

BUILDING ACT

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Act No. 9071, jun. 5, 2008

Act No. 9103, jun. 5, 2008

Act No. 9384, Jan. 30, 2009

Act No. 9437, Feb. 6, 2009

Act No. 9594, Apr. 1, 2009

Act No. 9770, jun. 9, 2009

Act No. 9774, jun. 9, 2009

Act No. 9858, Dec. 29, 2009

Act No. 10331, May 31, 2010

Act No. 10599, Apr. 14, 2011

Act No. 10755, May 30, 2011

Act No. 10764, May 30, 2011

Act No. 10892, Jul. 21, 2011

Act No. 11037, Aug. 4, 2011

Act No. 11057, Sep. 16, 2011

Act No. 11182, Jan. 17, 2012

Act No. 11365, Feb. 22, 2012

Act No. 11495, Oct. 22, 2012

Act No. 11599, Dec. 18, 2012

Act No. 11690, Mar. 23, 2013

Act No. 11763, May 10, 2013

Act No. 11794, May 22, 2013

Act No. 11921, Jul. 16, 2013

Act No. 11998, Aug. 6, 2013

Act No. 12246, Jan. 14, 2014

Act No. 12248, Jan. 14, 2014

Act No. 12701, May 28, 2014

Act No. 12737, jun. 3, 2014

Act No. 12738, jun. 3, 2014

Act No. 12968, Jan. 6, 2015
Act No. 13325, May 18, 2015
Act No. 13433, Jul. 24, 2015
Act No. 13470, Aug. 11, 2015
Act No. 13471, Aug. 11, 2015
Act No. 13474, Aug. 11, 2015
Act No. 13601, Dec. 22, 2015
Act No. 13782, Jan. 19, 2016
Act No. 13785, Jan. 19, 2016
Act No. 13805, Jan. 19, 2016
Act No. 14016, Feb. 3, 2016

Article 1 (Purposes)

The purposes of this Act are to improve the safety, functions, environment, and aesthetic view of buildings, and to promote public welfare by establishing the standards for and purposes of use of sites, structures, and facilities of buildings.

Article 2 (Definitions)

(1) The terms used in this Act shall be defined as follows: *<Amended by Act No. 9774, Jun. 9, 2009; Act No. 11057, Sep. 16, 2011; Act No. 11182, Jan. 17, 2012; Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014; Act No. 12701, May 28, 2014; Act No. 12738, Jun. 3, 2014; Act No. 13785, Jan. 19, 2016; Act No. 14016, Feb. 3, 2016>*

1. The term "site" means a parcel of land partitioned under the Act on the Establishment, Management, etc. of Spatial Data: Provided, That at least two parcels of land or part of at least one parcel of land may be deemed one site if they are parcels of land prescribed by Presidential Decree;
2. The term "building" means a structure fixed on land, with a roof and columns or walls and facilities appurtenant thereto; an office, structure for public performances, shop, garage, or warehouse installed in an underground or elevated structure; or other structures prescribed by Presidential Decree;
3. The term "use of a building" means classification of buildings according to similarity of the structure, use, or style of such buildings;
4. The term "building equipment" means systems installed in a building for electricity, telephone, high-speed information communications, intelligent home networking, gas, water supply, water distribution, drainage, air ventilation, heating, air-conditioning, fire-fighting, smoke ventilation, and disposal of wastes; chimneys, elevators, lightning conductors, flag poles, common antenna, cable television-receiving devices, mail boxes, water reservoirs, and ant-crime facilities in a building, and other facilities specified by Ordinance of the Ministry of Land, Infrastructure and Transport;
5. The term "basement level" means a level below the ground level of a building, the average height of which from its floor up to the ground level shall be at least half of the height of the level;

6. The term "living room" means a room of a building, used for dwelling, business, working, meeting, recreation, or another similar purposes;
7. The term "main structural parts" means bearing walls, columns, floors, beams, roof frameworks, and main stairways: Provided, That excluded herefrom shall be studs, the lowest floor, small beams, sunshades, outdoor stairways, and other similar parts not essential to the structure of a building;
8. The term "construction" means constructing a new building; extending, altering, or rebuilding an existing building; or relocating a building;
9. The term "substantial repair" means repairing, altering, or extending the structure or external form of columns, beams, bearing walls, main stairways of a building, which is further defined by Presidential Decree;
10. The term "remodelling" means activities of substantial repair or partial extension of a building for keeping the building from deterioration or for improving functions of the building;
11. The term "road" means any of the following roads or proposed roads with at least four-meter width for pedestrian and motor vehicle traffic, (or a road with a structure and width prescribed by Presidential Decree, if geographical features make use by motor vehicle traffic impossible, or it has a dead end):
 - (a) A road for which a public announcement of new construction or alteration has been issued pursuant to the National Land Planning and Utilization Act, the Road Act, the Private Road Act, or any other relevant statute;
 - (b) A road, the location of which has been designated and publicly announced by the Special Metropolitan City Mayor, a Metropolitan City Mayor, the Metropolitan Autonomous City Mayor, a Do Governor, or the Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor") or the head of a Si/Gun/Gu (referring to the head of an autonomous Gu; hereinafter the same shall apply) as at the time a building permit is granted or a report on a building project is filed;
12. The term "project owner" means a person who has awarded a contract for construction or substantial repair of a building, change of use of a building, installation of building equipment, or erection of a structure (hereinafter referred to as "construction, etc., of a building") to someone, or who carries out such construction works by him/herself with a site manager employed;
- 12-2. The term "manufacturer" means a person who manufactures building materials necessary for the construction, substantial repair and change of the use of a building, installation of building equipment, erection of a structure, etc.;
- 12-3. The term "distributor" means a person who sells building materials necessary for the construction, substantial repair and change of the use of a building, installation of building equipment, or erection of a structure, or delivers them to a construction site;
13. The term "architect" means a person who prepares architectural plans and drawings under his/her responsibility (including where he/she performs such works with assistants), interprets the design of the plans and drawings, and provides guidance and advice on the architectural plans and drawings;

14. The term "architectural plans and drawings" means drawings, structural calculation sheets, specifications, and other documents necessary for construction works as specified by Ordinance of the Ministry of Land, Infrastructure and Transport;

15. The term "project supervisor" means a person responsible for inspection of construction works to ensure that a building, building equipment, or a structure is built or erected in compliance with the details of architectural plans and drawings, under his/her responsibility (including where he/she performs such works with assistants), as prescribed by this Act, as well as for guidance and supervision over quality control, project management, and safety control;

16. The term "contractor" means a person who performs construction works as defined in subparagraph 4 of Article 2 of the Framework Act on the Construction Industry;

16-2. The term "maintenance and management of a building" means managing a building conducted by the owner or manager thereof until it is destructed to continuously maintain the site, structure, facilities, use of the building which has been approved for use;

17. The term "related specialized engineer" means a holder of qualifications for a specialized area of engineering relating to a building, such as structures or building equipment, who participates in planning and supervision of the building and cooperates with the architect and project supervisor;

18. The term "special building zone" means an area specially designated as exempt from some regulations under this Act or any other statute, or one to which such regulations shall be relaxed or integrated for application in order to facilitate the creation of beautiful urban landscape, the development of construction technology, and the improvement of systems relating to construction through construction of harmonious and creative buildings;

19. The term "high-rise building" means a building at least 30 floors or 120 meters tall;

20. The term "interior construction" means dividing the interior space of a building with partitions, or installing materials and decorations prescribed by Presidential Decree, such as wallpapers, ceiling materials, flooring materials and glass, in order to use the indoor of a building in a safe, comfortable and efficient manner;

21. The term "appurtenant structure" means any structure prescribed by Presidential Decree, such as a ventilating facility, installed additionally at a building to improve the safety, functions, environments, etc. of the building.

(2) The uses of buildings shall be classified into the following categories, and the subcategories of the uses of buildings in each such category shall be prescribed by Presidential Decree: <Amended by Act No. 11921, July 16, 2013>

1. Detached houses;
2. Multi-family housing;
3. Class I neighborhood living facilities;
4. Class II neighborhood living facilities;

5. Facilities for cultural activities and assembly;
6. Religious facilities;
7. Sales facilities;
8. Transportation facilities;
9. Medical facilities;
10. Education and research facilities;
11. Facilities for older persons and children;
12. Training facilities;
13. Sports facilities;
14. Business facilities;
15. Lodging facilities;
16. Amusement facilities;
17. Factories;
18. Warehouses;
19. Facilities for storage and treatment of dangerous substances;
20. Facilities for motor vehicles;
21. Facilities for animals and plants;
22. Resource recycling-related facilities;
23. Correctional facilities and military installations;
24. Broadcasting and telecommunications facilities;
25. Power generation facilities;
26. Cemeteries and related facilities;
27. Tourism and leisure facilities;
28. Other facilities prescribed by Presidential Decree.

Article 3 (Exemption of Application)

(1) This Act shall not apply to any building, if it is: <Amended by Act No. 13785, Jan. 19, 2016>

1. An item of cultural heritage designated, permanently or provisionally, pursuant to the Cultural Heritage Protection Act;
2. Any of the following facilities within the site of a railroad or track:
 - (a) A facility for safety of operation;
 - (b) A pedestrian facility installed over or under a railroad;
 - (c) A platform;
 - (d) A facility for supplying water, coal, or oil for the operation of the railroad or track;
3. An expressway tollgate;
4. Temporary storage made of cargo containers (limited to those installed on the site of a building that shall be used only for a factory as defined in subparagraph 1 of Article 2 of the Industrial Cluster Development and Factory Establishment Act and that shall be easily movable);

5. A floodgate control room within a river area determined under the River Act.

(2) Articles 44 through 47, 51, and 57 shall not apply to any area that is neither an urban area classified under the National Land Planning and Utilization Act nor a district-unit planning zone designated under Article 51 (3) of the same Act (hereinafter referred to as "district-unit planning zone") and that is not in the boundary of a Dong or Eup (or an island within a Dong or Eup, only if the island has a population of at least 500). <Amended by Act No. 10599, Apr. 14, 2011; Act No. 12246, Jan. 14, 2014>

(3) Articles 45 through 47 shall not apply where a building or structure referred to in Article 47 (7) of the National Land Planning and Utilization Act is built on the site of a proposed road designated for the planned urban/Gun facility. <Amended by Act No. 10599, Apr. 14, 2011>

Article 4 (Building Committees)

(1) The Minister of Land, Infrastructure and Transport, a Mayor/Do Governor, and the head of a Si/Gun/Gu shall establish a building committee to investigate, deliberate on, conciliate, and adjudicate on the following (hereafter referred to as "deliberation, etc." in this Article): <Amended by Act No. 9594, Apr. 1, 2009; Act No. 11690, Mar. 23, 2013; Act No. 12701, May 28, 2014>

1. Essential matters for the enactment, amendment, and enforcement of this Act and relevant municipal ordinances;
2. Matters concerning the conciliation of, or adjudication on, disputes related to construction, etc. of buildings: Provided, That excluded herefrom shall be any building committee established by a Mayor/Do Governor, and the head of a Si/Gun/Gu;
3. Matters concerning civil petitions related to the construction, etc. of buildings: Provided, That excluded herefrom shall be any building committee established by the Minister of Land, Infrastructure and Transport;
4. Matters concerning the construction, etc., or substantial repair of buildings;
5. Matters specified by any other Act or subordinate statute to be deliberated upon by a building committee.

(2) The Minister of Land, Infrastructure and Transport, a Mayor/Do Governor, or the head of a Si/Gun/Gu may organize and operate any of the following working committees under the building committee established thereby, if necessary for efficient deliberation, etc. by a building committee: <Amended by Act No. 9594, Apr. 1, 2009; Act No. 11690, Mar. 23, 2013; Act No. 12701, May 28, 2014>

1. A working committee for conciliating construction-related disputes (limited to building committees established under the Ministry of Land, Infrastructure and Transport);
2. A working committee for construction-related civil petitions (limited to building committees established under a City/Do and Si/Gun/Gu);
3. A working committee for various fields, such as construction planning, building structure, or building equipment.

(3) Working committees established under paragraph (2) shall conduct deliberations, etc. on the matters determined by the building committees. <Amended by Act No. 9594, Apr. 1, 2009; Act No. 12701, May 28,

2014>

(4) Matters deliberated on by any of working committees established under paragraph (3) shall be deemed deliberated on by a building committee. <Amended by Act No. 9594, Apr. 1, 2009; Act No. 12701, May 28, 2014>

(5) The organization and operation of each building committee referred to in paragraph (1), and other necessary matters, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, or ordinance of the competent local government (referring to ordinance of the Special Metropolitan City or the competent Metropolitan City, where the building committee is established within an autonomous Gu; hereinafter the same shall apply), as prescribed by Presidential Decree. <Amended by Act No. 11690, Mar. 23, 2013>

Article 4-2 (Deliberation, etc. on Construction by Building Committees)

(1) A person who intends to construct or substantially repair any building prescribed by Presidential Decree shall file an application for deliberation thereon by a building committee established under Article 4 (hereinafter referred to as “building committee”), with a Mayor/Do Governor, or a head of a Si/Gun/Gu before applying for a building permit or a permit for substantial repair under Article 11.

(2) Upon receipt of an application for deliberation filed under paragraph (1), a Mayor/Do Governor or a head of a Si/Gun/Gu shall submit the agenda items for deliberation to a building committee, as prescribed by Presidential Decree, and shall notify the relevant applicant of the outcomes thereof, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(3) A person who has an objection to any of the outcomes of deliberation by a building committee notified under paragraph (2) may file an application for re-deliberation with the relevant Mayor/Do Governor, or the relevant head of a Si/Gun/Gu within one month from receipt of such outcomes.

(4) Upon receipt of an application for re-deliberation filed under paragraph (3), a Mayor/Do Governor or a head of a Si/Gun/Gu shall submit the agenda items for re-deliberation within 15 days from receipt of the application, as prescribed by Presidential Decree, and shall notify the relevant applicant of the outcomes thereof, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 4-3 (Disclosure of Minutes of Building Committees)

A Mayor/Do Governor, or a head of a Si/Gun/Gu shall disclose the minutes stating the date, venue, agenda items, details, outcomes, etc. of deliberation by a building committee, as prescribed by presidential Decree, if requested by an applicant for deliberation under Article 4-2 (1) (including re-deliberation under paragraph (3) of the same Article; hereafter the same shall apply in this Article): Provided, That this shall not apply to matters related to any personally identifiable information prescribed by Presidential Decree, including the committee members’ names and resident registration numbers, which could compromise the fairness of deliberation.

Article 4-4 (Working Committees for Construction-Related Civil Petitions)

(1) Working Committees for construction-related civil petitions established under Article 4 (2) shall deliberate on any of the following civil petitions related to construction, etc., of buildings ((limited civil

petitions unresolved (hereinafter referred to as “civil petition for inquiries”) by the Special Metropolitan City Mayor, Metropolitan City Mayors, the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu (hereinafter referred to as “permitting authority”), and they shall be sub-classified into a working committee for construction-related civil petitions established by a Mayor/Do Governor (hereinafter referred to as “metropolitan working committee for construction-related civil petitions”), and a working committee for construction-related civil petitions established by the head of a Si/Gun/Gu (hereinafter referred to as “basic local working committee for construction-related civil petitions”):

1. Civil petitions regarding the implementation and enforcement of construction-related statutes;
2. Civil petitions regarding the implementation and enforcement of the provisions of Acts referred to in the subparagraphs of Article 11 (5), which are related to construction, etc. of buildings;
3. Other civil petitions prescribed by Presidential Decree.

(2) Metropolitan working committees for construction-related civil petitions shall deliberate on civil petitions for inquiries related to building permits or advance approval granted by the permitting authority or Do Governor (hereinafter referred to as “permitting authority, etc.”) under Articles 11, and basic local working committees for construction-related civil petitions shall deliberate on civil petitions for inquiries related to building permits granted by, and reports filed with, the head of a Si/Gun/Gu (including the head of an administrative city) under Articles 11 and 14.

(3) The composition, meetings, and operation of working committees for construction-related civil petitions, and other necessary matters shall be prescribed by ordinance of the competent local government.

Article 4-5 (Applications for Deliberation on Civil Petitions for Inquiries)

(1) A person who intends to apply for deliberation on a civil petition for inquiries related to construction, etc. of a building, shall file an application for deliberation with the competent working committee for construction-related civil petitions established under Article 4-4 (2).

(2) A person who intends to apply for deliberation under paragraph (1) shall file a written application, stating the following matters: Provided, That he/she may file an oral application, in exceptional circumstances preventing a written application:

1. Name and address of the applicant;
2. Purport of, and grounds for filing the application, and the facts forming the basis for the civil petition;
3. Other matters prescribed by Presidential Decree, including the name of the relevant administrative agency.

(3) Upon receipt of a civil petition for inquiries filed by an applicant, a working committee for construction-related civil petitions shall complete deliberation within 15 days from receipt of such civil petition: Provided, That the working committee for construction-related civil petitions may extend such period by up to 15 days by resolution in exceptional circumstances.

