraph (2). *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12089, Aug. 13, 2013>*

Article 13 (Relations with other Plans, etc.)

(1) Integrated plans or local plans shall be established and/or amended by incorporating with the following: *<Amended by Act No. 10272, Apr. 15, 2010; Act No. 12089, Aug. 13, 2013>*

1. An urban or Gun master plan under Article 22 of the National Land Planning and Utilization Act;
2. Comprehensive plan for national environment under Article 14 of the Framework Act on Environmental Policy and the mid-term comprehensive plan for environmental preservation under Article 17 of the same Act;
3. Comprehensive plan for maritime environment under Article 14 of the Marine Environment Management Act;
4. Basic plan for maritime ecosystem preservation and management under Article 9 of the Conservation and Management of Marine Ecosystems Act;
5. Basic plan for wetlands conservation under Article 5 of the Wetlands Conservation Act;
6. Basic plan for parks under Article 11 of the Natural Parks Act;
7. Basic plan for fishing ground under Article 3 of the Fishing Ground Management Act;
8. Master plans for public waters reclamation under Article 22 of the Public Waters Management and Reclamation Act;
9. Comprehensive plans for uninhabited islands under Article 6 of the Act on the Conservation and Management of Uninhabited Islands.

(2) Where necessary for preservation of the coastal environment and sustainable development of coasts, the Minister of Oceans and Fisheries may request amendments to plans or use district, etc. formulated or designated under other Acts and subordinate statutes. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) Where the heads of the relevant administrative agencies formulate or amend the plan on coastal land areas, related to environmental preservation and/or use of coasts and development thereof under other Acts and subordinate statutes, and such formulation and/or amendment concern integrated plans or local plans, they shall have a consultation with Mayors/Do Governors or the heads of Sis/Guns/Gus; and when plans are finalized, he/she shall give immediate notice of such details to the Minister of Oceans and Fisheries, Mayors/Do Governors or the heads of Sis/Guns/Gus. *<Amended by Act No. 11690, Mar. 23, 2013>*

(4) Upon receipt of the notification under paragraph (3), the Minister of Oceans and Fisheries, Mayors/Do Governors or the heads of Sis/Guns/Gus shall amend the integrated plan or local plan without delay in a manner that appropriately corresponds to the details of such notification and publicly announce it in the Official Gazette or official report. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 14 (Compliance with Integrated Plan, etc.)

Where the heads of the relevant administrative agencies intend to conduct any act concerning coastal preservation, use, and development in coasts, they shall do so in a way that appropriately corresponds to

the integrated plan and local plans.

Article 15 (Classification of Use of Coastal Sea Areas)

Coastal sea areas shall be classified as the following sea areas for coastal use by considering the actual status of use, natural and environmental features, future directions for use, etc.:

1. Coastal sea areas for use: Sea areas whose use or development is determined, or expected, and where its use or development activities are preferentially allowed to the extent that it minimizes the impact on the marine environment;
2. Special coastal sea areas: Coastal sea areas falling under any of the following items:
 - (a) Coastal areas which require special management in order to protect military facilities and the main facilities of the State;
 - (b) Sea areas which require special management due to any damage to the marine environment or ecosystem or the risk of damage thereto;
3. Preserved coastal sea areas: sea areas which require special management in order to protect the coastal environment and resources and to preserve the marine culture;
4. Managed coastal sea areas: areas whose classification is impractical because the areas falls under neither of subparagraphs 1 through 3, or the areas fall under two or more categories thereof.

Article 16 (Designation of Sea Areas for Coastal Use)

(1) The Mayors/Do Governors or the heads of Sis/Guns/Gus may designate or change sea areas for coastal use according to local plans under Article 9. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12089, Aug. 13, 2013>*

(2) In cases of designation and change of sea areas for coastal use under paragraph (1), functional areas for coastal sea areas under Article 19 shall be taken into account.

Article 17 (Legal Fiction as Designation of Areas Designated and Publicly Notified in other Acts as Sea Areas for Coastal Use)

(1) The following areas shall be deemed to have been designated as coastal sea areas for use under subparagraph 1 of Article 15: *<Amended by Act No. 11020, Aug. 4, 2011; Act No. 12089, Aug. 13, 2013>*

1. Harbor areas under subparagraph 4 of Article 2 of the Harbor Act, and areas where new harbor construction is to be conducted pursuant to Article 5 (1) of the New Harbor Construction Promotion Act;
2. Fishing ports under subparagraph 4 of Article 2 of the Fishing Ground Management Act;
3. Industrial complex under subparagraph 8 of Article 2 of the Industrial Sites and Development Act;
4. Aggregate extraction complex under Article 34 of the Aggregate Extraction Act;
5. Submarine mining areas under Article 3 of the Submarine Mineral Resources Development Act;
6. Free economic zones under subparagraph 1 of Article 2 of the Act on Designation and Management of Free Economic Zones.

(2) The following areas, etc. shall be deemed to have been designated as special coastal sea areas under subparagraph 2 of Article 15:

1. Military bases and military facilities protection areas under subparagraph 6 of Article 2 of the Protection of Military Bases and Installations Act;
 2. Sea areas for special management under Article 15 (1) 2 under the Marine Environment Management Act;
 3. Electric source development project areas and prearranged areas for electric source development project under Articles 5 and 11 of the Electric Source Development Promotion Act.
- (3) The following areas shall be deemed to have been designated as preserved coastal sea areas under subparagraph 3 of Article 15:

1. Fishery resources protection areas under Article 40 of the National Land Planning and Utilization Act;
2. Marine environment preservation areas under Article 25 of the Conservation and Management of Marine Ecosystems Act;
3. Environment preservation sea areas under Article 15 (1) 1 of the Marine Environment Management Act;
4. Ecology and scenery preservation areas under Article 12 of the Natural Environment Conservation Act;
5. Wetlands protection areas under Article 8 (1) of the Wetlands Conservation Act;
6. Natural parks under Article 4 of the Natural Parks Act.

Article 18 (Evaluation of Appropriateness of Coastal Sea Areas)

- (1) In order to efficiently manage the sea areas for coastal use, the Minister of Oceans and Fisheries, Mayors/Do Governors or the heads of Sis/Guns/Gus may evaluate the appropriateness of coastal sea areas concerning the characteristics, location, possibility of utilization thereof, etc. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12089, Aug. 13, 2013>
- (2) Details, procedures, etc. concerning evaluation of appropriateness of coastal sea areas under paragraph (1) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>

Article 19 (Designation of Functional Areas for Coastal Sea Areas)

- (1) In order to efficiently manage sea areas for coastal use, Mayors/Do Governors or the heads of Sis/Guns/Gus may designate or change the functional areas for coastal sea areas according to the following classification. In such cases, designation or change of functional areas for coastal sea areas shall be prescribed in accordance with local plans under Article 9: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12089, Aug. 13, 2013>
1. Coastal sea areas for use:
 - (a) Port area: An area necessary to construct ports and maintain functions thereof;
 - (b) Course: An area necessary to secure safe navigation of vessels;
 - (c) Fishing port area: An area necessary to construct fishing ports and maintain functions thereof;

- (d) Leisure and tourism area: Area necessary to support leisure and tourism activities in coasts;
- (e) Beach area: An area necessary to maintain functions of beaches;
- (f) Mineral resources area: An area necessary to extract minerals or aggregate;
- (g) Other functional areas prescribed by Presidential Decree;

2. Special coastal sea areas:

- (a) Marine water quality management area: An area necessary to manage the quality of marine water;
- (b) Marine research area: An area necessary to conduct research of marine water quality or marine ecosystem;
- (c) Disaster management area: An area requiring management due to frequent occurrence of tidal waves, wave surges, ground erosion, red tides, etc.;
- (d) Military facility area: An area necessary to protect military facilities;
- (e) Industrial facility area: An area necessary to maintain facilities of the mainstay industries of the State, such as energy related facilities, such as plants, etc., oil reserve facilities, etc.;
- (f) Other functional areas prescribed by Presidential Decree;

3. Preserved coastal sea areas:

- (a) Fishery resources protection area: An area necessary to protect and foster fishery resources;
- (b) Marine ecosystem protection area: An area necessary to maintain the habitats of marine life;
- (c) Scenery protection area: An area necessary to protect sceneries on the seashore, on the sea, in the sea, or under the sea;
- (d) Park area: An area necessary to maintain functions of natural parks;
- (e) Fishing ground area: An area necessary to maintain fishing ground for village fishing, aquaculture, etc.;
- (f) Other functional areas prescribed by Presidential Decree;

4. Managed coastal sea areas: Functional areas according to the classifications under the subparagraphs of paragraph (1).

(2) Where Mayors/Do Governors or the heads of Sis/Guns/Gus intend to designate or alter a functional area defined in paragraph (1) 4, they may designate or alter it for an overlapped functional area. In such cases, where they designate an overlapped functional area belonging to different sea areas for coastal use, they shall set priorities for management, taking into account the natural environment and socioeconomic conditions of the relevant area, and the current state, etc. of use and preservation of its neighboring sea areas. <Newly Inserted by Act No. 12089, Aug. 13, 2013>

(3) Matters necessary to designate or change functional areas for coastal sea areas, other than those prescribed by paragraph (1) and (2), shall be prescribed by Presidential Decree. <Amended by Act No. 12089, Aug. 13, 2013>

Article 20 (Restriction on Changing Sea Areas for Coastal Use, etc. by Other Acts)

Where the heads of relevant administrative agencies intend to grant permission, authorization, approval or determine each of the following plans, they shall consult with Mayors/Do Governors or the heads of

Sis/Guns/Gus according to the corresponding matters, as prescribed by Presidential Decree: Provided, That the same shall not apply where he/she consults with Mayors/Do Governors or the heads of Sis/Guns/Gus, or obtain approval therefrom in accordance with other Acts: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12089, Aug. 13, 2013>

1. Plans which include legal fiction of determination of local plans under other Acts, concerning designation of or changes to sea areas for coastal use or functional areas for coastal sea areas under this Act;
2. Plans which include areas, etc. deemed to have been designated as sea areas for coastal use pursuant to Article 17.

Article 20-2 (Designation, etc. of Coastal Erosion Management Areas)

(1) The Minister of Oceans and Fisheries may designate as a coastal erosion management area, an area which requires special management as serious damage has occurred or is likely to occur due to coastal erosion (hereinafter referred to as "management area"), in accordance with the standards determined by Ordinance of the Ministry of Oceans and Fisheries.

(2) In order to efficiently control management areas, the Minister of Oceans and Fisheries may designate management areas by categorizing them as either:

1. Core management area: An area requiring urgent action as rapid coastal erosion is underway or consequent damage is serious;
2. Buffer management area: An area, etc. bordering a core management area necessary so as to manage such core management area.

(3) Where the Minister of Oceans and Fisheries intends to designate a management area pursuant to paragraph (1), he/she shall hear opinions of Mayors/Do Governors, the heads of Sis/Guns/Gus, or local residents, consult with the head of the relevant central administrative agency, and then undergo deliberation by the Central Committee for Deliberation on Coastal Management under Article 30.

(4) Where the Minister of Oceans and Fisheries has designated a management area, he/she shall publicize, without delay, in the Official Gazette the name, location, and scope of the relevant area, and other matters prescribed by Ordinance of the Ministry of Oceans and Fisheries, and shall notify the head of the competent local government of such designation.

(5) Mayors/Do Governors or the heads of Sis/Guns/Gus may request the Minister of Oceans and Fisheries to designate as a management area, any jurisdictional coast deemed to have substantial ground being designated as a management area under paragraph (1).

(6) Matters necessary for designation of management areas and procedures for requesting designation under paragraphs (1) through (5) and other matters shall be determined by Ordinance of the Ministry of Oceans and Fisheries.