Article 4-6 (Investigations and Hearing of Opinions for Deliberation)

(1) A working committee for construction-related civil petitions may require a committee member or public official belonging to the secretariat thereof, to inspect related documents, or enter a relevant place of business to conduct investigations, if deemed necessary for deliberation.

(2) A working committee for construction-related civil petitions may require the relevant applicant, the person-in-charge of the permitting authority, interested persons, or expert witness to appear at the meeting of the committee to state their opinions, if deemed necessary.

(3) A working committee for construction-related civil petitions in receipt of an application for deliberation on a civil petition shall deliberate thereon within the deliberation period for and prepare a written determination.

Article 4-7 (Presentation, etc., of Opinions)

(1) A working committee for construction-related civil petitions may present opinions on a civil petition for inquiries after thoroughly reviewing the relevant statutes, authoritative interpretations of relevant administrative agencies, judicial precedents on cases similar to such civil petition, and conditions of the relevant construction site.

(2) A working committee for construction-related civil petitions shall, without delay, notify the relevant applicant, permitting authority, etc., of the details of the written determination on the civil petition.

(3) A permitting authority, etc., notified of the details of the written determination pursuant to paragraph (2) shall respect such determination, and shall notify the relevant working committee for construction-related civil petitions of the action taken in response to such determination, within ten days from the receipt of such notification.

(4) Where the head of a Si/Gun/Gu fails to comply with any of the details of the written determination under paragraph (2), the relevant civil petitioner may file an application for deliberation thereon with the relevant metropolitan working committee for construction-related civil petitions, accompanied by a report on the action taken in response to such determination by the head of a Si/Gun/Gu, notwithstanding Article 4-4 (2).

(5) A working committee for construction-related civil petitions notified of the action taken in response to the determination under paragraph (3) shall, without delay, notify the relevant applicant of the details thereof.

Article 4-8 (Secretariats)

(1) A working committee for construction-related civil petitions shall establish a secretariat to conduct its affairs.

(2) Examiners shall be assigned to a working committee for construction-related civil petitions to take charge of some of the following affairs:

1. Deliberation by, and operation of, the working committee for construction-related civil petitions;
2. Support for resolving civil petitions related to the construction, etc. of buildings;
3. Other affairs designated by the chairperson of the working committee for construction-related civil petitions.

(3) To provide expert advice on specific cases, the chairperson of a working committee for construction-related civil petitions may appoint relevant experts to conduct the affairs listed under paragraph (2).

Article 5 (Relaxed Application)

(1) If a project owner, architect, contractor, or project supervisor (hereinafter referred to as "construction participant") deems it highly unreasonable to apply this Act to a site or building prescribed by Presidential Decree, in the course of his/her works, he/she may request the permitting authority to relax the criteria under this Act. *<Amended by Act No. 12246, Jan. 14, 2014; Act No. 12701, May 28, 2014>*

(2) The competent permitting authority, in receipt of a request made under paragraph (1), shall determine whether to allow such relaxation and to what extent such relaxation shall be allowed, subject to deliberation by the relevant building committee, and shall notify the applicant of his/her determination. *<Amended by Act No. 12701, May 28, 2014>*

(3) Procedures for making requests and determinations under paragraphs (1) and (2), and other necessary matters shall be prescribed by ordinance of the competent local government.

Article 6 (Special Exceptions to Existing Buildings, etc.)

Where a site or a building violates any provision of this Act as a consequence of the enactment of, or amendment to, an statute or due to any of the reasons prescribed by Presidential Decree, the competent permitting authority may grant a permit for construction, as prescribed by ordinance of the competent local government, to the extent prescribed by Presidential Decree.

Article 6-2 (Special Exceptions to Building of Unique Structures)

@ Articles 4, 4-2 through 4-8, 5 through 9, 11, 14, 19, 21 through 25, 35, 40, 41, 48, 48-2, 49, 50, 50-2, 51, 52, 52-2, 52-3, 53, 62 through 64, 65-2, 67, 68, and 84, may be tightened or modified, as prescribed by Presidential Decree, when they apply to buildings prescribed by Presidential Decree, with special structures, materials, types, construction methods, etc. (hereinafter referred to as "buildings of unique structures").

Article 6-3 (Special Exceptions to Floating Buildings)

(1) Articles 40 through 44, 46, and 47 may otherwise apply, as prescribed by Presidential Decree, to a building constructed on an artificial building site fixed on the public waters (such site shall be deemed a "site" defined in Article 2 (1) 1) under Article 8 of the Public Waters Management and Reclamation Act (hereinafter referred to as "floating building").

(2) Where it is not practical to apply this Act to the design, construction, maintenance, etc., of floating buildings, this Act may apply as modified, as prescribed by Presidential Decree.

Article 7 (Municipal Ordinances of Dos to Maintain Uniformity)

Each Do government may enact a uniform municipal ordinance to prescribe matters to be prescribed otherwise by municipal ordinance of each Si/Gun respectively pursuant to Articles 5 (3), 6, 17 (2), 20 (2) 3, 27 (3), 42, 57 (1), 58, and 61, if deemed necessary to maintain uniformity in municipal ordinances of Sis/Guns within its jurisdiction. *<Amended by Act No. 12246, Jan. 14, 2014; Act No. 13325, May 18, 2015>*

Article 8 (Special Exception in Preparation for Remodelling)

If an application for building permit is filed for multi-family housing with a structure prescribed by Presidential Decree, the standards provided for in Articles 56, 60, and 61 may be relaxed to a rate prescribed by Presidential Decree within the extent of 120/100, to apply the standards to such application, in order to facilitate the construction of multi-family housing with an easy-to-remodel structure.

Article 9 (Exclusion of Other Acts and Subordinate Statutes)

(1) Article 244 (1) of the Civil Act shall not apply to cases where the excavation of basement levels is required for construction, etc. of a building: Provided, That measures necessary for safety shall be taken to prevent hazards.

(2) Article 38 of the Sewerage Act shall not apply to the planning and design works of a private sewage treatment facility appurtenant to a building.

Article 10 (Prior Determination on Location and Scale of Buildings)

(1) Each person who intends to construct a building that requires a building permit under Article 111, may file an application to request the competent permitting authority to make a prior determination on the following matters concerning the construction of the building: *<Amended by Act No. 13325, May 18, 2015>*

1. Whether the construction of such building on the relevant site is permitted under this Act or related statutes;
2. The scale of a building that can be constructed on the relevant site, taking into consideration the building standards and restrictions on construction under this Act or related statutes, matters concerning the relaxed application thereof, etc.;
3. Matters to be considered by an applicant to obtain a building permit.

(2) Each person who files an application for prior determination under paragraph (1) (hereinafter referred to as "applicant for prior determination") may simultaneously file an application for deliberation by the competent building committee and for examination on the traffic impact assessment statement under the Urban Traffic Improvement Promotion Act. *<Amended by Act No. 9071, Mar. 28, 2008; Act No. 13433, Jul. 24, 2015>*

(3) Where the area of the building site for which an application for prior determination has been filed under paragraph (1) is subject to small-scale prior assessment of environmental impacts under Article 43 of the Environmental Impact Assessment Act, the competent permitting authority shall consult with the Minister of Environment or the head of the competent local environment office on the small-scale assessment of environmental impacts. *<Amended by Act No. 10892, Jul. 21, 2011>*

(4) Upon receipt of an application filed under paragraphs (1) and (2), the competent permitting authority shall make a prior determination on the location, scale, and use of the building and notify the applicant of the results thereof.

(5) Procedures for filing applications under paragraphs (1) and (2), documents required for filing such applications, and notice thereof, and other necessary matters, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Act No. 11690, Mar. 23, 2013>*

(6) In receipt of a notice of prior determination under paragraph (4), an applicant shall be deemed to have obtained permission, filed a report, or held a consultation under any of the following subparagraphs: *<Amended by Act No. 10331, May 31, 2010>*

1. Permission for development activities under Article 56 of the National Land Planning and Utilization Act;
 2. Permission for, and reporting on, the diversion of a mountainous district under Articles 14 and 15 of the Mountainous Districts Management Act, or permission for, and reporting on, the temporary use of a mountainous district under Article 15-2 of the same Act: Provided, That, if the mountainous district is subject to conservation, the same shall apply only to such within an urban area;
 3. Permission for, and reporting or consultation on, the conversion of farmland under Articles 34, 35 and 43 of the Farmland Act;
 4. Permission to occupy and use a river under Article 33 of the River Act.
- (7) A competent permitting authority shall consult with the head of the relevant administrative agency before making a prior determination that involves in any disposition under the subparagraphs of paragraph (6), and the head of the administrative agency shall, upon receipt of a request for consultation, present his/her opinion within 15 days from receipt of such request.

(8) An applicant for a prior determination shall file an application for a building permit under Article 11 within two years of the date of receipt of a notice of prior determination under paragraph (4), and the prior determination shall become invalid if he/she fails to file an application for the building permit within the aforesaid period.

Article 11 (Building Permits)

(1) A person who intends to construct a new building or substantially repair an existing building shall obtain a permit from the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu: Provided, That a person who intends to construct a building for the use and scale prescribed by Presidential Decree, including a building with at least 21 floors, within the Special Metropolitan City or a Metropolitan City, shall obtain a permit from the competent Special Metropolitan City Mayor or Metropolitan City Mayor. *<Amended by Act No. 12246, Jan. 14, 2014>*

(2) The head of a Si/Gun shall submit a construction plan accompanied by basic architectural plans and drawings indicating the use, scale, and shape of the building, as specified by Ordinance of the Ministry of Land, Infrastructure and Transport, to the competent Do Governor for approval before granting a building permit for any of the following buildings pursuant to paragraph (1): *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12701, May 28, 2014>*

1. A building referred to in the proviso to paragraph (1): Provided, That excluded herefrom shall be buildings prescribed by ordinance of the relevant Do, based upon an urban environment, metropolitan transportation, etc.;
2. A building for the use prescribed by Presidential Decree, such as a building for amusement or lodging facilities, to be constructed within a specific area designated and publicly announced by a Do Governor

to conserve the natural environment or water quality, with at least 3 floors or at least 1,000 square meters of total floor area;

3. A building for amusement or lodging facilities to be constructed within a specific area designated and publicly announced by a Do Governor, as deemed necessary to protect the surrounding environment, such as a residential or educational environment.

(3) A person who intends to obtain a permit under paragraph (1) shall file an application with the competent permitting authority for such permit, accompanied by the architectural plans and drawings prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, and applications and required documents to be submitted under related Acts and subordinate statutes to obtain permission, etc., or to file reports referred to in subparagraphs of paragraph (5): Provided, That he/she may submit the applications and required documents prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, the Minister of Land, Infrastructure and Transport determines after having consulted with the heads of related administrative agencies before filing a report on the commencement of the construction works under Article 21. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13325, May 18, 2015>

(4) A permitting authority shall confirm the compliance with the Korea Building Regulations publicly announced under Article 25 of the Framework Act on Building in order to grant a building permit under paragraph (1): Provided, That it need not grant a building permit following deliberation thereon by the competent building committee, in either of the following circumstances, notwithstanding this Act or any other Act: <Amended by Act No. 11182, Jan. 17, 2012; Act No. 11495, Oct. 22, 2012; Act No. 12246, Jan. 14, 2014; Act No. 13325, May 18, 2015; Act No. 13470, Aug. 11, 2015>

1. In granting a building permit to construct a building for amusement facilities or lodging facilities, the use, scale, or shape of the building is deemed inappropriate based upon the surrounding environment, such as a residential or educational environment;

2. Where it is deemed inappropriate to use part of the relevant space, such as the basement level, of a building to be constructed in a frequently-flooded or flood-prone area, including a disaster-prevention district designated under Article 37 (1) 5 of the National Land Planning and Utilization Act (hereinafter referred to as “disaster-prevention district”) and an area requiring improvement against natural disasters under Article 12 (1) of the Countermeasures against Natural Disasters Act, for residential purposes, or to set up a living room.

(5) A building permit granted under paragraph (1) shall be deemed any of the following permissions granted or reporting under the following Acts, while a building permit granted for a factory building shall be deemed authorization, permission, etc., granted under the relevant statutes referred to in Articles 13-2 and 14 of the Industrial Cluster Development and Factory Establishment Act. <Amended by Act No. 9770, Jun. 9, 2009; Act No. 10331, May 31, 2010; Act No. 10755, May 30, 2011; Act Nos. 12246 & 12248, Jan. 14, 2014>

1. Reporting on the construction of a temporary structure for construction works under Article 20 (2);

2. Reporting on the construction of a structure under Article 83;

3. Permission for development activities under Article 56 of the National Land Planning and Utilization Act;
4. Designation of a project implementer under Article 86 (5) of the National Land Planning and Utilization Act and authorization of an implementation plan under Article 88 (2) of the said Act;
5. Permission for, and reporting on, the diversion of a mountainous district under Articles 14 and 15 of the Mountainous Districts Management Act, or permission for, or reporting on, the temporary use of a mountainous district under Article 15-2 of the same Act: Provided, That if a mountainous district is subject to conservation, the same shall apply only to such within an urban area;
6. Permission to open a private road under Article 4 of the Private Road Act;
7. Permission for, or reporting or consultation on, the conversion of farmland under Article 34, 35, or 43 of the Farmland Act;
8. Permission granted to execute construction works by persons, other than road management authorities under Article 36 of the Road Act, and permission for linking roads with other facilities under Article 52 (1) of the same Act;
9. Permission to occupy and use roads under Article 61 of the Road Act;
10. Permission to occupy and use rivers under Article 33 of the River Act;
11. Reporting on the installation of drainage systems under Article 27 of the Sewerage Act;
12. Reporting on the installation of private sewage treatment facilities under Article 34 (2) of the Sewerage Act;
13. Filing an application for water supply under ordinance enacted by the competent local government pursuant to Article 38 of the Water Supply and Waterworks Installation Act, if the water supplier is the local government;
14. Authorization for, or reporting on, a construction plan of a private power generation facility under Article 62 of the Electric Utility Act;
15. Permission for, or reporting on, the installation of facilities for discharging water pollutants under Article 33 of the Water Quality and Aquatic Ecosystem Conservation Act;
16. Permission for, or reporting on, the installation of facilities for emitting air pollutants under Article 23 of the Clean Air Conservation Act;
17. Permission for, or reporting on, the installation of facilities generating noise or vibration under Article 8 of the Noise and Vibration Control Act;
18. Permission for, or reporting on, the installation of waste-generating facilities under Article 11 of the Act on the Management and Use of Livestock Excreta;
19. Permission to engage in activities under Article 23 of the Natural Parks Act;
20. Permission to occupy and use an urban park under Article 24 of the Act on Urban Parks and Green Areas, Etc.;
21. Reporting on specific facilities subject to restriction on soil contamination under Article 12 of the Soil Environment Conservation Act.

(6) If any other administrative agency has jurisdiction over any matter provided for in the subparagraphs of paragraph (5), the competent permitting authority shall first consult thereon with the head of such administrative agency, and the head of such administrative agency shall, upon receipt of a request for consultation, present his/her opinion within 15 days from receipt of the request. In such cases, the head of the relevant administrative agency shall not refuse to hold consultation on any ground, other than those in the processing guidelines prescribed in paragraph (8).

(7) The competent permitting authority shall revoke a permit granted to a person pursuant to paragraph (1), if the person falls under any of the following cases: Provided, That the permitting authority may extend the deadline for the commencement of construction works by up to one year, if the permitting authority deems that just cause exists in the circumstance provided for in subparagraph 1: *<Amended by Act No. 12246, Jan. 14, 2014>*

1. If the person fails to commence construction works within one year (three years for a factory, the new construction or expansion is approved or approval is granted to change the type of business under Article 13 of the Industrial Cluster Development and Factory Establishment Act: Provided, That this means two years for a factory for which permission or reporting for diversion of farmland is deemed granted or completed) from the date he/she is granted the permit;

2. If the person commences construction works within the period specified in subparagraph 1, but it is deemed impossible to complete the project.

(8) The head of the competent central administrative agency taking control of matters provided for in any subparagraph of paragraph (5) and the relevant statute referred to in Article 12 (1) shall notify the Minister of Land, Infrastructure and Transport of the processing guidelines. The same shall also apply to any amendment to the processing guidelines. *<Amended by Act No. 11690, Mar. 23, 2013>*

(9) The Minister of Land, Infrastructure and Transport shall, upon receipt of notice of the processing guidelines under paragraph (8), combine them to issue public notice. *<Amended by Act No. 11690, Mar. 23, 2013>*

(10) Where a person who has undergone deliberation by a building committee under Article 4 (1) fails to file an application for a building permit within two years from the date he/she is notified of the outcomes of deliberation, such deliberation by the building committee becomes invalid. *<Newly Inserted by Act No. 10755, May 30, 2011>*

(11) A person who intends to obtain a building permit under paragraph (1), shall secure the ownership of the relevant site: Provided, That the same shall not apply to any of the following cases: *<Newly Inserted by Act No. 13785, Jan. 19, 2016>*

1. Where the project owner has failed to obtain the ownership of the site but obtained the source of right to use the site: Provided, That multi-family housing for sale in units shall be excluded herefrom;

2. Where the project owner obtains consent from at least 80/100 of the co-owners of a building and the relevant site to newly construct, alter, reconstruct, or remodel the building due to any reason prescribed by Presidential Decree, such as the deterioration of a building or problems concerning structural safety,

and the aggregate share of the co-owners who have given consent is at least 80/100 of the total share.