Article 20-3 (Cancellation or Alteration of Designation of Management Areas)

(1) The Minister of Oceans and Fisheries may cancel or alter designation of a management area for either of the following:

1. An area, the risk of damage to which by coastal erosion has decreased considerably;
 2. An area determined by Presidential Decree, for which it is inevitable to do so due to public interest or military purposes.
- (2) Article 20-2 (3) through (5) shall apply mutatis mutandis to cancellation or alteration of the designation of management areas under paragraph (1).
- (3) Matters necessary for procedures for cancellation and alteration of the designation of management areas under paragraphs (1) and (2) and other matters shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.

Article 20-4 (Formulation and Implementation of Management Plans)

(1) If necessary to effectively respond to damage from erosion in management areas, the Minister of Oceans and Fisheries may formulate and implement plans for management areas (hereinafter referred to as "management plans") which include the following matters:

1. Research on the actual status of preservation, use, and development of coasts within management areas;
 2. Research on causes of erosion and damage within management areas;
 3. Measures for erosion prevention and restoration within management areas;
 4. Other matters determined by Ordinance of the Ministry of Oceans and Fisheries.
- (2) Matters necessary for the formulation, implementation, etc. of management plans shall be determined by Ordinance of the Ministry of Oceans and Fisheries.

Article 20-5 (Restrictions, etc. on Activities in Management Areas)

(1) No one shall engage in any of the following activities in any core management area designated and publicly notified pursuant to Article 20-2: Provided, That the same shall not apply to any activity regarding coastal maintenance projects:

1. Newly constructing or extending a building or other structure (limited to extending a building or structure by at least twice the total floor area of that as at the time the relevant management area is designated);
2. Altering the form and quality of public waters or land;
3. Extracting sea sand, sediment. or soil and stone;
4. Other acts prescribed by Presidential Decree which affect coastal erosion.

(2) Where the Minister of Oceans and Fisheries, Mayors/Do Governors, or the heads of Sis/Guns/Gus deem that activities falling under the subparagraphs of paragraph (1) in buffer management areas designated and publicly notified pursuant to Article 20-2 significantly contribute to erosion of core management areas, they may restrict such acts, as prescribed by Presidential Decree.

(3) Paragraphs (1) and (2) shall not apply to any of the following cases, approval for which has been obtained from the Minister of Oceans and Fisheries or Mayors/Do Governors (in cases of the head of the relevant central administrative agency, referring to cases where he/she has consulted with the Minister of Oceans and Fisheries):

1. Where erosion control works in coastal areas are executed under subparagraph 2 of Article 3 of the Erosion Control Work Act;
 2. Cases necessary for activities to prevent and recover from a natural disaster defined in subparagraph 2 of Article 2 of the Countermeasures against Natural Disasters Act, relief therefrom, etc.;
 3. Where it is necessary to implement a park project or to install park facilities defined in subparagraphs 9 and 10 of Article 2 of the Natural Parks Act;
 4. Cases determined by Presidential Decree, inevitable for public interest or military purposes.
- (4) Matters necessary for the procedures and requirements for approval or consultation referred to in paragraph (3) and other matters, shall be prescribed by Presidential Decree.

Article 20-6 (Order for Suspension, Reinstatement, etc.)

The Minister of Oceans and Fisheries, Mayors/Do Governors, or the heads of Sis/Guns/Gus may issue an order against a person who has performed any activity in violation of Article 20-5 (1) or (2) in a management area to suspend such activity or to reinstate the area within a reasonable period, and where it is impracticable to reinstate the area, they may issue an order to take action corresponding thereto.

Article 20-7 (Temporary Restrictions on Access to Management Areas)

(1) Where the Minister of Oceans and Fisheries, Mayors/Do Governors, or the heads of Sis/Guns/Gus deem it necessary to take urgent action because harm to people or damage to property is likely due to coastal erosion, they may restrict access to the all or part of the relevant management area for a specified period: Provided, That the same shall not apply in any of the following cases:

1. Access to such area to take action necessary for activities for disaster prevention, emergency countermeasures, restoration, etc. or for relief, etc. under the Framework Act on the Management of Disasters and Safety;
 2. Access to such area for military purposes;
 3. Other cases where permission for access has been obtained from the Minister of Oceans and Fisheries, Mayor/Do Governor, or the head of a Si/Gun/Gu because it is deemed necessary within the realm of the purpose of designation of the management areas.
- (2) Where the Minister of Oceans and Fisheries, a Mayor/Do Governor, or the head of a Si/Gun/Gu intends to restrict access pursuant to paragraph (1), he/she shall publicly notify such fact, as prescribed by Ordinance of the Ministry of Oceans and Fisheries.
- (3) Where it is deemed necessary to restrict access under paragraph (1), the Minister of Oceans and Fisheries, a Mayor/Do Governor, or the head of a Si/Gun/Gu shall immediately cancel restriction of access and publicly notify such fact.
- (4) Matters necessary for the procedure, method, etc. for obtaining permission for access under paragraph (1) 3 shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.

Article 20-8 (Vicarious Execution)

(1) In either of the following cases, the Minister of Oceans and Fisheries, a Mayor/Do Governor, or the head of a Si/Gun/Gu may require the owner or occupant of the relevant building, structure, etc. to take

necessary action, such as removal thereof:

1. Where he/she engages in any conduct, in violation of Article 20-5 (1) or (2);
 2. Where he/she fails to comply with an order to suspend or reinstate the area under Article 20-6.
- (2) Where a person required to take action, such as removal, under paragraph (1) fails to comply with such order, and when it is deemed that public interest will be harmed and control of management areas hindered if no action is taken otherwise, the Minister of Oceans and Fisheries, Mayor/Do Governor, or the head of a Si/Gun/Gu may vicariously execute such order, in accordance with the Administrative Vicarious Execution Act.

Article 20-9 (Preferential Implementation of Coastal Maintenance Projects)

Where the Minister of Oceans and Fisheries implements a coastal maintenance project to prevent erosion and reinstate eroded coasts, he/she shall do so, giving priority to management areas.