Article 12 (One-Stop-Service Council for Processing Complex Civil Petitions)

(1) Upon receipt of an application for a permit pursuant to Article 11, the competent permitting authority shall examine whether the project for constructing a building for the intended use, and of the scale or shape on the planned site does not violate any provision of Articles 54, 56 through 62, and 76 through 82 of the National Land Planning and Utilization Act and other relevant statutes prescribed by Presidential Decree, and shall hold a meeting of the one-stop-service council for processing complex civil petitions, as prescribed by Presidential Decree, to process the matters described in the subparagraphs of Article 10 (6) and (7) or the subparagraphs of Article 11 (5) and (6).

(2) The head of the competent administrative agency responsible for examination under paragraph (1) and the heads of relevant administrative agencies referred to in Articles 10 (7) and 11 (6) shall require subordinate public officials to attend meetings of the one-stop-service council for processing complex civil petitions referred to in paragraph (1).

Article 13 (Security Bonds for Safety Control of Construction Sites)

(1) Any building permit-holder granted under Article 11 shall take necessary measures, including improving the aesthetics and safety control of the site in order to suspend construction works on the building and abandons the construction site for a long period.

(2) With regard to a building specified by ordinance of the competent local government, which has a total floor area of at least 1,000 square meters (excluding a building sold in units under a guarantee of the Housing and Urban Guarantee Corporation established under the Housing and Urban Fund Act and a building constructed under a guarantee for sale in units or a trust contract under Article 4 (1) 1 of the Act on Sale of Building Units), the permitting authority may require the project owner who has filed a report on commencement of construction works under Article 21 (excluding the Korea Land and Housing Corporation established under the Korea Land and Housing Corporation Act and a local public corporation established under the Local Public Enterprises Act for implementing construction projects) to deposit, in advance, funds necessary for improving the aesthetics and safety control of the site in preparation for hazards caused by abandoning the construction site for a long period within one percent of the project costs (including a letter of guarantee prescribed by Presidential Decree; hereinafter referred to as "security bond"). *<Amended by Act No. 11599, Dec. 18, 2012; Act No. 12701, May 28, 2014; Act No. 12989, Jan. 6, 2015>*

(3) Where the competent permitting authority refunds a security bond, he/she shall pay interest calculated at the interest rate set by Presidential Decree, in addition to the refunded principle: Provided, That the same shall not apply where a letter of guarantee is submitted in lieu of such security bond.

(4) The method of calculating and making a security bond under paragraph (2) and of refunding the same, and other necessary matters, shall be prescribed by ordinance of each local government.

(5) Where the competent permitting authority finds that an abandoned construction site degrades the urban scenery and threatens safety, he/she may issue an order to the building permit-holder to take any of the

following measures to improve the aesthetics and safety control of the construction site: <Amended by Act No. 12701, May 28, 2014>

1. Safety measures, such as installing safety fences;
2. Resumption of construction works, or rearrangement, such as demolishing a building under construction.

(6) In receipt of an improvement order under paragraph (5). if a person fails to make improvements, the competent permitting authority may make improvements on behalf of the person pursuant to the Administrative Vicarious Execution Act. In such cases, the competent permitting authority may use the security bond paid by the project owner under paragraph (2) for expenses incurred in the vicarious administrative execution, and if the expenses incurred in such vicarious administrative execution exceed the amount of the security bond already paid, the difference may be charged and levied as a surcharge pursuant to Article 6 of the Administrative Vicarious Execution Act.

(7) Where it is deemed urgently necessary for safety control of an abandoned construction site, the permitting authority may take any measure prescribed by Presidential Decree among those referred to in paragraph (5) 1, using the security bond paid by the project owner under paragraph (2) after giving notice to the relevant project owner, as prescribed by Presidential Decree. <Newly Inserted by Act No. 12701, May 28, 2014>

Article 13-2 (Safety Impact Assessments of Buildings)

(1) Before granting a building permit under Article 11 for any important building prescribed by Presidential Decree, such as a skyscraper, a permitting authority shall conduct a safety impact assessment of the building to assess its structural safety and impact on the safety of adjoining sites, etc. (hereinafter referred to as “safety impact assessment”) by entrusting it to a safety impact assessment institution.

(2) The Minister of Land, Infrastructure and Transport shall designate and publicly notify safety impact assessment institutions from among the public institutions referred to in Article 4 of the Act on the Management of Public Institutions engaged in the business related to construction.

(3) The outcomes of the safety impact assessment shall be finalized following deliberation by the competent building committee. In such cases, a building subject to deliberation by the building committee under Article 4-2 may be deliberated on by the building committee, including the outcomes of the safety impact assessment.

(4) The project owner of a building subject to the safety impact assessment shall reflect the outcomes of the safety impact assessment in the drawings and documents to be submitted when applying for a building permit, and where it is deemed impracticable to reflect it because of the building plan, he/she may request the permitting authority to conduct re-deliberation of the building committee, accompanied by evidentiary materials.

(5) Other necessary matters, such as items to be examined for the safety impact assessment, entrustment of the safety impact assessment by a project owner, and procedures for the payment and handling of assessment costs, shall be prescribed by Presidential Decree.

(6) A permitting authority shall immediately disclose the outcomes of deliberation and the details of the safety impact assessment conducted under paragraph (3) and (4), in the manner prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(7) Where a building subject to the safety impact assessment has undergone an assessment of its structural safety and impact on the safety of adjoining sites, etc., under other Acts, it shall be deemed to have undergone a safety impact assessment of the relevant items.

[This Article Newly Inserted by Act No. 14016, Feb. 3, 2016] <<Enforcement Date: Feb. 4, 2017>>

Article 14 (Building Reports)

(1) Even where a building is subject to a permit under Article 11, a building permit shall be deemed granted if a report is pre-filed with the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, if it falls under any of the following cases: <Amended by Act No. 9437, Feb. 6, 2009; Act No. 10599, Apr. 14, 2011; Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014; Act No. 12701, May 28, 2014>

1. Extending, altering, or reconstructing the floor area of a building within an aggregate of 85 square meters: Provided, That, if a building has at least three floors, the aggregate floor area of the building to be extended, altered, or reconstructed shall not exceed 1/10 of the total floor area;

2. Constructing a building with a total floor area of less than 200 square meters and less than three floors in a controlled area, an agricultural and forest area, or a natural environment conservation area designated under the National Land Planning and Utilization Act: Provided, That excluded herefrom shall be the construction of a building in any of the following zones:

(a) A district-unit planning zone;

(b) A disaster-stricken district and zone prescribed by Presidential Decree, such as a disaster-prevention district;

3. Substantial repair of a building with a total floor area of less than 200 square meters and less than three floors;

4. Substantial repair of a building prescribed by Presidential Decree without demolishing its main structural parts;

5. Construction of any small building prescribed by Presidential Decree.

(2) Article 11 (5) and (6) shall apply mutatis mutandis to building reports filed under paragraph (1). <Amended by Act No. 12701, May 28, 2014>

(3) A report filed under paragraph (1) shall become invalid, if the person who has filed the report fails to commence construction works within one year from the date such report is filed: Provided, That the permitting authority may extend the deadline for the commencement of construction works by up to one year, if the permitting authority deems that just cause exists upon the request of the project owner. <Amended by Act No. 13785, Jan. 19, 2016>

Article 15 (Contracting with Project Owners)

(1) Construction participants shall perform their works conscientiously in accordance with architectural plans and drawings so that the building can be constructed in compliance with this Act, orders and dispositions under this Act, and other relevant Acts and subordinate statutes, and shall not forcibly demand any other party to commit an illegal or unlawful act or disadvantage any other party in relation to such demand.

(2) Except as otherwise expressly provided for in this Act, the terms, conditions, and scope of liability of all construction participants shall be stipulated by agreements made by and between the project owner and the architect, the project owner and the contractor, and the project owner and the project supervisor.

(3) The Minister of Land, Infrastructure and Transport may prepare and distribute standard contract forms necessary for entering into agreements under paragraph (2) so that they can be widely used, or may commission the Registered Architects Association under Article 31 of the Certified Architects Act (hereinafter referred to as the "Registered Architects Association") or a constructors' association defined in Article 50 of the Framework Act on the Construction Industry to prepare and distribute such forms.

<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014>

Article 16 (Revision to Permits and Reports)

(1) A project owner who intends to revise any matter in a permit granted or a report filed pursuant to Article 11 or 14, shall obtain permission on the revision from the competent permitting authority or file a report on the revision with the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu, as prescribed by Presidential Decree, prior to making such revision: Provided, That the same shall not apply to any modification to insignificant matters prescribed by Presidential Decree. *<Amended by Act No. 12246, Jan. 14, 2014>*

(2) A report on the revision to matters prescribed by Presidential Decree among matters subject to permission or reporting under the main sentence of paragraph (1) may be filed with the competent permitting authority together with an application for approval for use under Article 22 at the time such application is filed.

(3) Article 11 (5) and (6) shall apply mutatis mutandis to permission for revisions or reporting on revisions to the permitted or reported matters under paragraph (1). *<Newly Inserted by Act No. 10755, May 30, 2011>*

Article 17 (Fees for Building Permits, etc.)

(1) Each person who files an application for a permit or files a report under Article 11, 14, 16, 19, 20, or 83 shall pay fees to the competent permitting authority or the authority receiving the report.

(2) Fees referred to in paragraph (1) shall be prescribed by ordinance of each local government within the limit set by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 17-2 (Claims for Sale, etc.)

(1) A project owner who hold a building permit granted under Article 11 (11) 2, may claim the sale of a co-owned share at the market price to the co-owner who has not given consent among the co-owners of

the relevant building or site. In such cases, he/she shall hold consultations for at least three months with the co-owner who is a subject matter of the claim for sale, before making a claim for sale.

(2) Article 48 of the Act on Ownership and Management of Condominium Buildings shall apply mutatis mutandis to claims for sale made under paragraph (1). In such cases, divided ownership or the right to use a site shall be deemed a co-owned share that becomes the subject matter of a claim for sale.

Article 17-3 (Disposition of Co-Owned Share, etc., with Unidentifiable Owner)

(1) Where it is substantially impracticable to identify the domicile of a co-owner of the relevant building or site, the project owner who hold a building permit granted under Article 11 (11) 2, shall make a public announcement in at least two daily newspapers circulating nationwide on at least two occasions, and the co-owned shares shall be deemed a building or site subject to a claim for sale under Article 17-2.

(2) A project owner may commence construction works after depositing an amount equivalent to the appraised value of the co-owned shares subject to a claim for sale under paragraph (1).

(3) The appraised value of the co-owned shares referred to in paragraph (2) shall be the arithmetic mean of the values appraised by at least two appraisal business entities registered under the Act on Appraisal and Certified Appraisers recommended by the permitting authority. *<Amended by Act No. 13782, Jan. 19, 2016>*

Article 18 (Restrictions, etc., on Granting Building Permits)

(1) Where the Minister of Land, Infrastructure and Transport deems it particularly necessary for managing the national land, or if requested by the competent Minister as he/she deems it particularly necessary for national defense, conserving cultural heritage and the environment, or for the national economy, he/she may impose a restriction on building permits granted by a permitting authority or on the commencement of the permitted construction works. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) The Special Metropolitan City Mayor, a Metropolitan City Mayor, and a Do Governor may impose a restriction on building permits granted by the head of a Si/Gun/Gu or on the commencement of the permitted construction works, if deemed particularly necessary for community planning or urban/Gun planning. *<Amended by Act No. 10599, Apr. 14, 2011; Act No. 12246, Jan. 14, 2014>*

(3) Where the Minister of Land, Infrastructure and Transport, or a Mayor/Do Governor intends to impose a restriction on any building permit, or the commencement of any permitted construction works pursuant to paragraph (1) or (2), he/she shall submit the relevant case to a building committee for deliberation after gathering consensus from the relevant residents pursuant to Article 8 of the Framework Act on the Regulation of Land Use. *<Newly Inserted by Act No. 12701, May 28, 2014>*

(4) Where the Minister of Land, Infrastructure and Transport, or a Mayor/Do Governor imposes a restriction on any building permit or the commencement of any permitted construction works pursuant to (1) or (2), the period for such restriction shall not exceed two years: Provided, That such period may be extended only once for a period not exceeding one year.

(5) Where the Minister of Land, Infrastructure and Transport or the Special Metropolitan City Mayor, a Metropolitan City Mayor, and a Do Governor intends to impose a restriction on a building permit or the commencement of construction works pursuant to paragraph (1) or (2), he/she shall determine the

objective of, and period for, the restriction; the use of the building subject to such restriction; and the location, area, and boundaries of the area subject to such restriction, in detail and notify the competent permitting authority of his/her determination, and the permitting authority so notified shall promptly issue public notice thereof. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014>*

(6) When the Special Metropolitan City Mayor, a Metropolitan City Mayor, and a Do Governor imposes a restriction on a building permit granted by the head of the competent Si/Gun/Gu or on the commencement of construction works pursuant to paragraph (2), he/she shall immediately report it to the Minister of Land, Infrastructure and Transport, and the Minister of Land, Infrastructure and Transport, in receipt of such report, may issue an order cancelling the restriction, if he/she finds the restriction excessive. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014>*

Article 19 (Change of Use)

(1) Any change of the use of a building shall be made in compliance with standards for the changed use.

(2) Any person who intends to change the use of a building approved to use pursuant to Article 22, shall obtain permission from, or file a report with, the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, according to the following classification: *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014>*

1. Buildings subject to permission: For the building when the use of the building that falls within any group of facilities referred to in any subparagraph of paragraph (4) is changed to a use of any group higher than the group (referring to a group that has any smaller item number of paragraph (4) than the item number of the group of facilities within which the building for the changed use falls);

2. Buildings subject to reporting: For a building when the use of which falls within any group of facilities under subparagraphs of paragraph (4) is changed to the use of any group lower than the group (referring to a group that has any larger number of paragraph (4) than the item number of the group of facilities within which the building for the changed use falls).

(3) A person who intends to change the use of a building within an identical group of facilities under paragraph (4) shall file an application for the alteration of the entries in the building register with the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That the same shall not apply to changes prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014>*

(4) Groups of facilities shall be classified as follows, and the detailed uses of buildings that belong to each group of facilities shall be prescribed by Presidential Decree:

1. Group of facilities relating to motor vehicles;
2. Group of facilities for industrial purposes;
3. Group of facilities for telecommunications;

4. Group of facilities for cultural activities and assembly;
5. Group of facilities for commerce;
6. Group of facilities for education and welfare;
7. Group of neighborhood living facilities;
8. Group of facilities for residential and business purposes;
9. Miscellaneous groups of facilities.

(5) Article 22 shall apply mutatis mutandis to approval for use of a building subject to permission or reporting under paragraph (2), where the total floor area of the part subject to change of its use is at least 100 square meters: Provided, That the same shall not apply where the total floor area of the part subject to change of its use is less than 500 square meters, which does not accompany a substantial repair project.
<Amended by Act No. 13785, Jan. 19, 2016>

(6) Article 23 shall apply mutatis mutandis to planning and designing to change the use of a building subject to permission under paragraph (2), where the total floor area of the part subject to change of its use is at least 500 square meters (excluding cases prescribed by Presidential Decree).

(7) Articles 3, 5, 6, 7, 11 (2) through (9), 12, 14 through 16, 18, 20, 27, 29, 35, 38, 42 through 44, 48 through 50, 50-2, 51 through 56, 58, 60 through 64, 67, 68, and 78 through 87 hereof, and Article 15 of the Green Buildings Construction Support Act, and Article 54 of the National Land Planning and Utilization Act shall apply mutatis mutandis to the change of use of a building under paragraphs (1) and (2). <Amended by Act No. 10755, May 30, 2011; Act No. 12246, Jan. 14, 2014; Act No. 12701, May 28, 2014>

Article 19-2 (Acknowledgement of Multiple Uses)

(1) A project owner may file an application for a building permit under Article 11, a building report under Article 14, or permission for or a report on the change of use, or the alteration of entries in the building register under Article 19, for the multiple uses of the relevant building.

(2) A permitting authority may allow the multiple uses, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, only where the multiple uses applied for under paragraph (1) comply with all of the building standards, siting criteria, etc., prescribed by this Act and related statutes.