Article 21 (Formulation of Basic Plans for Coastal Maintenance)

(1) The Minister of Oceans and Fisheries shall formulate a basic plan for coastal maintenance (hereinafter referred to as "basic plan for coastal maintenance") every ten years for the sake of efficient and systematic coastal maintenance projects. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) When the Minister of Oceans and Fisheries intends to formulate a basic plan for coastal maintenance, he/she shall hear opinions of Mayors/Do Governors, in advance, and undergo deliberation by the Central Committee for Deliberation on Coastal Management under Article 30 after consultations with the heads of the relevant central administrative agencies. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) When the Minister of Oceans and Fisheries formulates a basic plan for coastal maintenance, he/she shall publicize such plan without delay in the Official Gazette. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 22 (Details of Basic Plans for Coastal Maintenance)

A basic plan for coastal maintenance shall include the following: *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12089, Aug. 13, 2013>*

1. Direction-setting for the implementation of coastal maintenance projects;
2. Mid- and long-term plans of coastal maintenance projects;
3. Yearly details of coastal maintenance projects and implementation plans thereof;
4. Matters concerning coordination among coastal maintenance projects;
5. Other matters deemed necessary by the Minister of Oceans and Fisheries.

Article 23 (Amendments to Basic Plans for Coastal Maintenance)

(1) The Minister of Oceans and Fisheries shall review the feasibility of a basic plan for coastal maintenance established and publicly notified, every five years, and shall take necessary measures, such as amendments to the basic plan for coastal maintenance, etc. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) The Minister of Oceans and Fisheries may amend a basic plan for coastal maintenance, where deemed necessary to amend such plan due to designation of management areas, changes in coastal conditions, or other grounds, or where the heads of relevant administrative agencies request to make changes thereto. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12089, Aug. 13, 2013>*

(3) Article 21 (2) and (3) shall apply mutatis mutandis to amendments to a basic plan for coastal maintenance under paragraph (2): Provided, That only Article 21 (3) shall apply mutatis mutandis to amendments to insignificant matters prescribed by Presidential Decree.

Article 24 (Implementer of Coastal Maintenance Projects)

(1) The Minister of Oceans and Fisheries shall implement coastal maintenance projects within port areas under subparagraph 4 of Article 2 of the Harbor Act: Provided, That in cases of coastal maintenance projects prescribed by Ordinance of the Ministry of Oceans and Fisheries, Mayors/Do Governors or the heads of Sis/Guns/Gus may implement such projects. <Amended by Act No. 9773. Jun. 9, 2009; Act No. 11690, Mar. 23, 2013>

(2) Mayors/Do Governors or the heads of Sis/Guns/Gus shall implement coastal maintenance projects on coasts, other than the port areas under subparagraph 4 of Article 2 of the Harbor Act as prescribed by Ordinance of the Ministry of Oceans and Fisheries: Provided, That in any of the following cases, the Minister of Oceans and Fisheries may implement such projects: <Amended by Act No. 9773. Jun. 9, 2009; Act No. 11690, Mar. 23, 2013; Act No. 12089, Aug. 13, 2013>

1. Projects with a scale exceeding that prescribed by Presidential Decree;
2. Projects requiring state-of-the-art technology;
3. Projects that need to be implemented in two or more overlapping Metropolitan Cities or Dos;
- 3-2. Projects within management areas;
4. Other projects prescribed by Presidential Decree, which exert a huge influence on the public interest.

(3) Where the Minister of Oceans and Fisheries intends to implement the coastal maintenance projects under the proviso to paragraph (2), he/she shall hear opinions of the relevant Mayors/Do Governors or the heads of Sis/Guns/Gus in advance. <Amended by Act No. 11690, Mar. 23, 2013>

(4) Any person, other than the Minister of Oceans and Fisheries, Mayors/Do Governors or the heads of Sis/Guns/Gus, may implement coastal maintenance projects in the relevant coasts after having been designated by the Minister of Oceans and Fisheries, Mayors/Do Governors or the heads of Sis/Guns/Gus according to the following classification: <Amended by Act No. 9773. Jun. 9, 2009; Act No. 11690, Mar. 23, 2013>

1. Coasts within the port areas designated under subparagraph 4 of Article 2 of the Harbor Act: The Minister of Oceans and Fisheries;
2. Coasts, other than those prescribed in subparagraph 1: Mayors/Do Governors or the heads of Sis/Guns/Gus, who are implementers of coastal maintenance projects under the main sentence of paragraph (2).

(5) Matters necessary to designate implementers of coastal maintenance projects pursuant to paragraph (4) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>

Article 25 (Formulation, etc. of Implementation Plans for Coastal Maintenance Projects)

(1) Where any implementer of a coastal maintenance project under Article 24 (hereinafter referred to as "implementer of coastal maintenance project") intends to implement a coastal maintenance project, he/she shall formulate an implementation plan for coastal maintenance project (hereinafter referred to as "maintenance implementation plan") within the scope of the maintenance plan, as prescribed by Presidential Decree.

(2) Where any implementer of a coastal maintenance project, other than the Minister of Oceans and Fisheries, a Mayor/Do Governor, or the head of a Si/Gun/Gu, intends to formulate a maintenance implementation plan, he/she shall obtain approval from the Minister of Oceans and Fisheries. The same shall also apply to any proposed amendment thereto. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) When the Minister of Oceans and Fisheries, a Mayor/Do Governor, or the head of a Si/Gun/Gu formulates a maintenance implementation plan or when the Minister of Oceans and Fisheries intends to grant approval of the maintenance implementation plan or grant any change thereto under paragraph (2), they shall have prior consultation with the heads of the relevant administrative agencies: Provided, That the same shall also apply in emergencies prescribed by Presidential Decree or where he/she makes amendments to insignificant matters. *<Amended by Act No. 11690, Mar. 23, 2013>*

(4) When the Minister of Oceans and Fisheries, Mayors/Do Governors or the heads of Sis/Guns/Gus formulate or amend the maintenance implementation plan, or when the Minister of Oceans and Fisheries grants approval thereto or grants approval to any change thereto under paragraph (2), he/she or they shall publicly announce the same in the Official Gazette or official report without delay and give notice thereof to the heads of the relevant administrative agencies. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12089, Aug. 13, 2013>*

(5) Where the Minister of Oceans and Fisheries intends to grant approval to the maintenance implementation plan or grants approval to any change thereto under paragraph (2), he/she may require the relevant specialized institution to examine whether the maintenance implementation plan is appropriate. *<Newly Inserted by Act No. 12089, Aug. 13, 2013>*

Article 26 (Legal Fiction of Authorization, Permission, etc.)

(1) Where the Minister of Oceans and Fisheries, Mayors/Do Governors, or the heads of Sis/Guns/Gus publicly announce the maintenance implementation plan under Article 25 (4), the following permission, authorization, decision, license, consultation, agreement, approval, reporting or cancellation, etc. (hereafter referred to as "authorization, permission, etc." in this Article) shall be deemed to have been granted or made, and authorization, permission, etc. under the relevant Acts falling under each subparagraph shall be deemed to have been publicly notified or announced: *<Amended by Act Nos. 9758, Jun. 9, 2009; Act No. 10272, Apr. 15, 2010; Act No. 10331, May 31, 2010; Act No. 11690, Mar. 23, 2013; Act No. 12089, Aug. 13, 2013; Act No. 12248, Jan. 14, 2014>*

1. Consent to building permission, etc. under Article 7 (1) of the Installation, Maintenance, and Safety Control of Fire-Fighting Systems Act, reporting on fire-fighting system installation under Article 13 (1) of the Fire-Fighting System Installation Business Act, and permission for the installation of a

- manufactory, etc. under Article 6 (1) of the Safety Control of Dangerous Substances Act;
2. Approval of the use of agricultural production infrastructures for purposes, other than their original purposes under Article 23 of the Rearrangement of Agricultural and Fishing Villages Act;
 3. Permission for diversion of farmland under Article 34 of the Farmland Act;
 4. Permission for deforestation, etc. within erosion control region under Article 14 of the Erosion Control Work Act and cancellation of designation of erosion control region under Article 20 of the same Act;
 5. Permission for and reporting of mountainous district conversion, and temporary use of a mountainous district under Articles 14, 15, and 15-2 of the Mountainous Districts Management Act, permission for extracting rock materials under Article 25 of the same Act, permission for and reporting of the cutting of standing trees, etc. under Articles 36 (1) and (4) of the Creation and Management of Forest Resources Act, and permission for and reporting of activities within forest reserves district (excluding forests for protection of forest hereditary resources) under Article 9 of the Forest Protection Act, and cancellation of designation of forest reserves district under Article 11 (1) 1 of the same Act;
 6. Permission for changing the form and quality of land, etc. under Article 21-2 of the Grassland Act and permission, reporting or consultation on grassland conversion under Article 23 of the same Act;
 7. Approval of the implementation of construction works within protected waters under Article 47 (2) of the Fishery Resources Management Act;
 8. Authorization or reporting of constructions plans for electronic equipment for electric business under Article 61 of the Electric Utility Act, and permission or reporting of construction plans for private-use electronic equipment under Article 62 of the same Act;
 9. Permission for development under Article 56 of the National Land Planning and Utilization Act, designation of implementer of urban planning facility business under Article 86 of the same Act, authorization of implementation plan under Article 88 of the same Act;
 10. Permission for installation of facilities or structures under Article 24 of the Sewerage Act;
 11. Permission for implementation of road construction for a person other than the road management agency under Article 36 of the Road Act, permission for occupation and use of roads under Article 61 of the same Act, or consultation with the road management agency or approval under Article 107 of the same Act;
 12. Permission for installation, etc. of private roads under Article 4 of the Private Road Act;
 13. Permission for occupation and use of public waters under Article 8 of the Public Waters Management and Reclamation Act, consultation or approval under Article 10 of the same Act, approval or reporting of implementation plans for occupation and use of public waters under Article 17 of the same Act, reclamation license for public waters under Article 28 of the same Act, consultation or approval for reclamation to be implemented by the State, etc. under Article 35 of the same Act, and approval for implementation plans for public waters reclamation under Article 38 of the same Act;

14. Deleted; <by Act No. 10272, Apr. 15, 2010>

15. Permission for implementation of small river construction under Article 10 of the Small River Maintenance Act;

16. Permission for extraction of aggregate under Article 22 of the Aggregate Extraction Act;

17. Permission for moving graves under Article 27 (1) of the Act on Funeral Services, etc.;

18. Consultation on permission, etc. by administrative agencies under Article 13 of the Protection of Military Bases and Installations Act;

19. Permission for occupation and use of urban parks under Article 24 of the Act on Urban Parks, Greenbelts, etc..

(2) Where the Minister of Oceans and Fisheries, Mayors/Do Governors or the heads of Sis/Guns/Gus intend to formulate or amend the maintenance implementation plan, where the Minister of Oceans and Fisheries intends to grant approval thereto under Article 25 (2), and where matters falling under the subparagraphs of paragraph (1) are included in the relevant maintenance implementation plan, he/she shall have a prior consultation with the heads of the relevant administrative agencies. <Amended by Act No. 11690, Mar. 23, 2013>

Article 27 (Appropriation and Use of Land, etc.)

(1) Any implementer of a coastal maintenance project may, where necessary for the execution of coastal maintenance projects, appropriate or use land, goods, or rights under Article 3 of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects: Provided, That an implementer designated under Article 24 (4) shall purchase land whose size is equivalent to 2/3 of the land subject to coastal maintenance project and obtain consent from persons, the number of which is equal to or greater than 1/2 of that of land owners.

(2) The provisions of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects shall apply mutatis mutandis to the expropriation or use of land, goods, or rights under paragraph (1), except as otherwise provided for in this Act.

(3) Where the public announcement under Article 25 (4) is made, project approval under Articles 20 (1) and 22 of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects and the public announcement of project approval shall be deemed to have been granted and made, and applications for adjudication may be filed within the implementation period of the project, notwithstanding the provisions of Articles 23 (1) and 28 (1) of the Act on the Acquisition of Land, etc. for Public Works and the Compensation therefor.

Article 28 (Bearing Costs, etc.)

(1) Any implementer of a coastal maintenance project shall bear expenses incurred in the implementation of a coastal maintenance project.

(2) The Government may fully or partially subsidize expenses borne by Mayors/Do Governors or the heads of Sis/Guns/Gus under paragraph (1) or provide loans thereto within budgetary limits.