Article 20 (Temporary Structures)

(1) A person who intends to construct any temporary structure on a site pre-arranged for an urban/Gun planning facility or urban/Gun planning facility shall obtain permission therefor from the Metropolitan Autonomous City Mayor, Special Self-Governing Province Governor, or the head of a Si/Gun/Gu.
<Amended by Act No. 10599, Apr. 14, 2011; Act No. 12246, Jan. 14, 2014>

(2) The Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall grant permission under paragraph (1) except where the construction of a temporary structure falls under any of the following cases: <Newly Inserted by Act No. 12246, Jan. 14, 2014>

1. Where such construction contravenes Article 64 of the National Land Planning and Utilization Act;
2. Where the building has at least four floors;

3. Where such construction fails to comply with the guidelines set by municipal ordinance regarding the structure, retention period, and purpose of the building, necessity to establish other facilities, etc. within the standards prescribed by Presidential Decree;

4. Where such construction otherwise violates any restriction imposed under this Act, other Acts or subordinate statutes.

(3) Notwithstanding paragraph (1), a person who intends to construct any temporary structure for disaster recovery, performances, exhibitions, construction works, or any other purpose prescribed by Presidential Decree, shall submit a report thereon to the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu in compliance with the retention period and the guidelines and procedures for installation prescribed by Presidential Decree. *<Amended by Act No. 12246, Jan. 14, 2014>*

(4) Where a temporary structure referred to in paragraph (1) or (3) is constructed or built, Articles 25, 38 through 42, 44 through 50, 50-2, 51 through 64, 67 and 68 hereof, and some of the provisions of Article 15 of the Green Buildings Construction Support Act and Article 76 of the National Land Planning and Utilization Act shall not apply, as prescribed by Presidential Decree. *<Amended by Act No. 12246, Jan. 14, 2014>*

(5) When the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu grants permission to construct a temporary structure or receives a report on construction of a temporary structure pursuant to paragraphs (1) through (3), he/she shall record and keep the details of permission or reporting in the register of temporary structures, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014>*

Article 21 (Reporting, etc., on Commencement of Construction Works)

(1) A project owner who intends to commence construction works with a permit granted or a report filed under Article 11, 14, or 20 (1), shall report the project plan to the competent permitting authority, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That the same shall not apply where a report submitted under Article 36 to demolish a building, contains the scheduled commencement date of construction works. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) A report on a project plan or a revision thereto filed under paragraph (1) shall be signed jointly by the project supervisor (applicable only where a project supervisor has been appointed in accordance with Article 25 (1)) and the contractor.

(3) No project owner may perform or permit anyone to perform construction works, in violation of Article 41 of the Framework Act on the Construction Industry.

(4) A project owner who holds a building permit granted under Article 11 shall submit a copy of each contract under Article 15 (2) when he/she files a report under paragraph (1).

Article 22 (Approval for Use of Building)

(1) A project owner who intends to use a building after completing the construction of the building permitted or reported under Article 11, 14, or 20 (1) (including where construction works for each unit of buildings are completed when at least two units of buildings are constructed on one site) shall file an application for approval of use, accompanied by a report on completion of supervision prepared by the project supervisor under Article 25 (6) (applicable only where a project supervisor has been appointed under paragraph (1) of the said Article) and the architectural plans and drawings for the completed project, with the competent permitting authority, as specified by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 14016, Feb. 3, 2016>

(2) Upon receipt of an application for approval for use of a building under paragraph (1), the competent permitting authority shall conduct an inspection on the following matters within the period set by Ordinance of the Ministry of Land, Infrastructure and Transport, and shall issue a written approval for use of the building, if the building passes the inspection: Provided, That a written approval for use may be issued for the buildings specified by ordinance of the competent local government without conducting an inspection for approval of use: <Amended by Act No. 11690, Mar. 23, 2013>

1. Whether the building applied for approval of use has been built in compliance with the architectural plans and drawings under which the permit was granted or the report was filed in accordance with this Act;

2. Whether the documents, plans, and drawings, including a report on completion of supervision and architectural plans and drawings for the completed project, have been properly prepared.

(3) No project owner may use or allow any other person to use a building, unless and until he/she obtains approval for use thereof in accordance with paragraph (2): Provided, That the same shall not apply if: <Amended by Act No. 11690, Mar. 23, 2013>

1. The competent permitting authority fails to issue a written approval for use within the period set under paragraph (2);

2. The part of construction works completed before a written approval for use was issued complies with the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, in terms of the building-to-land ratio, the floor area ratio, equipment, emergency escape, and fire prevention, and approval for temporary use has been granted for a given period, as prescribed by Presidential Decree.

(4) Approval for use granted to a project owner pursuant to paragraph (2) shall be deemed approval for use, a final inspection, and an application for registration obtained or filed under the following, while such approval for use of a factory building shall be deemed an inspection, etc., passed under the relevant Acts pursuant to Article 14-2 of the Industrial Cluster Development and Factory Establishment Act: <Amended by Act No. 9384, Jan. 30, 2009; Act No. 9774, Jun. 9, 2009; Act No. 10599, Apr. 14, 2011, Act No. 10755, May 30, 2011; Act No. 12248, Jan. 14, 2014; Act No. 12738, Jun. 3, 2014>

1. A final inspection of a drainage system under Article 27 of the Sewerage Act and a final inspection of a private sewage treatment facility under Article 37 of the said Act;

2. An application for registration of changes in descriptions of the cadastral register under Article 64 of the Act on the Establishment, Management, etc. of Spatial Data;
3. An inspection of completion of elevators under Article 13 of the Elevator Facilities Safety Management Act;
4. An inspection of installation of a boiler system under Article 39 of the Energy Use Rationalization Act;
5. A pre-use inspection of electric equipment under Article 63 of the Electric Utility Act;
6. A pre-use inspection of information and communications works under Article 36 of the Information and Communications Construction Business Act;
7. Confirmation of completion of construction works that occupy and use a road under Article 62 (2) of the Road Act;
8. A final inspection of development activities under Article 62 of the National Land Planning and Utilization Act;
9. A final inspection of an urban/Gun planning facility project under Article 98 of the National Land Planning and Utilization Act;
10. Reporting on the start-up operation of facilities for discharging water pollutants under Article 37 of the Water Quality and Aquatic Ecosystem Conservation Act;
11. Reporting on start-up operation of facilities for emitting air pollutants under Article 30 of the Clean Air Conservation Act;
12. Deleted. <by Act No. 9770, Jun. 9, 2009>

(5) If approval for use under paragraph (2) involves matters provided for in any subparagraph of paragraph (4), the competent permitting authority shall pre-consult with the head of the relevant administrative agency thereon.

(6) Upon granting approval for use under paragraph (2), the Special Metropolitan City Mayor or a Metropolitan City Mayor shall notify the head of the competent Gun/Gu thereof to enter the details of such approval in the building register. In such cases, information on the architect, the contractors of main works prescribed by Presidential Decree, and the project supervisor shall be recorded in the building register.

Article 23 (Design of Buildings)

(1) No one, other than architects, shall design any building for the construction, etc., thereof, if such building requires a building permit under Article 11 (1) or a building report under Article 14 (1), or where such building is to be re-modeled under Article 66 (1) or (2) of the Housing Act: Provided, That the same shall not apply to any of the following cases: <Amended by Act No. 12701, May 28, 2014; Act No. 13805, Jan. 19, 2016>

1. Extending, altering, or reconstructing the floor area of a building within an aggregate of 85 square meters;
2. Substantial repair of a building with the total floor area not exceeding 200 square meters, and with less than three floors;

3. Other construction, etc., of any building prescribed by Presidential Decree based upon unique characteristics, purposes, etc., of the buildings.

(2) Each architect shall design buildings in compliance with the requirements provided for in this Act, orders and dispositions under this Act, and other relevant statutes, and to have no problem in its safety, functions, and aesthetics, and shall follow the guidelines for preparing architectural plans and drawings as specified and publicly notified by the Minister of Land, Infrastructure and Transport in preparing such architectural plans and drawings: Provided, That the same shall not apply to buildings which require special construction methods, and are deliberated upon by the building committee, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) Each architect who has prepared architectural plans and drawings under paragraph (2) shall ensure that such architectural plans and drawings meet the requirements provided for in this Act, orders and dispositions under this Act, and other relevant statutes, and shall place his/her signature and seal on such architectural plans and drawings.

(4) Paragraph (1) shall not apply if a building is construed in compliance with the standard architectural plans and drawings prepared or approved by the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, or architectural plans and drawings to which a special construction method has been applied. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 24 (Performance of Construction Works)

(1) A contractor shall perform construction works conscientiously in compliance with the terms and conditions of the contract under Article 15 (2), and shall transfer possession of the building to the project owner upon completion of the building project in compliance with this Act, orders and dispositions under this Act, and other relevant statutes.

(2) A contractor shall keep relevant architectural plans and drawings at the site of construction works (applicable only to buildings subject to the building permit or permission for change of use).

(3) If a contractor finds that architectural plans and drawings do not comply with any provision of this Act, an order or a disposition under this Act, or any other relevant statute, or considers them unreasonable in light of the conditions of construction works, he/she may request the architect, in writing, to revise such plans and drawings, subject to the prior consent of the project owner and the project supervisor. In such cases, the architect shall comply with the request, unless just cause exists.

(4) If a contractor deems it necessary to perform construction works or is requested by the project supervisor to prepare detailed shop drawings pursuant to Article 25 (5), he/she shall prepare such shop drawings for confirmation of the project supervisor, and shall perform the construction works according to the shop drawings. *<Amended by Act No. 14016, Feb. 3, 2016>*

(5) Upon commencing the construction work of a building subject to the building permit or the permission for change of its use, a contractor shall install a sign displaying the permit or permission at the construction site, as prescribed by Ordinance of the Ministry of the Land, Infrastructure and Transport.

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

(6) The project owner of a building not falling under any subparagraph of Article 41 (1) of the Framework Act on the Construction Industry shall appoint one construction engineer as defined in subparagraph 15 of Article 2 of the same Act as a site manager to manage the process at the construction site. In such cases, the site manager shall not leave the relevant construction site without the consent of the project owner, unless just cause exists. *<Newly Inserted by Act No. 14016, Feb. 3, 2016> <<Enforcement Date: Feb. 4, 2017>>*

(7) The contractor of a building for the use and of scale prescribed by Presidential Decree, such as multi-family housing, a general hospital, and a tourist accommodation facility, shall take photographs and videos whenever the progress of construction works reaches the stage prescribed by Presidential Decree and keep them to enable the project owner, the project supervisor, and the permitting authority to check whether the building is constructed in compliance with to the architectural plans and drawings. In such cases, other necessary matters, including matters related to taking and keeping photographs and videos, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Newly Inserted by Act No. 14016, Feb. 3, 2016>*

Article 24-2 (Management of Manufacture and Distribution of Building Materials)

(1) Every manufacturer and distributor shall manufacture, keep, or distribute building materials in such a manner not impeding the safety, functions, etc., of buildings.

(2) In order to check whether the structural standards for buildings, criteria for materials, etc., are observed at construction sites, the Minister of Land, Infrastructure and Transport, a Mayor/Do Governor, or the head of a Si/Gun/Gu may request a manufacturer or distributor to submit necessary data or inspect any building construction site, manufacturer's manufacturing site, distributor's place of distribution, etc., and may collect samples to test their performance, if necessary.

(3) Where any violation is identified through an inspection conducted under paragraph (2), the Minister of Land, Infrastructure and Transport, a Mayor/Do Governor, or the head of a Si/Gun/Gu may take such measures as suspending construction works or suspending use, or request a related institution to take measures such as business suspension, in accordance with related Acts.

(4) The Minister of Land, Infrastructure and Transport, a Mayor/Do Governor, and the head of a Si/Gun/Gu may authorize specialized institutions prescribed by Presidential Decree to perform the affairs related to the inspection under paragraph (2) as proxies.

(5) Procedures for conducting inspections under paragraph (2), and other necessary matters, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 25-2 (Restrictions on Business of Construction Participants, etc.)

(1) Where any architect, contractor, project supervisor or related specialized engineer (hereinafter referred to as "construction participant, etc.") causes death of a person by seriously damaging the foundation or main structural parts of an important building prescribed by Presidential Decree due to a violation of Article 40, 41, 48, 50, or 51 or gross negligence during the period from the filing of a report on the commencement of construction works under Article 21 until the end of the defect liability period referred

to in Article 28 of the Framework Act on the Construction Industry, the permitting authority may order the relevant person to suspend his/her business for a prescribed period not exceeding one year, in order to prevent him/her from performing his/her business under this Act.

(2) Where any construction participant, etc., causes property damage of at least the scale prescribed by Presidential Decree by seriously damaging the foundation or main structural parts of a building, in violation of Article 40, 41, 48, 49, 50, 50-2, 51, 52, or 52-3 (excluding a violation referred to in paragraph (1)), the permitting authority may order him/her to suspend his/her business relating to important buildings prescribed by Presidential Decree, such as public use facilities, for a prescribed period not exceeding the following, in order to prevent him/her from performing his/her business under this Act:

1. Where the first violation occurs: Six months from the date of business suspension;
2. Where a violation reoccurs at the same site within two years: One year from the date of a disposition for re-suspension of business.

(3) Where any construction participant, etc., causes the collapse of a temporary facility, in violation of Article 40, 41, 48, 49, 50, 50-2, 51, 52 or 52-3 (excluding violations referred to in paragraph (1) or (2)) or Article 28, the permitting authority may issue a corrective order fixing a period or necessary instructions.

(4) Where a construction participant, etc., fails to comply with a corrective order issued under paragraph (3) in the absence of special circumstances, the permitting authority may order him/her to suspend his/her business for a prescribed period not exceeding the following, in order to prevent him/her from performing his/her business under this Act:

1. Where he/she fails to make a correction within the period set prescribed by the permitting authority without any compelling reason not to do so, upon the occurrence of the first violation: Three months from the date of business suspension;
2. Where the violation referred to in paragraph (3) occurs twice at the same site within two years: Three months from the date of business suspension;
3. Where the violation referred to in paragraph (3) occurs three times at the same site within two years: One year from the date of business suspension.

(5) A permitting authority may impose a penalty surcharge on a construction participant, etc., as follows, in lieu of business suspension under paragraph (4):

1. In cases falling under paragraph (4) 1 or 2: An amount not exceeding 300 million won;
2. In cases falling under paragraph (4) 3: An amount not exceeding 1 billion won.

(6) Notwithstanding business suspension issued under paragraph (1), (2), or (4), a construction participant, etc., may continue to perform the business for which a contract has been concluded or the business commenced with permission, authorization, etc., granted under related statutes, before the business suspension is issued, until the time an approval for use is granted under Article 22.

(7) The measures provided for in paragraphs (1) through (5) shall also apply to the corporation or organization to which the relevant person belongs: Provided, That the same shall not apply where the corporation or organization has not been negligent in giving due attention and supervision concerning the

relevant business to prevent the violation.

(8) The measures provided for in paragraphs (1) through (5) shall also apply to construction participants, etc., in the same manner as a building permit is deemed to be granted under related Acts.

(9) Upon taking any of the measures provided for in paragraphs (1) through (5), the permitting authority shall notify the Minister of Land, Infrastructure and Transport of the details thereof.

(10) The Minister of Land, Infrastructure and Transport shall comprehensively manage matters notified under paragraph (9) and disclose the relevant construction participants, etc., and the corporations and organizations to which they belong, to make such information available to the permitting authority.

(11) A hearing shall be held to issue a business suspension disposition to any construction participant and the corporation or organization to which he/she belongs.

Article 26 (Permissible Errors)

For the purposes of this Act, any error inevitably occurring in the course of surveying a building site (excluding cadastral land surveys conducted under the Act on Establishment, Management, etc. of Spatial Data) or constructing a building, are permissible within the extent prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Act No. 9774, Jun. 9, 2009; Act No. 11690, Mar. 23, 2013; Act No. 12738, Jun. 3, 2014>*

Article 27 (Agents for On-Site Surveys, Inspections, and Verifications)

(1) The competent permitting authority may require a person who has reported the establishment of an architectural firm under Article 23 of the Certified Architects Act to conduct on-site surveys, inspections, or verifications under this Act as an agent, as prescribed by Presidential Decree. *<Amended by Act No. 12246, Jan. 14, 2014; Act No. 12701, May 28, 2014>*

(2) A person who conducts the affairs referred to in paragraph (1) as an agent shall file written reports on the findings of on-site surveys, inspections, or verifications with the competent permitting authority, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) The competent permitting authority that has designated an agent to conduct the affairs referred to in paragraph (1) shall pay a fee prescribed by ordinance of the competent local government within the limit set by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 28 (Preventative Measures, etc., against Hazards on Construction Sites)

(1) Each contractor of a building project shall take measures necessary to prevent hazards on construction sites, as prescribed by Presidential Decree.

(2) The competent permitting authority shall take measures necessary to counsel on disputes arising between construction participants relating to construction works of buildings.

Article 29 (Special Exception to Buildings for Public Use)

(1) When the State or a local government intends to construct a building, perform a substantial repair, alter the use of a building, erect a temporary structure or structure under Article 11, 14, 19, 20 or 83, it shall

first consult with the permitting authority having jurisdiction over the location of the building, as prescribed by Presidential Decree. *<Amended by Act No. 10755, May 30, 2011>*

(2) An agreement that the State or a local government made with the permitting authority having jurisdiction of the location of a building through consultation under paragraph (1) shall be deemed a building permit granted or reporting filed under Article 11 or 14. *<Amended by Act No. 10755, May 30, 2011>*

(3) Article 22 (1) through (3) shall not apply to buildings on which the consultation under paragraph (1) has been completed: Provided, That the completion of the project shall be promptly notified to the competent permitting authority forthwith.

(4) Where it intends to install facilities prescribed by Presidential Decree, such as convenience facilities for residents, by creating a partitioned surface right on any available space on or under the ground of a site owned by the State or a local government, the permitting authority may grant a building permit deeming the person with the partitioned surface right as a project owner and the part on which the partitioned surface right is created as a site as defined in Article 2 (1) 1. In such cases, the objects and scope of the creation of a partitioned surface right, period thereof, etc., shall comply with the State Property Act and the Public Property and Commodity Management Act. *<Newly Inserted by Act No. 13785, Jan. 19, 2016>*

Article 30 (Statistics on Building Projects)

(1) Each permitting authority shall report on the following matters (hereinafter referred to as "statistics on building projects") to the Minister of Land, Infrastructure and Transport or the competent Mayor/Do Governor, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: *<Amended by Act No. 11690, Mar. 23, 2013>*

1. Current status of building permits granted under Article 11;
2. Current status of building projects reported under Article 14;
3. Current status of permits for and reports on change of use under Article 19;
4. Current status of reports on commencement of project under Article 21;
5. Current status of approval for use granted pursuant to Article 22;
6. Other matters prescribed by Presidential Decree.

(2) Necessary matters concerning the preparation of statistics on building projects shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 31 (Computerization of Administration of Building Projects)

(1) The Minister of Land, Infrastructure and Transport may establish and implement a comprehensive plan for computerizing the affairs relating to administration of building projects under this Act. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) Each permitting authority may allow persons to file applications, reports, accompanying documents, notices, and information under Articles 10, 11, 14, 16, 19 through 22, 25, 29, 30, 35, 36, 38, 83, and 92 using a diskette or disc, or via an information network.

Article 32 (Computerization, etc., of Building Permit Process, etc.)

(1) Each permitting authority may process the affairs provided for in this Act by an electronic information processing system, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, in order to perform the affairs relating to building permits efficiently. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Any person who desires to have access to the data processed by the electronic information processing system under paragraph (1) (hereinafter referred to as "computerized data") shall obtain approval from the Minister of Land, Infrastructure and Transport, the competent Mayor/Do Governor, or the head of the competent Si/Gun/Gu according to the following classification, subject to examination by the head of the relevant central administrative agency, as prescribed by Presidential Decree: Provided, That such examination by the relevant central administrative agency shall not be required where the head of a local government files an application for such approval: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014>

1. For computerized data on a nation scale: The Minister of Land, Infrastructure and Transport;

2. For computerized data on a scale of the Special Metropolitan City, Metropolitan Cities, the Metropolitan Autonomous City, Dos, the Special Self-Governing Province (hereinafter referred to as "City/ Do"): The competent Mayor/Do Governor;

3. For computerized data on a scale of a Si/Gun/Gu (referring to an autonomous Gu): The head of the competent Si/Gun/Gu.

(3) In receipt of an application for approval under paragraph (2), the Minister of Land, Infrastructure and Transport, a Mayor/Do Governor, or the head of a Si/Gun/Gu may approve such application only where it is judged that it will not have any impact on the efficiency of the building permit process and does not violate the guidelines for the protection of personal information of project owners and other parties prescribed by Presidential Decree. In such cases, approval may be granted with some restrictions on the purpose of use. <Amended by Act No. 11690, Mar. 23, 2013>

(4) Any person who desires to have access to computerized data with approval under paragraph (2) shall pay an applicable service fee.

(5) Matters concerning the operation of the electronic information processing system under paragraphs (1) through (4) and necessary matters concerning the scope of accessible computerized data, the criteria for examination, the procedure for approval, and service fees, shall be prescribed by Presidential Decree.

Article 33 (Guidance and Oversight of Users of Computerized Data)

(1) The Minister of Land, Infrastructure and Transport, a Mayor/Do Governor, or the head of a Si/Gun/Gu may, if considered necessary in relation to the maintenance or management of computerized data, provide guidance to, and oversee, users of the computerized data under Article 32. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Necessary matters concerning users subject to the guidance and oversight under paragraph (1) and the procedures for such guidance and oversight shall be prescribed by Presidential Decree.

Article 34 (Installation of Integrated Civil Service Center for Building Projects)

The Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall install and operate a civil service center for building projects to comprehensively receive and process building permits, reports on building projects, approval for use, and other civil petitions, as prescribed by Presidential Decree. <Amended by Act No. 12246, Jan. 14, 2014>

Article 35 (Maintenance and Management of Buildings)

(1) An owner or manager of a building shall maintain and manage the building, site, and building equipment in compliance with Articles 40 through 50, 50-2, 51 through 58, 60 through 64, 65-2, 67, and 68 of this Act, and Articles 15 through 17 of the Green Buildings Construction Support Act. In such cases, Article 65-2 of this Act and Articles 16 and 17 of the Green Buildings Construction Support Act shall apply only where the relevant building has obtained certification. <Amended by Act No. 10755, May 30, 2011; Act No. 12246, Jan. 14, 2014; Act No. 12701, May 28, 2014>

(2) For the maintenance and management of a building, its owner or manager shall conduct regular and occasional inspections, as prescribed by Presidential Decree, and report the findings thereof to the competent permitting authority. <Newly Inserted by Act No. 11182, Jan. 17, 2012>

(3) A permitting authority may conduct ex officio safety inspections on buildings prescribed by Presidential Decree, such as small-scale obsolete buildings, which are deemed vulnerable to dangers or to have disaster risks among buildings exempt from the inspections referred to in paragraph (2), and request the owners or managers of the relevant buildings to conduct safety inspections. In such cases, where any urgent safety inspection is necessary, it may subsidize the cost incurred in for such safety inspection. <Newly Inserted by Act No. 14016, Feb. 3, 2016>

(4) The standards and procedures for maintenance and management of buildings under paragraphs (1) through (3), and other necessary matters, shall be prescribed by Presidential Decree. <Amended by Act No. 11182, Jan. 17, 2012; Act No. 14016, Feb. 3, 2016>

Article 35-2 (Support for Maintenance and Management of Housings)

(1) The Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu, may provide technical assistance, information, etc., relating to the inspection, improvement and repair of buildings, to the owners or managers of detached houses or multi-family housing (excluding multi-family housing subject to mandatory management as defined in Article 2 (1) 2 of the Multi-Family Housing Management Act) to efficiently maintain and manage such detached houses or multi-family housing pursuant to Article 35 (1). <Amended by Act No. 13474, Aug. 11, 2015>

(2) The Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, and the head of a Si/Gun/Gu may establish and operate a housing management support center in the Metropolitan Autonomous City, the Special Self-Governing Province, and the Si/Gun/Gu, respectively, if necessary for providing technical assistance, information, etc., under paragraph (1).

(3) The establishment and management of housing management support centers under paragraph (2), and other necessary matters, shall be prescribed by Presidential Decree.

Article 36 (Reporting on Demolition of Buildings)

(1) An owner or a manager of a building who intends to demolish the building shall file a report thereon with the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu before commencing such demolition. <Amended by Act No. 12246, Jan. 14, 2014>

(2) If a building has been completely destroyed by a disaster, the owner or a manager of the building file a report thereon within 30 days after such destruction.

(3) Buildings subject to reporting under paragraphs (1) and (2), and procedures for such reporting, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

Article 37 (Building Instructors)

(1) The Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may, as prescribed by Presidential Decree, designate building instructors whose duties shall be to prevent buildings from being built in violation of this Act or an order or disposition under this Act, and to provide guidance for proper maintenance and management of buildings. <Amended by Act No. 12246, Jan. 14, 2014>

(2) Qualifications for, and the scope of duties of, building instructors under paragraph (1) shall be prescribed by Presidential Decree.

Article 38 (Building Registers)

(1) The Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu, shall record and keep details of the status of each building and its site, and information about the structural resistance of each building in the building register in any of the following circumstances, so that such records can be examined regarding the status of ownership, use, maintenance and management of each building and as basic data for establishing policies on buildings: <Amended by Act No. 11182, Jan. 17, 2012; Act No. 12246, Jan. 14, 2014; Act No. 12968, Jan. 6, 2015>

1. Where a written approval for use is issued pursuant to Article 22 (2);
2. Where a request for recording is filed after completion of a building, other than buildings subject to building permit under Article 11 (including those subject to reporting under Article 14);
3. Matters concerning the maintenance and management of buildings under Article 35;
4. In circumstances prescribed by Presidential Decree.

(2) The form and mandatory descriptions of the building register under paragraph (1), the procedure for recording, and other necessary matters, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

Article 39 (Requests for Registration)

(1) The Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may, whenever any change occurs in the descriptions recorded in the building register due to any of the following events (excluding newly registered descriptions in the case of subparagraph 2), request the registration thereof by the competent registry office. In such cases, the

registration requested pursuant to subparagraphs 1 and 4 shall be deemed to have been made by the competent local government for itself: *<Amended by Act No. 12246, Jan. 14, 2014>*

1. When there is a change in a lot number or the name of an administrative district;
2. When there is a change in the area, structure, use, or number of floors recorded as the descriptions of approval of the use of a building for which approval was granted pursuant to Article 22;
3. When a building is demolished in accordance with a report on demolition of the building in accordance with Article 36 (1);
4. When a report on complete destruction is filed in accordance with Article 36 (2) after a building has been completely destroyed.

(2) Procedures for requesting registration under paragraph (1), and other necessary matters, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 40 (Safety on Building Sites)

(1) A building site shall not be lower than the surface level of any road adjacent to it: Provided, That a building site may be lower than the surface level of any road adjacent to it, if there are no difficulties with drainage of water from the site or if there is no need for damp-proofing measures in light of the use of the building.

(2) In cases where a building is to be erected on any land filled with damp soil, soil likely to discharge water, wastes, or any similar soil, necessary measures, such as raising the ground level and improving the foundation, shall be taken.

(3) Each building site shall be equipped with sewage pipes, drains, water storage tanks and similar facilities as may be necessary for the discharge and treatment of rainwater and waste water.

(4) Whenever a building site is developed on land that is likely to collapse, retaining walls shall be installed or any other necessary measure shall be taken as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 41 (Measures, etc., for Excavated Areas of Land)

(1) Where a contractor excavates, severs, reclaims, or fills ground to develop a building site or construct a building, it shall take measures to prevent hazards, such as land slide and earth erosion during construction, and to conserve the environment and take other necessary measures, for the altered parts of the land, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, and install a sign displaying such information at the construction site. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12701, May 28, 2014>*

(2) The competent permitting authority may order a person who violates paragraph (1) to take measures necessary for fulfilling his/her obligation.

Article 42 (Landscaping of Building Sites)

(1) A project owner of a building on an area of 200 square meters or larger shall carry out landscaping works or take other necessary measures in accordance with the standards prescribed by municipal

ordinance of the competent local government according to the area for the specific use and the size of the building: Provided, That landscaping works or any other measure may be omitted for a building, if the building falls within the buildings prescribed by Presidential Decree as those for which landscaping works are unnecessary, while the standards prescribed by Presidential Decree shall apply to rooftop landscaping, if such standards are prescribed separately.

(2) The Minister of Land, Infrastructure and Transport may prescribe and publicly notify the standards for planting, the types of landscaping facilities and method of installation thereof, the method of rooftop landscaping, and other matters necessary for landscaping. <Amended by Act No. 11690, Mar. 23, 2013>

Article 43 (Securing Open Space for Public Purposes)

(1) An open area or open space, such as small resting facilities, shall be installed for public use in a building for the use and of scale prescribed by Presidential Decree in compliance with the standards prescribed by Presidential Decree, in order to develop a pleasant environment for any of the following zones or areas: <Amended by Act No. 12246, Jan. 14, 2014>

1. A general residential zone and quasi-residential zone;
2. A commercial zone;
3. A quasi-industrial zone;
4. An area designated and publicly notified by the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu as being highly anticipated to be urbanized.

(2) Regulations provided for in Articles 55, 56, and 60 may be relaxed, as prescribed by Presidential Decree, where such provisions shall apply to an open area or space installed under paragraph (1).

Article 44 (Relationship between Building Site and Road)

(1) The site of a building shall adjoin to a road of at least two meters wide (excluding a road exclusively dedicated to motor vehicle traffic): Provided, That the same shall not apply to any of the following cases: <Amended by Act No. 13785, Jan. 19, 2016>

1. Where there is deemed to have no problem in accessibility to the building;
2. Where there is any vacant area prescribed by Presidential Decree around the building;
3. Where a farmer's hut referred to in subparagraph 1 (b) of Article 2 of the Farmland Act is constructed.

(2) The width of a road adjoining to a building site, the length of the part of the road adjoining to a building site, and other necessary matters concerning the relationship between a building site and a road, shall be prescribed by Presidential Decree.

Article 45 (Designation of Roads and Cancellation and Alteration thereof)

(1) Where a permitting authority intends to designate and publicly notify the location of a road pursuant to Article 2 (1) 11 (b), it shall obtain the consent of interested parties to the road, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That it may designate a road without the consent of interested parties, subject to deliberation by the building committee, in any of the following

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

1. The permitting authority finds it impracticable to obtain consent of interested parties because the interested parties reside overseas or for any other reason;

2. The road has been actually used by residents as a passage for a long time and is specified as such by ordinance of the competent local government.

(2) Where a permitting authority intends to cancel or alter the designation of a road designated pursuant to paragraph (1), it shall obtain the consent of interested parties to the road. The same shall also apply where the owner of the land included in the road or the project owner of a building thereon files an application for the cancellation or alteration of the designation of the road designated pursuant to paragraph (1) with the permitting authority.

(3) A permitting authority shall keep and maintain records of the roads designated or altered pursuant to paragraph (1) or (2) in the road management register, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 10755, May 30, 2011; Act No. 11690, Mar. 23, 2013>

Article 46 (Designation of Building Lines)

(1) The line to which a building is allowed to be constructed from the part adjoining a road (hereinafter referred to as "building line") shall be determined by the border between the building site and the road: Provided, That the building line shall be the line fixed at a certain distance away from the median line of a road by one-half of the horizontal distance of the required width of the road, where the width of the road does not reach the required width under Article 2 (1) 11, and the building line shall be the line fixed at the horizontal distance amounting to the required width from the road boundary line on the side where there is a slope, a river, a railroad, a track site, or any similar thing, if there is such slope, river, railroad, track site, or any similar thing, while the building line at a corner of a road shall be the line prescribed by Presidential Decree.

(2) Notwithstanding paragraph (1), the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may define the building line separately within the limit prescribed by Presidential Decree, if deemed necessary for adjusting the location and environment of buildings within an urban area. <Amended by Act No. 12246, Jan. 14, 2014>

(3) The Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall issue public notice immediately after defining the building line separately pursuant to paragraph (2). <Amended by Act No. 12246, Jan. 14, 2014>

Article 47 (Restrictions on Buildings by Building Line)

(1) Neither a building nor its walls shall protrude over the vertical section of the building line: Provided, That the same shall not apply to the section below ground level.

(2) Every gate, window, or any other similar structure installed at a height not exceeding 4.5 meters from the surface of a road shall not protrude over the vertical section of the building line when it is open or closed.

Article 48 (Structural Bearing Strength, etc.)

(1) Every building shall be constructed to be safe against dead load, live load, snow load, wind pressure, earthquake, and other vibration and impacts.

(2) Where a building referred to in Article 11 (1) is newly constructed or substantially repaired, its structural safety shall be examined, as prescribed by Presidential Decree.

(3) Where the head of a local government grants permission, etc. for a building subject to an examination of its structural safety under paragraph (2), he/she shall verify whether it has seismic capacities. <Newly Inserted by Act No. 11057, Sep. 16, 2011>

(4) Standards for the structural bearing strength under paragraph (1), methods for structural calculation, and other necessary matters, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12968, Jan. 6, 2015>

Article 48-2 (Assignment of Seismic Performance Categories for Buildings)

(1) In order to ensure earthquake-resistant building structures, the Minister of Land, Infrastructure and Transport shall assign seismic performance categories to buildings according to the importance of their use, scale and design structure.