(3) The Minister of Oceans and Fisheries, Mayors/Do Governors, and the heads of Sis/Guns/Gus may have a coastal maintenance project required to be implemented due to construction or activity other than the coastal maintenance project, carried out by an implementer or performer of such construction. In such cases, the expenses incurred in carrying out the project shall be borne by the implementer or performer of such construction. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12089, Aug. 13, 2013>*

(4) Deleted. *<by Act No. 12089, Aug. 13, 2013>*

Article 29 (Ex Post Facto Management, etc. of Coastal Maintenance Project Structures)

(1) Implementers of coastal maintenance project shall perform ex post facto management of structures installed under the coastal maintenance project: Provided, That the relevant Mayors/Do Governors and the heads of Sis/Guns/Gus shall perform ex post facto management of structures installed under a coastal maintenance project implemented by the Minister of Oceans and Fisheries pursuant to the proviso to Article 24 (2). *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) The Minister of Oceans and Fisheries may inspect and evaluate the actual conditions and effects of ex post facto management of structures under paragraph (1). *<Newly Inserted by Act No. 12089, Aug. 13, 2013>*

(3) Matters necessary for inspections and evaluation under paragraph (2) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. *<Newly Inserted by Act No. 12089, Aug. 13, 2013>*

Article 30 (Central Committee for Deliberation on Coastal Management)

(1) The Central Committee for Deliberation on Coastal Management shall be established under the control of the Minister of Oceans and Fisheries to deliberate on the following matters concerning coastal management: *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12089, Aug. 13, 2013>*

1. Formulation of and amendment to the integrated plan and local plans;
2. Designation and amendment to sea areas for coastal use and functional areas for coastal sea areas;
- 2-2. Designation, or cancellation or alteration of designation, of management areas;
3. Natural coasts management by objective under Article 32;
4. Formulation of and amendment to a basic plan for coastal maintenance;
5. Matters subject to deliberation by the Central Committee for Deliberation on Coastal Management by other Acts and subordinate statutes;
6. Other matters deemed necessary by the Minister of Oceans and Fisheries.

(2) If necessary, the Central Committee for Deliberation on Coastal Management may establish and operate sub-committees by area.

(3) Necessary matters concerning the composition, criteria, and methods for deliberation, etc. of the Central Committee for Deliberation on Coastal Management shall be prescribed by Presidential Decree.

Article 31 (Local Committee for Deliberation on Coastal Management)

(1) Local committees for deliberation on coastal management shall be established under the control of Mayors/Do Governors to deliberate on the formulation of and amendment to the local plans and other significant matters concerning the management of jurisdictional coasts.

(2) Necessary matters concerning the functions, composition, operation, etc. of local committees for deliberation on coastal management shall be prescribed by Municipal Ordinances of the relevant local governments.

Article 32 (Natural Coasts Management by Objective)

(1) For the purposes of efficient preservation of natural coasts, improvement of functions of the coastal environment, etc., the Minister of Oceans and Fisheries may undergo deliberation by the Central Committee for Deliberation on Coastal Management under Article 30, and establish natural coast management objectives. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) Mayors/Do Governors and the heads of Sis/Guns/Gus may establish natural coast management objectives after undergoing deliberation by the local committees for deliberation on coastal management under Article 31, in consideration of management objectives under paragraph (1).

(3) In order to fulfill natural coasts management objectives, the Minister of Oceans and Fisheries, Mayors/Do Governors and the heads of Sis/Guns/Gus may conduct the natural coast restoration projects as part of the coastal maintenance project. *<Amended by Act No. 11690, Mar. 23, 2013>*

(4) Matters necessary to implement the natural coast management objectives and natural coast restoration projects shall be prescribed by Presidential Decree.

Article 33 (Coastal Management Officer)

(1) Where deemed necessary to efficiently manage coasts, Mayors/Do Governors or the heads of Sis/Guns/Gus may appoint a coastal management officer. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12089, Aug. 13, 2013>*

(2) Necessary matters concerning the qualifications, methods of appointment, scope of duties, etc. of a coastal management officer under paragraph (1) shall be prescribed by Presidential Decree.

Article 34 (Periodic Inspection of Coasts)

(1) The Minister of Oceans and Fisheries shall have public officials under his/her control inspect the actual conditions of implementation for the integrated plan, local plans, and basic plans for coastal maintenance on a periodic basis. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) The Governor of a Special Self-Governing Province, and the heads of Sis/Guns/Gus shall submit annual self-evaluation reports on the actual status of implementation of local plans to the Minister of Oceans and Fisheries. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) Where deemed especially necessary to take corrective measures based on the results of inspection and evaluation results under paragraphs (1) and (2), the Minister of Oceans and Fisheries may request the heads of relevant administrative agencies to take corrective measures. In such cases, the heads of central administrative agencies shall comply therewith unless any extenuating reason exists otherwise, and give notice of such corrective measures and the results thereof to the Minister of Oceans and Fisheries. *<Amended by Act No. 11690, Mar. 23, 2013>*

(4) Details and methods of inspection, the scope of evaluation and methods therefor under paragraphs (1) and (2) and other necessary matters shall be prescribed by Presidential Decree.

Article 34-2 (Establishment, Management, etc. of Coastal Information System)

(1) In order to reasonably formulate and implement integrated plans, local plans or coastal management policies, the Minister of Oceans and Fisheries shall establish and manage a coastal information system which includes the following matters:

1. Location and characteristics of topography, natural features, etc. in coastal areas;
2. Current status of coastal use;
3. Geographical information on coastlines, etc.;
4. Cultural and social information on ports, fishing ports, roads, industry, cities, maritime resources, etc.

(2) The Minister of Oceans and Fisheries may request the heads of relevant administrative agencies to submit documents necessary to establish and manage the coastal information system.

(3) Other matters necessary for establishing and managing the coastal information system shall be prescribed by Presidential Decree.

Article 34-3 (Research and Development)

The Minister of Oceans and Fisheries shall conduct research and development necessary to efficiently manage coasts, prevent coastal erosion, and reduce damage, etc.