(2) Matters necessary for the assignment of seismic performance categories under paragraph (1), including formulation of seismic performance criteria, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 48-3 (Disclosure of Seismic Capacity of Buildings)

(1) A person who intends to construct any of the following buildings shall disclose the capacity of the building to sustain itself in case of an earthquake (hereinafter referred to as "seismic capacity") immediately after obtaining approval for use under Article 22:

1. A building with at least 16 floors;
2. A building, the floor area of which is at least 5,000 square meters;
3. Other buildings prescribed by Presidential Decree, considering the scale and importance of buildings.

(2) Detailed matters, such as the criteria for calculating the seismic capacity and methods for disclosure thereof under paragraph (1), shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

[This Article Newly Inserted by Act No. 13785, Jan. 19, 2016] <<Enforcement Date: Jan. 20, 2017>>

Article 48-4 (Installation and Management of Appurtenant Structures)

Construction participants, the owner and the manager of a building shall install and manage appurtenant structures of the building in accordance with the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, considering the design, construction, maintenance, management, etc., of the appurtenant structures.

Article 49 (Egresses from Buildings and Restrictions on their Use)

(1) Each building for the use and of the scale prescribed by Presidential Decree and its site shall have corridors, stairs, gates, other egresses, fire hydrants, water tanks, and other fire-fighting facilities, and a

passage necessary for evacuation and fire-fighting within the site, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Matters necessary for imposing restrictions on the use and structure required for the safety, hygiene, and fire-fighting of the buildings for the use and of the scale prescribed by Presidential Decree, the fire-fighting partition, the structure of bathrooms, the heights of stairs, gates, and living rooms, and lighting, air ventilation, and damp-proofing of floors in living rooms shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

(3) Buildings for the use and of the scale prescribed by Presidential Decree shall have partition walls and flooring to prevent noise travelling between housing units or households, as prescribed by Presidential Decree. <Newly Inserted by Act No. 12701, May 28, 2014>

(4) Buildings constructed in any flood-prone area, among areas zoned to eliminate danger of natural disasters under Article 12 (1) of the Countermeasures against Natural Disasters Act, by the State, a local government, or a public institution referred to in Article 4 (1) of the Act on the Management of Public Institutions, shall meet the following standards for flood prevention and waterproofing: <Newly Inserted by Act No. 12968, Jan. 6, 2015>

1. The ground floor of a building shall be entirely in the piloti structure (including janitor's rooms, stairways, and elevators for using the building, and other similar ones);
2. Flood-prevention facilities prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport shall be established.

Article 50 (Fireproof Structures and Fireproof Walls of Buildings)

(1) Main structural parts of the buildings prescribed by Presidential Decree, including facilities for cultural activities and assembly, medical facilities, and multi-family housing, shall be fireproof structures in accordance with the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

(2) The buildings for the use and scale prescribed by Presidential Decree shall be partitioned with fireproof walls in accordance with the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

Article 50-2 (Egress from High-Rise Buildings and Safety Control)

(1) High-rise buildings shall have egress safety zones or stairways where sheltering spaces are secured, as prescribed by Presidential Decree. In such cases, the standards for establishment of egress safety zones, standards for installation of stairways and structures thereof, and other necessary matters, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

(2) A sign shall be posted at each egress safety zone, evacuation facility, or sheltering space established in high-rise buildings, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, to display they are used for evacuation in cases of a fire or other accidents. <Newly Inserted by Act No. 12968, Jan. 6, 2015>

(3) To prevent high-rise buildings from a fire and to reduce damage therefrom, standards stricter than those prescribed in Articles 48 through 50 and 64 may apply, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

Article 51 (Buildings in Fire Prevention Districts)

(1) Main structural parts and outer walls of each building in a fire prevention district as defined in Article 37 (1) 4 of the National Land Planning and Utilization Act (hereinafter referred to as “fire prevention district”) shall be fire-proof: Provided, That the same shall not apply in cases prescribed by Presidential Decree. <Amended by Act No. 12246, Jan. 14, 2014>

(2) Main parts of each structure installed on the roof of a building or a structure with a height of three or more meters in a fire prevention district, such as a signboard, an advertising tower, and other structures prescribed by Presidential Decree, shall be built with incombustible materials.

(3) Roofs, fire doors, and outer walls adjoining to the boundaries of adjoining building sites in a fire prevention district shall be built with the structures and materials specified by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

Article 52 (Finishing Materials for Building)

(1) Interior finishing materials, such as walls, ceilings, and roofs (only applicable to buildings without ceilings) for any building for the use and of the scale prescribed by Presidential Decree shall be fireproof, and meet the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, in consultation with the heads of relevant central administrative agencies, considering the standards and recommendations for the maintenance of indoor air quality under Articles 5 and 6 of the Indoor Air Quality Control Act. <Amended by Act No. 9858, Dec. 29, 2009; Act No. 11690, Mar. 23, 2013; Act No. 12968, Jan. 6, 2015>

(2) Finishing materials used for the outer walls of buildings prescribed by Presidential Decree shall be fireproof. In such cases, the criteria for finishing materials shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Newly Inserted by Act No. 9858, Dec. 29, 2009; Act No. 11690, Mar. 23, 2013>

(3) Floor finishing materials for bathrooms, toilets, public baths, etc., shall meet the criteria for anti-slip surfaces prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Newly Inserted by Act No. 11921, Jul. 16, 2013>

Article 52 (Finishing Materials for Building)

(1) Interior finishing materials for buildings, such as walls, ceilings, and roofs (only applicable to buildings without ceilings), for the use and of the scale prescribed by Presidential Decree shall be fireproof, and meet the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, in consultation with the heads of relevant central administrative agencies, considering the standards and recommendations for the maintenance of indoor air quality under Articles 5 and 6 of the Indoor Air Quality Control Act. <Amended by Act No. 9858, Dec. 29, 2009; Act No. 11690, Mar. 23, 2013; Act No. 12968, Jan. 6, 2015; Act No. 13601, Dec. 22, 2015>

(2) Finishing materials used for the outer walls of buildings prescribed by Presidential Decree shall be fireproof. In such cases, the criteria for finishing materials shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Newly Inserted by Act No. 9858, Dec. 29, 2009; Act No. 11690, Mar. 23, 2013>

(3) Floor finishing materials for bathrooms, toilets, public baths, etc., shall meet the criteria for anti-slip surfaces prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Newly Inserted by Act No. 11921, Jul. 16, 2013>

Article 52-2 (Interior Construction)

(1) Interiors of buildings for the use and of the scale prescribed by Presidential Decree, shall be constructed with a safe and fireproof structure and using materials that would not adversely affect users' safety.

(2) Standards for the structures and methods of interior construction, and other necessary matters, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(3) The Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall inspect whether interior construction is executed in compliance with paragraphs (1) and (2). In such cases, buildings subject to inspections and the frequency of such inspections shall be prescribed by an ordinance on construction.

Article 52-3 (Quality Control, etc., of Double-Layered Materials)

(1) A person who supplies double-layered materials (referring to noncombustible double-sided steel plates or materials comprised of similar materials and combustible core materials) among finishing materials referred to in Article 52 (hereinafter referred to as "supplier"), a contractor, and a project supervisor, shall submit a quality control report on double-layered materials, stating matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, to the competent permitting authority, as prescribed by Presidential Decree.

(2) A permitting authority may require a contractor to request the analysis and testing of noncombustible components of double-layered materials used for buildings prescribed by Presidential Decree, to the Korea Institute of Civil Engineering and Building Technology established under the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes, Etc. for verifying the non-combustibility of such materials.

(3) Analyses and testing of noncombustible components of double-layered materials, standards for non-combustibility, testing fees, and other necessary matters, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 53 (Basement Levels)

The structures and facilities of basement levels installed in buildings shall comply with the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

Article 53-2 (Anti-Crime for Buildings)

(1) The Minister of Land, Infrastructure and Transport may determine and publicly announce anti-crime standards regarding buildings, building equipment, and sites, in order to prevent crimes and create a safe residential environment.

(2) Buildings prescribed by Presidential Decree shall be constructed in compliance with the anti-crime standards determined under paragraph (1).

Article 54 (Measures to be Taken Where Building Site Stretches over Two or More Areas, Zones or Districts)

(1) Where a building site stretches over two or more areas, zones (excluding green areas and fire prevention districts; hereafter the same shall apply in this Article) or districts as defined in this Act or any other Act, the provisions of this Act, relevant to the buildings and their sites in an area, zone, or district in which more than half of the site lies, shall apply to the whole of the building and its site as prescribed by Presidential Decree: Provided, That the provisions of this Act, relevant to the buildings and their sites in an aesthetic district, shall apply to the whole of a building and its site, if the building site stretches over an aesthetic district as defined in Article 37 (1) 2 of the National Land Planning and Utilization Act (hereinafter referred to as "aesthetic district"). *<Amended by Act No. 12246, Jan. 14, 2014>*

(2) Where a single building stretches over a fire prevention district and other district, the provisions of this Act, relevant to the buildings in a fire prevention district, shall apply to the whole of the building: Provided, That the same shall not apply to any section in any district other than a fire prevention district, in cases where the part in a fire prevention district and the part in another district is partitioned by a fireproof wall.

(3) Where a building site stretches over a green area and any other area, zone, or district, the provisions of this Act, relevant to the buildings and their sites in any area, zone, or district other than a green area, shall apply: Provided, That the proviso to paragraph (1) or paragraph (2) shall apply to a building in a green area, if it stretches over an aesthetic district or a fire prevention district.

(4) Notwithstanding paragraph (1), if the competent local government prescribes, by municipal ordinance, a separate method applicable to a specific building site, because it deems it necessary to do so in light of the size of the site in question, the nature of the area, zone, or district for a specific use, and other conditions in the surroundings of the site, such separate method shall apply to the site.

Article 55 (Building-to-Land Ratio)

The maximum limit on the ratio of the building area (which shall be the aggregate of building areas, in cases where there are two or more buildings on a building site) to the area of a building site (hereinafter referred to as "building-to-land ratio") shall conform to the standards for the building-to-land ratio under Article 77 of the National Land Planning and Utilization Act: Provided, That if any provision of this Act requires higher or lower standards than the afore-said standards, such provision shall prevail.

Article 56 (Floor Area Ratio)

The maximum limit on the total floor area (which shall be the aggregate of total floor areas, in cases where there are two or more buildings on a building site) to the area of a building site (hereinafter referred to as "floor area ratio") shall conform to the standards for the floor area ratio under Article 78 of the National Land Planning and Utilization Act: Provided, That if any provision of this Act requires higher or lower standards than the afore-said standards, such provision shall prevail.

Article 57 (Restrictions on Partition of Building Sites)

(1) A piece of land on which a building is situated shall not be partitioned into pieces with an area that does not reach the area specified by ordinance of the competent local government within the limit prescribed by Presidential Decree.

(2) A piece of land on which a building is situated shall not be partitioned into pieces that do not meet the standards under Article 44, 55, 56, 58, 60, or 61.

(3) Notwithstanding paragraphs (1) and (2), no land subject to a construction agreement may be partitioned into pieces, if such agreement has been authorized under Article 77-6. <Newly Inserted by Act No. 12246, Jan. 14, 2014>

Article 58 (Vacant Lot within Building Site)

Whenever a building is newly constructed, such building shall be constructed with the distance set by municipal ordinance of the competent local government, as prescribed by Presidential Decree, within the limit of six meters from the building line or the boundary of adjoining building sites, depending upon the zone or district of specific use, the use and size of the building under the National Land Planning and Utilization Act. <Amended by Act No. 10755, May 30, 2011>

Article 59 (Construction of Double Walls and Connecting Corridors)

(1) Articles 58 and 61 hereof and Article 242 of the Civil Act shall not apply to any of the following cases:

1. Where two or more buildings are constructed with double walls (referring to those constructed with a distance of 50 centimeters or less from the boundary of the building site; hereinafter the same shall apply) in consideration of the urban scenery in an area prescribed by Presidential Decree;
2. Where a corridor or passage connecting to an adjacent building is installed in compliance with the standards prescribed by Presidential Decree.

(2) The structures and scale of double walls, connecting corridors and passages referred to in subparagraphs of paragraph (1), and other necessary matters, shall be prescribed by Presidential Decree.

Article 60 (Limits on Heights of Buildings)

(1) Each permitting authority may determine and publicly announce the heights of buildings within a specific block (referring to an area surrounded by roads; hereinafter the same shall apply) in compliance with the standards and procedures prescribed by Presidential Decree: Provided, That the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may relax the limits on the heights of buildings in a specific building site, upon deliberation by the building committee, as prescribed by Presidential Decree, if he/she deems it necessary to do so. <Amended by Act No. 12246, Jan. 14, 2014>

(2) The Special Metropolitan City Mayor or each Metropolitan City Mayor may determine the heights of buildings within a specific block referred to in paragraph (1) by ordinance of the Special Metropolitan City or the Metropolitan City, if necessary for maintaining the city. *<Amended by Act No. 12246, Jan. 14, 2014>*

(3) Deleted. *<by Act No. 13325, May 18, 2015>*

Article 61 (Limits on Heights of Buildings for Securing Sunshine, etc.)

(1) The heights of buildings constructed within an exclusive residential area or a general residential area shall not exceed the heights prescribed by Presidential Decree based on the distance from the boundary line of adjoining building sites due north, in order to secure sunshine, etc.

(2) The height of any of the following multi-family housing (excluding those constructed in a general commercial area or central commercial area) shall not exceed the height prescribed by Presidential Decree, in order to secure natural lighting, etc.: *<Amended by Act No. 11763, May 10, 2013>*

1. Where multi-family housing has windows, etc., for lighting facing the boundary line of adjoining building sites;
2. Where at least two units of multi-family housing are constructed on the same building site.

(3) A building may be constructed to a height not exceeding the height prescribed by Presidential Decree based on the distance from the boundary line of adjoining building sites due south, notwithstanding paragraph (1), if: *<Amended by Act No. 10764, May 30, 2011; Act No. 12246, Jan. 14, 2014; Act No. 12737, Jun. 3, 2014; Act No. 13805, Jan. 19, 2016 >*

1. The building is constructed in a housing site development district designated under Article 3 of the Housing Site Development Promotion Act;
2. The building is constructed in a building site development project district designated under Article 15 of the Housing Act;
3. The building is constructed in a regional development project district designated under Article 11 of the Regional Development Assistance Act;
4. The building is constructed in a national industrial complex, a general industrial complex, an urban high-tech industrial complex, or an agro-industrial complex designated under Article 6, 7, 7-2, or 8 of the Industrial Sites and Development Act;
5. The building is constructed in an urban development zone defined in Article 2 (1) 1 of the Urban Development Act;
6. The building is constructed in a maintenance and improvement zone designated under Article 4 of the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents;
7. The building is constructed on a building site adjoining a road, park, river, or any vacant lot due north, on which construction of any building is prohibited;
8. An agreement is made with the owners of the adjoining building sites due north, or in other cases prescribed by Presidential Decree.

(4) A building with two floors or less with a height of up to eight meters may be exempt from the application of paragraphs (1) through (3), as prescribed by ordinance of the competent local government.

Article 62 (Standards for Facilities of Buildings)

The standards for the installation and structure of facilities of buildings and necessary matters concerning the planning and supervision of projects shall be prescribed by Presidential Decree.

Article 63 Deleted. <by Act No. 13325, May 18, 2015>

Article 64 (Elevators)

(1) A project owner of a building (excluding buildings prescribed by Presidential Decree) with six or more floors and a total floor area of 2,000 square meters or more shall have an elevator installed therein. In such cases, the size and structure of elevators shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

(2) A building higher than 31 meters shall have an additional elevator for emergency purposes as prescribed by Presidential Decree in addition to the elevator under paragraph (1): Provided, That the same shall not be apply to any of the buildings specified by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

Article 64-2 Deleted. <by Act No. 12701, May 28, 2014>

Article 65 Deleted. <by Act No. 11365, Feb. 22, 2012>

Article 65-2 (Certification of Intelligent Buildings)

(1) In order to vitalize the construction of intelligent buildings, the Minister of Land, Infrastructure and Transport shall implement an intelligent building certification program. <Amended by Act No. 11690, Mar. 23, 2013>

(2) To certify intelligent buildings under paragraph (1), the Minister of Land, Infrastructure and Transport may designate certification institutions. <Amended by Act No. 11690, Mar. 23, 2013>

(3) Each person who intends to obtain certification of an intelligent building shall apply for certification to any of the certification institutions designated under paragraph (2).

(4) In order to maximize the productivity of buildings and efficiency of operation of facilities through optimized combination of facilities constituting buildings and various technologies, the Minister of Land, Infrastructure and Transport shall publicly notify the standards for certification of intelligent buildings, including the following: <Amended by Act No. 11690, Mar. 23, 2013>

1. Standards and procedures for certification;
2. Standards for publicizing the indication of certification;
3. Term of validity;
4. Fees;
5. Grades of certification, screening criteria, etc.

(5) Standards and procedures for the designation of certification institutions, procedures for applying for certification under paragraphs (2) and (3), and other necessary matters, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

(6) With regard to a building certified as an intelligent building, the competent permitting authority may relax the restrictions on the landscaping area referred to in Article 42 down to 85/100 and the floor area ratio and height of the buildings referred to in Articles 56 and 60 up to 115/100.

Articles 66 and 66-2 Deleted. <by Act No. 11365, Feb. 22, 2012>

Article 67 (Related Specialized Engineers)

(1) When an architect draws up the design or a project supervisor supervises construction works for the safety of a building site, structural safety of a building, or installation, etc., of appurtenant structures and building equipment under Articles 40, 41, 48 through 50, 50-2, 51, 52, 62, and 64 hereof, and Article 15 of the Green Buildings Construction Support Act, he/she shall consult with the related specialized engineers having any of the following qualifications (excluding persons in whose case the period prescribed by Presidential Decree has not passed since he/she was punished under subparagraph 2 of Article 21 of the Professional Engineers Act), as prescribed by Presidential Decree: <Amended by Act No. 14016, Feb. 3, 2016>

1. A person who has registered the establishment of a professional engineer office under Article 6 of the Professional Engineers Act;
2. A person registered as a construction technology service business entity under Article 26 of the Construction Technology Promotion Act;
3. A person who has reported engineering business under Article 21 of the Engineering Industry Promotion Act;
4. A person registered for design business and supervision services under Article 14 of the Electric Technology Management Act.

(2) Every related specialized engineer shall provides his/her services to ensure that the buildings comply with the provisions of this Act, orders and dispositions issued under this Act, and other relevant statutes and that they will not threaten safety, functions, and aesthetics.

Article 68 (Technical Standards)

(1) Except as otherwise expressly provided for in this Act, technical standards for the safety of building sites, the structural safety of buildings, and building equipment provided for in Articles 40, 41, 48 through 50, 50-2, 51, 52, 52-2, 62, and 64 hereof shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, but the Minister of Land, Infrastructure and Transport may, if further detailed standards are required, prescribe such detailed standards or may allow a research institute (including any testing laboratory or inspection institution), an academic organization, or any other related institution or organization designated by the Minister of Land, Infrastructure and Transport to establish such standards, subject to approval of the Minister of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014; Act No. 12701, May 28, 2014>

(2) The Minister of Land, Infrastructure and Transport shall submit the proposed standards to the building committee for deliberation before prescribing the detailed standards or granting approval pursuant to paragraph (1). <Amended by Act No. 11690, Mar. 23, 2013>

(3) The Minister of Land, Infrastructure and Transport shall issue public notice of the detailed standards prescribed or approved by him/her pursuant to paragraph (1). <Amended by Act No. 11690, Mar. 23, 2013>

Article 68-2 Deleted. <by Act No. 13470, Aug. 11, 2015>

Article 68-3 (Management of Standards for Structures, Materials, etc., of Buildings)

(1) The Minister of Land, Infrastructure and Transport shall conduct monitoring (hereafter referred to as “construction monitoring” in this Article) to examine whether the standards for structures, materials, etc., of buildings referred to in Articles 48, 48-2, 49, 50, 50-2, 51, 52, 52-2, 52-3, and 53, are appropriate in terms of climate change, changes in construction technology, etc., at the period prescribed by Presidential Decree.

(2) The Minister of Land, Infrastructure and Transport may designate a specialized institution to conduct construction monitoring.

Article 69 (Designation of Special Building Zones)

(1) Where deemed necessary to apply special exception criteria for any part of a city or an area according to the following classifications, the Minister of Land, Infrastructure and Transport or a Mayor/Do Governor may designate such part as a special building zone: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014>

1. Where it is designated by the Minister of Land, Infrastructure and Transport:

(a) A project zone of the city or area where an international event, etc., is held by the State;

(b) A project zone prescribed by Presidential Decree, which is set under a national policy project in accordance with any applicable statute;

2. Where it is designated by a Mayor/Do Governor;

(a) A project zone of the city or area where an international event, etc., is held by the local government;

(b) A project zone prescribed by Presidential Decree, which is set to create buildings or urban environments under a city development or readjustment project or an architectural culture promotion project in accordance with any applicable Act or subordinate statute;

(c) Other project zones of a city or area prescribed by Presidential Decree.

(2) None of the following areas and zones may be designated as a special building zone, notwithstanding paragraph (1):

1. A development restriction zone designated under the Act on Special Measures for Designation and Management of Development Restriction Zones;

2. A natural park established under the Natural Parks Act;

3. A road zone designated under the Road Act;

4. A conserved mountainous district designated under the Mountainous Districts Management Act;

5. Deleted. <by Act No. 14016, Feb. 3, 2016>

(3) Where an area the Minister of Land, Infrastructure and Transport or the Mayor/Do Governor intends to designate as a special building zone, is within a military base and installation protection zone designated

under the Protection of Military Bases and Installations Act, he/she shall consult with the Minister of National Defense in advance. *<Newly Inserted by Act No. 14016, Feb. 3, 2016>*

Article 70 (Buildings in Special Building Zones)

Buildings eligible for exceptions under Article 73 in a special building zone shall be:

1. A building constructed by the State or a local government;
2. A building constructed by any of the public institutions prescribed by Presidential Decree among the public institutions referred to in Article 4 of the Act on the Management of Public Institutions;
3. Other buildings for the use and of the scale prescribed by Presidential Decree, to which the competent permitting authority deems necessary to make a special exception in order to create the urban scenery, improve construction technology, or improve systems relating to building works.

Article 71 (Procedures, etc., for Designation of Special Building Zones)

(1) If it is necessary to designate a special building zone, the head of a central administrative agency or a Mayor/Do Governor having jurisdiction over any of the project zones referred to in the subparagraphs of Article 69 (1) (hereafter referred to as "applicant for designation" in this Chapter) may file an application for designation of a special building zone with the Minister of Land, Infrastructure and Transport; and the head of a Si/Gun/Gu having jurisdiction over any of the project zones referred to in the subparagraphs of Article 69 (1) may file such application with the Special Metropolitan City Mayor, Metropolitan City Mayor, or Do Governor, accompanied by documents containing the following information: *<Amended by Act No. 10599, Apr. 14, 2011; Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014>*

1. Matters concerning the location, boundaries, area, etc., of the special building zone;
 2. Purposes and necessity of the designation of the special building zone;
 3. Matters concerning the scale, and uses of buildings within the special building zone;
 4. Matters concerning the urban/Gun management plan for the special building zone. In such cases, further details of the urban/Gun management plan shall be prescribed by Presidential Decree;
 5. Matters concerning the method of placing orders for planning and design of buildings, and supervision over and execution of construction works;
 6. A plan for operation and management of facilities, such as art works, ancillary parking areas and parks, which shall be uniformly applicable to the whole or part of the special building zone pursuant to Article 74. In such cases, matters concerning the method of preparation, form, and details of plans for operation and management shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport;
 7. Other matters prescribed by Presidential Decree as necessary to designate the special building zone.
- (2) Upon receipt of an application for designation filed under paragraph (1), the Minister of Land, Infrastructure and Transport, the Special Metropolitan City Mayor, a Metropolitan City Mayor, or a Do Governor shall examine the details thereof, such as the necessity and feasibility of, and public interest in, the designation of the special building zone as well as emergency escape and fire prevention measures, and shall submit the application to the building committee established by the Minister of Land,

Infrastructure and Transport (hereinafter referred to as the "Central Building Committee"), if the Minister of Land, Infrastructure and Transport has received the application, or to the building committee established by the Special Metropolitan City Mayor, the Metropolitan City Mayor, or the Do Governor, if the Special Metropolitan City Mayor, Metropolitan City Mayor, or Do Governor has received the application, for deliberation to make a decision on whether to approve the designation within 30 days of the date of receipt of the application for designation. *<Amended by Act No. 9594, Apr. 1, 2009; Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014>*

(3) The Minister of Land, Infrastructure and Transport or the Special Metropolitan City Mayor, a Metropolitan City Mayor, or a Do Governor may, if necessary, make adjustments of the boundaries of the special building zone, the urban/Gun management plan, and other matters, considering the results of deliberation by the Central Building Committee or the building committee established by the Special Metropolitan City Mayor, Metropolitan City Mayor, or Do Governor. *<Amended by Act No. 10599, Apr. 14, 2011; Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014>*

(4) The Minister of Land, Infrastructure and Transport or a Mayor/Do Governor may designate a special building zone at his/her discretion, if necessary. In such cases, he/she shall conduct a review for the necessity and feasibility of, and public interest in, designation, and emergency escape and fire prevention measures based on the documents containing the information referred to in the subparagraphs of paragraph (1) and shall refer the case to the Central Building Committee or the building committee established by the Special Metropolitan City Mayor, Metropolitan City Mayor, or Do Governor for deliberation. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014>*

(5) Upon designation of a special building zone or revision or cancellation of such designation, the Minister of Land, Infrastructure and Transport or a Mayor/Do Governor shall publish essential information thereon in the Official Gazette (public bulletin in the case of a Mayor/Do Governor), as prescribed by Presidential Decree; and the Minister of Land, Infrastructure and Transport or the Special Metropolitan City Mayor, Metropolitan City Mayor or the Do Governor shall forward each copy of relevant documents to the applicant for designation. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014>*

(6) In receipt of the copies of relevant documents under paragraph (5), the applicant for designation shall take necessary measures, such as filing an application for approval on the topographical drawings pursuant to Article 32 of the National Land Planning and Utilization Act, if the relevant documents include any matter subject to the decision on the urban/Gun management plan. *<Amended by Act No. 10599, Apr. 14, 2011>*

(7) If any change occurs after the special building zone is designated, the applicant for designation shall obtain a revised designation. In such cases, necessary matters concerning the scope of changes subject to the revised designation and the procedure for the revised designation shall be prescribed by Presidential Decree.

(8) The Minister of Land, Infrastructure and Transport or a Mayor/Do Governor may wholly or partially cancel the designation of a special building zone, if any of the following causes or events occurs. In such cases, the Minister of Land, Infrastructure and Transport or the Special Metropolitan City Mayor, Metropolitan City Mayor or the Do Governor shall hear the opinion of the applicant for designation:

<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014>

1. If a request is made by the applicant for designation;
 2. If the designation was obtained falsely or improperly;
 3. If the applicant for designation fails to commence construction works for the buildings appropriate for the purpose for which the special building zone has been designated within five years from the date of designation of the special building zone;
 4. If the applicant for designation has failed to comply with any of the requirements for designation of the special building zone, but it is impossible to make a correction.
- (9) The designation of a special building zone or a revision thereto shall be deemed to be a decision on the urban/Gun management plan under Article 30 of the National Land Planning and Utilization Act (excluding the designation of an area, a district, or a zone for a specific use or revision thereto). *<Amended by Act No. 10599, Apr. 14, 2011>*

Article 72 (Deliberation, etc., on Buildings within Special Building Zones)

(1) Each person who intends to file an application for building permit with the exception to the building standards in accordance with Article 73 (hereafter referred to as "applicant for building permit" in this Article) shall file the application for building permit with the competent permitting authority in accordance with Article 11, accompanied by a special exception plan stating the following matters. In such cases, the method of preparation of such special exception plan and the documents required shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: *<Amended by Act No. 11690, Mar. 23, 2013>*

1. Matters for which the applicable standards are requested to be relaxed pursuant to Article 5;
 2. Matters concerning the requirements for the designation of the special building zone under Article 71;
 3. Grounds on which the special exception for exclusion from the application of Article 73 (1) is applicable and expected effects therefrom;
 4. Evidentiary documents of the equal or higher performance for justifying the special exception for applying relaxed standards under Article 73 (2);
 5. A plan for construction, maintenance, and management of the buildings.
- (2) Every building permit applied for under paragraph (1) shall be deliberated upon by the building committee established by the competent Mayor/Do Governor or the head of Si/Gun/Gu pursuant to Article 4 (1) (hereinafter referred to as "local building committee") as to whether the relevant building is appropriate for the purposes of designation of the special building zone, the special exception plan, and other relevant matters.

(3) Each applicant for building permit who desires the statement of traffic impact assessment referred to in Article 16 of the Urban Traffic Improvement Promotion Act to be examined simultaneously with the process for the building permit under paragraph (1), may file an application for examination with the competent permitting authority, accompanied by the documents related to the statement of traffic impact assessment under Article 16 of the said Act. <Amended by Act No. 9071, Mar. 28, 2008; Act No. 13433, Jul. 24, 2015>

(4) Where the competent local building committee completes the combined deliberation on the statement of traffic impact assessment under paragraph (3), the examination of the statement of traffic impact assessment under Article 17 of the Urban Traffic Improvement Promotion Act shall be deemed completed. <Amended by Act No. 9071, Mar. 28, 2008; Act No. 13433, Jul. 24, 2015>

(5) Whenever there occurs any of the changes prescribed by Presidential Decree in the matters deliberated pursuant to paragraphs (1) and (2), such change shall be referred to the local building committee for deliberation on revision. In such cases, paragraphs (1) through (3) shall apply mutatis mutandis to such deliberation on changes.

(6) The Minister of Land, Infrastructure and Transport or the Special Metropolitan City Mayor, a Metropolitan City Mayor or a Do Governor may conduct monitoring (referring to reviewing the progress of construction of a building, supervision over construction works, maintenance and management of the building to which the special exception has applied; and analyzing and assessing the functions, aesthetic view, and environment of the building that have been actually realized; hereafter the same shall apply in this Chapter) of buildings for which building permits have been granted pursuant to paragraphs (1) and (2), hearing the opinion of the competent permitting authority, in order to improve systems relating to building works and construction technology. <Amended by Act No. 14016, Feb. 3, 2016>

(7) A permitting authority shall submit to the Minister of Land, Infrastructure and Transport in the case of the Special Metropolitan City Mayor, a Metropolitan City Mayor, the Metropolitan Autonomous City Mayor, a Do Governor, and the Special Self-Governing Province Governor, and to the Special Metropolitan City Mayor, a Metropolitan City Mayor, and a Do Governor, in the case of the head of a Si/Gun/Gu, materials prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, necessary to deliberate on the special exception plan for the buildings for which a building permit has been granted pursuant to paragraphs (1) and (2) <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014; Act No. 14016, Feb. 3, 2016>

(8) Each contracting authority defined in subparagraph 6 of Article 2 of the Construction Technology Promotion Act, to whom a building permit was granted pursuant to paragraphs (1) and (2), may retain an architect to participate in the construction works of the building continuously, even after the building permit was granted, if necessary for realizing the intended design, monitoring construction works and supervision, and carrying out other works commissioned by the contracting authority. In such cases, the scope of the works of such architect and the remuneration therefor shall be prescribed by Presidential Decree. <Amended by Act No. 11794, May 22, 2013>

Article 73 (Special Exceptions to Application of Related Statutes)

(1) Buildings constructed in special building zones may be exempted from the following provisions: *<Amended by Act No. 13805, Jan. 19, 2016; Act No. 14016, Feb. 3, 2016>*

1. Articles 42, 55, 56, 58, 60, and 61;

2. Provisions prescribed by Presidential Decree among Article 35 of the Housing Act.

(2) Where a building to be constructed in a special building zone falls under any provision of Articles 49, 50, 50-2, 51 through 53, 62, and 64 hereof, and Article 15 of the Green Buildings Construction Support Act, the standards of the relevant provision may be fully or partially relaxed in the application to such building, only when the competent local building committee approves that it is possible to satisfy the standards or functions required by the relevant provision with any other means. *<Amended by Act No. 12246, Jan. 14, 2014>*

(3) Where it is possible to satisfy the standards or functions required by Articles 9 and 11 of the Installation, Maintenance, and Safety Control of Fire-Fighting Systems Act with any other means in compliance with the procedures and method of examination prescribed by Presidential Decree, such standards may be fully or partially relaxed in the application to such cases. *<Amended by Act No. 11037, Aug. 4, 2011>*

Article 74 (Preparation and Implementation of Integrated Application Plans)

(1) The provisions of related statutes governing the following matters may be integrated to apply to the whole or any part of a special building zone, instead of applying them individually to each of the buildings therein: *<Amended by Act No. 12246, Jan. 14, 2014>*

1. Installation of art works in the buildings provided for in Article 9 of the Culture and Arts Promotion Act;

2. Installation of an ancillary parking lot under Article 19 of the Parking Lot Act;

3. Installation of a park under the Act on Urban Parks, Green Areas, Etc.

(2) An applicant for designation who intends to apply the integrated provisions of related statutes pursuant to paragraph (1), shall estimate the demand for art works, ancillary parking lots, and parks for the whole or part of a special building zone to meet or exceed the standards prescribed by individual Acts, and shall establish an integrated application plan, considering the convenience, comfortableness, and safety of users. *<Amended by Act No. 12246, Jan. 14, 2014>*

(3) When each applicant for designation prepares an integrated application plan pursuant to paragraph (2), he/she shall consult with the competent permitting authority having jurisdiction over the relevant zone, and the permitting authority shall, upon receipt of a request for such consultation, present his/her opinion to the applicant for designation within 20 days from receipt of such request.