Article 34-4 (Education and Public Relations on Coasts)

(1) In order to enhance public interest in, and understanding of, coasts and to promote efficient coastal management, the State and local governments may formulate and implement policies on education and publicity, such as development of educational and publicity programs.

(2) To promote education and publicity under paragraph (1), the Minister of Oceans and Fisheries may designate a coastal education center, as prescribed by Presidential Decree.

(3) Matters necessary for the standards, procedure, method, etc. for the designation of the coastal education center, shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.

Article 34-5 (Purchase of Land, etc.)

(1) If necessary to prevent coastal erosion or recover eroded coasts in management areas, the Minister of Oceans and Fisheries, Mayors/Do Governors or the heads of Sis/Guns/Gus may purchase land, buildings, other goods in such management areas, and rights such as mining and fishing rights (hereafter referred to as "land, etc." in this Article) following consulting with the owners thereof.

(2) If deemed particularly necessary to purchase a mining right under paragraph (1), the Minister of Oceans and Fisheries, Mayors/Do Governors or the heads of Sis/Guns/Gus may purchase the mining right by dividing it after consulting with the Minister of Trade, Industry and Energy thereabout, notwithstanding the provisions of the Mining Industry Act.

(3) Where the Minister of Oceans and Fisheries, Mayors/Do Governors or the heads of Sis/Guns/Gus purchase land, etc. pursuant to paragraph (1), the purchase price shall be as calculated under the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects.

(4) Where the utility of land, etc. has considerably decreased due to designation of a management area, the owner of land, etc. in such management area may request the Minister of Oceans and Fisheries, the

Mayor/Do Governor or the head of a Si/Gun/Gu to purchase such land, etc. In such cases, he/she shall purchase such land if it satisfies the standards determined by Presidential Decree.

(5) Matters necessary for the purchase procedure and purchase request procedure for land, etc. under paragraphs (1) through (4) and other matters shall be prescribed by Presidential Decree.

Article 35 (Access, etc. to Land, etc.)

(1) Any implementer of coastal maintenance project and public officials who engage in conducting research under Article 5 and inspection under Article 34 may conduct the following acts, where necessary to carry out coastal maintenance projects or coastal research, etc.:

1. Access to land or coastal sea areas possessed by other parties (hereafter referred to as "land, etc." in this Article);
2. Using land belonging to other parties as a material stockyard or provisional roads for a specified period;
3. Where especially necessary, changing or removing trees, sand, rocks and other obstacles.

(2) Where any person who intends to have access to land, etc. possessed by other parties under paragraph (1), he/she shall give notice of the date and place of access to such possessor seven days before he/she intends to have access to such land: Provided, That the same shall not apply where the possessor or manager of such land is unknown or any inevitable ground exists to the contrary.

(3) No person shall have access to land, etc. belonging to other parties which are surrounded by housing sites, borders, or fences without the consent of the possessor, manager of land, etc. before sunrise or after sundown.

(4) Where any implementer of coastal maintenance project or public official who engages in conducting research, etc. conducts activities under subparagraph 2 or 3 of paragraph (1), he/she shall obtain consent of the owner, possessor, or manager of such land or obstacles: Provided, That the same shall not apply where the owner, possessor, or manager of such land or obstacles is unknown or any inevitable ground exists to the contrary.

(5) No owner, possessor or manager of land may hinder or refuse any access, temporary use, act of changing or removal of obstacles under paragraph (1) without justifiable cause.

(6) Any person who intends to conduct an act under paragraph (1) shall show a certificate indicating his/her identity to interested parties, as prescribed by Ordinance of the Ministry of Oceans and Fisheries.

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

Article 36 (Compensation for Loss)

(1) Where any person who suffers loss exists due to an act under Article 35 (1), an administrative agency the actor belongs to or an implementer of coastal maintenance project shall compensate such loss.

(2) With regard to the compensation for loss under paragraph (1), the person who is to compensate such loss and a person who suffers loss shall have a consultation thereabout.

(3) Where a consultation under paragraph (2) fails or a consultation is likely to fail, applications for adjudication may be filed to the competent committee for land appropriation, as prescribed by Presidential

Decree.

Article 37 Deleted. <by Act No. 12089, Aug. 13, 2013>

Article 38 (Delegation and Entrustment)

(1) Some of the authority of the Minister of Oceans and Fisheries under this Act may be delegated to his/her subsidiary institutions or Mayors/Do Governors, or the heads of Sis/Guns/Gus, respectively or entrusted to the heads of the relevant administrative agencies, as prescribed by Presidential Decree.

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

(2) The Minister of Oceans and Fisheries may fully or partially entrust his/her duties prescribed in the following subparagraphs, to relevant specialized institutions, as prescribed by Presidential Decree:

<Amended by Act No. 12089, Aug. 13, 2013>

1. Research on the actual conditions of coastal erosion under Article 5 (3);
2. Evaluation of the appropriateness of coastal sea areas under Article 18;
3. Evaluation of the appropriateness of a maintenance implementation plan under Article 25 (5);
4. Inspection and evaluation of the actual conditions and effects of ex post facto management of structures for a coastal maintenance project under Article 29 (2);
5. Periodic inspection of coasts under Article 34;
6. Establishment and management of the coastal information system under Article 34-2.

(3) Deleted. <by Act No. 12089, Aug. 13, 2013>

Article 38-2 (Penal Provisions)

Any of the following persons shall be punished by imprisonment for not more than three years or by a fine not exceeding 50 million won:

1. A person who violates Article 20-5 (1);
2. A person who violates restrictions on acts under Article 20-5 (2);
3. A person who violates an order to suspend, to reinstate the original state, or to take an action under Article 20-6.

Article 38-3 (Joint Penal Provisions)

Where the representative of a corporation, or an agent, employee, or any other servant of a corporation or individual commits any offence under Article 38-2 in connection with the affairs of the corporation or the individual, not only shall the offender be punished, but the corporation or the individual also shall be punished by a fine prescribed in the relevant provisions: Provided, That the same shall not apply where such corporation or individual has not been negligent in giving due attention and supervision regarding the relevant affairs to prevent such offence.

Article 39 (Administrative Fines)

(1) Either of the following persons shall be punished by an administrative fine not exceeding three million won, as prescribed by Presidential Decree: <Amended by Act No. 12089, Aug. 13, 2013>

1. A person who accesses a management area, in violation of Article 20-7;

2. A person who obstructs or refuses access, temporary use, the changing of or removal of obstacles, etc., in violation of Article 35 (5).
- (2) Administrative fines under paragraph (1) shall be imposed and collected by the Minister of Oceans and Fisheries, Mayors/Do Governors or the heads of Sis/Guns/Gus. <Amended by Act No. 11690, Mar. 23, 2013>

ADDENDA

Article 1 (Enforcement Date)

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

Article 2 (Applicability concerning Authorization of Implementation Plan for Coastal Maintenance Project)

The amended provisions of Article 25 shall apply to an implementation plan for coastal maintenance project established or amended on or after this Act enters into force.

Article 3 (Applicability concerning Appropriation and Use of Land, etc.)

The amended provisions in the proviso to Article 27 (1) shall apply to an implementer of coastal maintenance project designated pursuant to amended provisions of Article 24 (4) on or after this Act enters into force.

Article 4 (Applicability concerning Post-Management of Structures of Coastal Maintenance Projects)

The amended provisions in Article 29 shall apply to structures installed under the coastal maintenance projects on or after this Act enters into force.

Article 5 (Transitional Measures concerning Basic Research concerning Actual Conditions of Coasts)

Basic research conducted pursuant to the previous provisions of Article 4 as at the time this Act enters into force shall be deemed to have been conducted according to the amended provisions of Article 5.

Article 6 (Transitional Measures concerning Plan for Integrated Coastal Management)

The plan for integrated coastal management established under the previous provisions of Articles 5 through 7 as at the time this Act enters into force shall be deemed to have been established according to the amended provisions of Articles 6 through 8 on the date it was announced in the Official Gazette pursuant to the previous provisions of Article 7 (1).

Article 7 (Transitional Measures concerning Local Plans for Coastal Management Areas)

Local plans for coastal management areas established pursuant to the previous provisions of Articles 8 and 9 as at the time this Act enters into force shall be deemed to have been established pursuant to the amended provisions of Articles 9 through 11.

Article 8 (Transitional Measures concerning Coastal Maintenance Plans)

Coastal maintenance plans established under the previous provisions of Article 13 as at the time this Act enters into force shall be deemed to have been established pursuant to the amended provisions of Article 21.

Article 9 (Transitional Measures concerning Coastal Management Officer)

The coastal management officer commissioned under the previous provisions of Article 24 as at the time this Act enters into force shall be deemed to have been commissioned under the amended provisions of Article 33.

Articles 10 Omitted.

Article 11 (Relations to Other Acts and Subordinate statutes)

Where the previous Coast Management Act or the previous provisions thereof are cited in other Acts and subordinate statutes as at the time this Act enters into force, and corresponding provisions exist in this Act, the corresponding provisions in the Act shall be deemed to have been cited in place of the previous provisions.

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

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That Article 22 (29) of the Addenda shall enter into force.

Articles 2 through 23 Omitted.

ADDENDA <Act No. 9773, Jun. 9, 2009>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That Article 9 (17) of the Addenda shall enter into force on and after March 26, 2010.

Articles 2 through 10 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 14 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 13 Omitted.

ADDENDA <Act No. 11020, Aug. 4, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 10 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Act No. 12089, Aug. 13, 2013>

Article 1 (Enforcement Date)

(1) This Act shall enter into force one year after the date of its promulgation: Provided, That the amended provisions of subparagraph 2 of Article 2, Article 9 (2) and (6), subparagraph 8 of Article 10, Articles 11 (2), 12 (5) and (6), 13 (1) 1, 2, 3 and 7, 16 (1), 17 (1) 6, the partial provisions other than the subparagraphs of Article 19 (1), Article 20, subparagraph 1 of Article 22, Articles 25 (4), 26 (1) 1, 5, 7 and 17, 28, 29 (1), 33 (1), 34-2 and 37 shall enter into force on the date of its promulgation.

Article 2 (Applicability to Approval for Implementation Plans for Coastal Maintenance Projects)

The amended provisions of Article 25 (5) shall apply, starting from the first implementation plan for a coastal maintenance project formulated or altered after this Act enters into force.

Article 3 (Applicability to Bearing Costs)

The amended provisions of Article 28 (3) and (4) shall apply, starting from the first coastal maintenance project implemented after the same amended provisions enter into force.

Article 4 (Transitional Measures concerning Plans for Integrated Coastal Management)

A plan for integrated coastal management formulated under the former provisions of Articles 6 through 8 at the time this Act enters into force shall be deemed formulated under this Act on the date on which such plan is notified in the Official Gazette pursuant to Article 8 (1).

Article 5 (Transitional Measures concerning Plans for Coastal Management Areas)

A plan for coastal management areas established under the former provisions of Articles 9 through 11 at the time this Act enters into force shall be deemed established under this Act on the date on which such plan is notified in the Official Gazette pursuant to Article 11 (1) and (2).

Article 6 (Transitional Measures concerning Basic Plans for Coastal Maintenance)

A basic plan for coastal maintenance formulated or altered pursuant to the former provisions of Articles 21 through 23 at the time this Act enters into force shall be deemed a basic plan for coastal maintenance formulated or altered under this Act.

Article 7 (Transitional Measures concerning Coastal Management Officers)

A coastal management officer appointed at the time this Act enters into force shall be deemed a coastal management officer appointed pursuant to the amended provisions of Article 33.

Article 8 Omitted.

Article 9 (Relations to other Acts and Subordinate Statutes)

Where the former provisions are cited in other Acts and subordinate statutes at the time this Act enters into force, the corresponding provisions in the Act shall be deemed cited in lieu of the former provisions if the corresponding provisions exist in this Act.

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

Article 1 (Enforcement Date)

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

Articles 2 through 25 Omitted.

ADDENDA <Act No. 12738, Jun. 3, 2014>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