(4) When each applicant for designation prepares an integrated application plan that requires a consequential revision to the relevant urban/Gun management plan, he/she shall forward the plan to the person having the authority to make decisions on the urban/Gun management plan under Article 30 of the National Land Planning and Utilization Act, and the person having the authority to make decisions on the

urban/Gun management plan shall take measures necessary for revising the urban/Gun management plan, except in extenuating circumstances. <Amended by Act No. 10599, Apr. 14, 2011>

Article 75 (Obligations of Project Owners, etc.)

(1) Every project supervisor, contractor, project owner, owner, or manager of a building under construction in a special building zone with a building permit granted by applying the special exception for the building standards pursuant to Article 73, shall take measures necessary for maintaining the original shape, materials, and colors of the building as described in the building permit during the construction period and after approval for the use of the building is granted. <Amended by Act No. 11182, Jan. 17, 2012>

(2) Deleted. <by Act No. 14016, Feb. 3, 2016>

Article 76 (Obligations of Permitting Authorities, etc.)

(1) Each permitting authority shall endeavor to encourage architects to manifest their creativeness and aesthetic value through their architectural works in each special building zone and initiate the improvement of related systems and technology.

(2) Each permitting authority shall submit the findings of monitoring conducted under Article 77 (2) to the Minister of Land, Infrastructure and Transport or the Special Metropolitan City Mayor, Metropolitan City Mayor or Do Governor, who shall analyze the findings of the inspection and monitoring conducted under Article 77, and strive to improve the systems under this Act or any relevant statutes. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014; Act No. 14016, Feb. 3, 2016>

Article 77 (Inspections, etc., of Buildings within Special Building Zones)

(1) The Minister of Land, Infrastructure and Transport and the competent permitting authority may conduct inspections of buildings within special building zones pursuant to Article 87, and take necessary measures, such as issuing a corrective order, pursuant to Article 79. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014>

(2) The Minister of Land, Infrastructure and Transport and the competent permitting authority may directly conduct monitoring on buildings subject to monitoring pursuant to Article 72 (6) or request an expert or institution specializing in a specific field to provide such service. In such cases, the project owner, owner, or manager of the relevant building shall cooperate in the matters necessary for such monitoring, except in extenuating circumstances. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014; Act No. 14016, Feb. 3, 2016>

Article 77-2 (Designation of Special Street Zones)

(1) In order to create a balanced cityscape by constructing buildings adjacent to streets, the Minister of Land, Infrastructure and Transport and the competent permitting authority may designate certain sites located adjacent to the streets prescribed by Presidential Decree in aesthetic districts as special street zones so that they can be exempt or relaxed from application of some provisions under this Act or other applicable statutes.

(2) The Minister of Land, Infrastructure and Transport and the competent permitting authority shall, before designating a special street zone under paragraph (1), submit the case to the building committee established by the Minister of Land, Infrastructure and Transport or the competent permitting authority, accompanied by the documents stating the following matters:

1. Matters concerning the location, scope, and area of the special street zone;
2. Objectives of, and necessity for, the designation of the special street zone;
3. Matters concerning the scale, use, etc., of the buildings to be located within the special street zone;
4. Other matters prescribed by Presidential Decree as necessary for the designation of the special street zone.

(3) When the Minister of Land, Infrastructure and Transport and the competent permitting authority designates a special street zone, or changes or cancels such designation, he/she shall inform the residents of such zone thereof, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 77-3 (Management of Special Street Zones, Special Exceptions in Application of Building Standards, etc.)

(1) In order to ensure the efficient management of special street zones, the Minister of Land, Infrastructure and Transport and the competent permitting authority shall prepare and manage the details of designation mentioned in the subparagraphs of Article 77-2 (2), as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(2) Articles 71 (7) and (8) (except the latter part of the main sentence), 72 (1) through (5), 73 (1) and (2), 75 (1), and 77 (1) shall apply mutatis mutandis to the procedures for change and cancellation of designation of special street zones, application of building standards to the buildings located in special street zones, etc. In such cases, “special building zone” shall be construed as “special street zone;” and “applicant for designation,” “the Minister of Land, Infrastructure and Transport or the Mayor/Do Governor,” and “the Minister of Land, Infrastructure and Transport, the Mayor/Do Governor, or the permitting authority” shall be construed as “the Minister of Land, Infrastructure and Transport and the competent permitting authority,” respectively.

(3) Article 46 hereof and Article 242 of the Civil Act shall not apply where the Minister of Land, Infrastructure and Transport or a permitting authority otherwise determines standards for arrangement of buildings within special street zones. <Newly Inserted by Act No. 13785, Jan. 19, 2016>

Article 77-4 (Conclusion of Construction Agreements)

(1) Persons prescribed by Presidential Decree, including the owners of land or buildings and persons with superficies (hereinafter referred to as “owners, etc.”) may enter into an agreement by universal consent for the construction, substantial repair, or remodelling of the buildings (hereinafter referred to as “construction agreement”) in any of the following areas or zones: <Amended by Act No. 14016, Feb. 3, 2016>

1. A district-unit planning zone designated under Article 51 of the National Land Planning and Utilization Act;

2. A rearrangement zone designated and publicly announced under Article 4 of the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents for implementing a residential environment improvement project or residential environment management project as defined in subparagraph 2 (a) or (e) of Article 2 of the same Act;
 3. A preserved area as defined in subparagraph 6 of Article 2 of the Special Act on the Promotion of Urban Renewal;
 4. Other zones designated by ordinance of the relevant local government as deemed necessary by a Mayor/Do Governor, or the head of a Si/Gun/Gu (hereinafter referred to as “person who has the right to authorize construction agreements”) to improve its urban or residential environment.
- (2) Even where only one person owns at least two parcels of land in an area or zone described in the subparagraphs of paragraph (1), such one person may stipulate a construction agreement that sets any part of the said land as an area subject to the construction agreement. In such cases, such one person shall be deemed a party to the construction agreement.
- (3) Owners, etc., who enter into a construction agreement pursuant to paragraph (1) (including where only one person stipulates a construction agreement pursuant to paragraph (2): hereinafter the same shall apply) shall comply with the following requirements that:
1. They shall not violate this Act and other applicable statutes;
 2. They shall not violate the relevant urban/Gun management plan under Article 30 of the National Land Planning and Utilization Act and the plan for construction, substantial repair, or remodelling of a building under Article 77-11 (1) of this Act.
- (4) Construction agreements shall include:
1. Matters concerning the construction, substantial repair, or remodelling of buildings;
 2. Matters prescribed by Presidential Decree in relation to the locations, uses, shapes, and appurtenant facilities.
- (5) Where owners, etc., enter into a construction agreement, they shall prepare a written agreement that specifies:
1. Name of the construction agreement;
 2. Location and scope of the area subject to the construction agreement;
 3. Objectives of the construction agreement;
 4. Details of the construction agreement;
 5. Names, addresses, and dates of birth of the persons (referring to the registration number assigned pursuant to Article 49 of the Registration of Real Estate Act in the case of a corporation, an association or a foundation which is not a corporation, or a foreigner; the same shall apply in subparagraph 6) who conclude a construction agreement under paragraphs (1) and (2) (hereinafter referred to as “parties to a construction agreement”);
 6. If a construction agreement operations committee has been formed under Article 77-5 (1), the name of such committee and the name, address, and date of birth of its representative;

7. Validity of the construction agreement;

8. Restrictive measures in the case of violations of the construction agreement;

9. Other necessary matters related to the construction agreement, which are prescribed by ordinance of the relevant local government.

(6) Where a Mayor/Do Governor intends to designate a zone by municipal ordinance as deemed necessary under paragraph (1) 4, he/she shall hear opinions of the head of the relevant Si/Gun/Gu. *<Newly Inserted by Act No. 14016, Feb. 3, 2016>*

Article 77-5 (Establishment of Construction Agreement Operations Committee)

(1) Parties to a construction agreement may, if necessary for the preparation and management of the agreement, establish an operations committee (hereinafter referred to as “construction agreement operations committee”) as a self-controlled organization among parties to the construction agreement.

(2) In order to establish a construction agreement operations committee pursuant to paragraph (1), the parties to the construction agreement shall appoint its representative by the consent of a majority of the parties and report thereon to the person who has the right to authorize construction agreements as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That this shall not apply where the parties have already included matters concerning the construction agreement operations committee at the time of application for authorization of the construction agreement under Article 77-6.

Article 77-6 (Authorization of Construction Agreements)

(1) Parties to a construction agreement or the representative of a construction agreement operations committee shall prepare a written construction agreement and obtain authorization from the person who has the right to authorize construction agreements, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. In such cases, the person who has the right to authorize construction agreements, in receipt of an application for authorization, shall submit the case to the building committee under its jurisdiction before it authorizes the relevant contract.

(2) Where any land subject to a construction agreement under paragraph (1) stretches over two or more Metropolitan Autonomous Cities or Sis/Guns/Gus, an application for authorization of the construction agreement may be filed with the person who has the right to authorize construction agreements who has jurisdiction over the greater part of such land. In such cases, the person who has the right to authorize construction agreements, upon receipt of the application, shall hold consultations with other relevant Metropolitan Autonomous City Mayor or heads of Sis/Guns/Gus before awarding authorization to the relevant contract.

(3) Where a person who has the right to authorize construction agreements has authorized a construction agreement pursuant to paragraph (1), it shall publicly announce the relevant details, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 77-7 (Modification of Construction Agreements)

(1) If parties to a construction agreement or the representative of a construction agreement operations committee modifies any detail of the matters authorized pursuant to Article 77-6 (1), they shall obtain authorization for such modification as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That this shall not apply to any modification of insignificant matters prescribed by Presidential Decree.

(2) Article 77-6 shall apply mutatis mutandis with regard to an authorization for modification under paragraph (1).

Article 77-8 (Management of Construction Agreements)

When a person who has the right to authorize construction agreements has authorized any construction agreement or authorized any modification thereof in accordance with Article 77-6 or 77-7, it shall enter such authorization or authorization for modification in a construction agreement ledger and manage such ledger as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 77-9 (Annulment of Construction Agreements)

(1) Any party to a construction agreement or the representative of a construction agreement operations committee that intends to annul the agreement, shall obtain authorization from the person who has the right to authorize construction agreements, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, with the consent of a majority of the parties to the construction agreement: Provided, That it or he/she may file an application for the annulment of the construction agreement after the lapse of the period prescribed by Presidential Decree, where a report on the commencement of construction works has been filed under Article 21 by applying special exceptions under Article 77-13. *<Amended by Act No. 13325, May 18, 2015>*

(2) Article 77-6 (3) shall apply mutatis mutandis to the annulment of construction agreements under paragraph (1).

Article 77-10 (Effect of and Succession to Construction Agreements)

(1) Owners, etc. who seek to carry out construction, substantial repair, or remodelling of buildings or to engage in any other activity prescribed in Presidential Decree in an area or zone subject to a construction agreement (hereinafter referred to as “construction agreement zone”) shall comply with the construction agreement authorized pursuant to Article 77-6 or whose modification has been authorized pursuant to Article 77-7.

(2) A person who has obtained the right to any parcel of land or building in a construction agreement zone from the owner, etc. who is a party to the construction agreement by transfer or creation of such right after the construction agreement was publicly announced pursuant to Article 77-6 (3) shall succeed to the status as a party to the construction agreement: Provided, That this shall not apply where the construction agreement provides otherwise.

Article 77-11 (Formulation of Plans for Construction Agreements and Grant of Subsidies)

(1) In order to ensure the efficient conclusion of a construction agreement by owners, etc., the person who has the right to authorize construction agreements may formulate a plan for the construction, substantial

repair, or remodelling of buildings in a construction agreement zone.

(2) A person who has the right to authorize construction agreements may grant subsidies to cover partial expenses incurred in relation to a residential environment improvement project, such as creation or maintenance of roads, as prescribed by Presidential Decree.

Article 77-12 (Relationship with Landscape Agreements)

(1) Where owners, etc. intend to enter into a landscape agreement under Article 19 of the Landscape Act along with a construction agreement under Article 77-4, they may apply for the authorization thereof to the person who has the right to authorize construction agreements by a document reflecting the matters described in Article 19 (3) and (4) and Article 20 of the Landscape Act.

(2) Where the person who has the right to authorize construction agreements receives an application for authorization under paragraph (1) and holds deliberations of the building committee before it awards the authorization, it shall hold joint deliberations with the Landscape Committee pursuant to Article 29 (3) of the Landscape Act.

(3) Where owners, etc. obtain the authorization of a construction agreement after undergoing the deliberations described in paragraph (2), they shall be deemed to obtain the authorization of a landscape agreement under Article 21 of the Landscape Act.

Article 77-13 (Special Exceptions to Construction Agreements)

(1) Those who intend to construct at least two buildings with double walls as referred to in Article 59 (1) 1 by entering into a construction agreement pursuant to Article 77-4 (1), may jointly apply for a building permit under Article 11.

(2) In cases falling under paragraph (1), Articles 17, 21, 22, and 25 need not apply to each building, but may apply as a whole to all or some of the buildings for which building permits are applied.

(3) With respect to adjoining building sites in a construction agreement zone where the relevant construction agreement has been authorized, the following provisions of related statutes need not apply to each building, but may apply as a whole to the entire or any part of the zone: *<Amended by Act No. 13325, May 18, 2015; Act No. 13785, Jan. 19, 2016>*

1. Landscaping of building sites under Article 42;
2. Relationship between building sites and roads under Article 44;
3. Deleted; *<by Act No. 13785, Jan. 19, 2016>*
4. Establishment of basement levels under Article 53;
5. Building-to-land ratios under Article 55;
6. Establishment of annexed parking lots under Article 19 of the Parking Lot Act;
7. Deleted; *<by Act No. Act No. 13785, Jan. 19, 2016>*
8. Installation of private sewerage treatment facilities under Article 34 of the Sewerage Act.

(4) In applying the provisions of the applicable statutes pursuant to paragraph (3), the criteria for landscaping and annexed parking lots for the entire or any part of a construction agreement zone, shall be assessed beyond the criteria set by this Act and the Parking Lot Act and applied thereto.

(5) Where at least two buildings are constructed by sharing all or part of their partition walls upon entering into a construction agreement, special exception provisions prescribed in paragraphs (1) through (4) shall apply, and the standards provided for in this Act need not apply to each building, but may apply as a whole to all or some of the buildings for which permits are applied. <Newly Inserted by Act No. 13785, Jan. 19, 2016>

(6) Articles 42, 55, 56, 58, 60, and 61 hereof and Article 35 of the Housing Act may be relaxed to apply them to buildings constructed in construction agreement zones, as prescribed by Presidential Decree: Provided, That the relaxation of Article 56 shall undergo the consolidated deliberation by the building committee under Article 4 and the local urban planning committee under Article 113 of the National Land Planning and Utilization Act. <Newly Inserted by Act No. 14016, Feb. 3, 2016>

(7) Detailed matters concerning the methods, procedures, etc., for consolidated deliberation to be conducted under the proviso to paragraph (6) shall be prescribed by Presidential Decree. <Newly Inserted by Act No. 14016, Feb. 3, 2016>

(8) Article 72 (1) (excluding subparagraphs 2 and 4) through (5) shall apply mutatis mutandis to the application of the building standards to buildings in construction agreement zones under the main sentence of paragraph (6). In such cases, "special building zone" shall be construed as "construction agreement zone." <Newly Inserted by Act No. 14016, Feb. 3, 2016>

Article 77-14 (Areas Eligible for Combined Construction)

(1) Where the project owners of two sites located in any of the following areas, the minimum distance between which is within the scope prescribed by Presidential Decree not exceeding 100 meters, have reached an agreement, they may construct the buildings combining the floor area ratios set under Article 56 to the two sites (hereinafter referred to as "combined construction"), instead of applying the floor area ratio respectively to such two sites: Provided, That no combined construction shall be allowed in areas prescribed by ordinance of the relevant local government for such reasons as creating the urban scenery, or lack of infrastructure:

1. A commercial area designated under Article 36 of the National Land Planning and Utilization Act;
2. A station area development zone designated under Article 4 of the Act on Developing and Using Station Areas;
3. A zone designated to implement a residential environment management project among rearrangement zones as defined in Article 2 of the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents;
4. Other areas designated by Presidential Decree as deemed necessary to improve their urban or residential environment, and to use land efficiently.

(2) Article 77-4 (2) shall apply mutatis mutandis where one person owns two sites in an area or a zone referred to in subparagraphs of paragraph (1).

Article 77-15 (Procedures for Combined Construction)

(1) When a project owner who intends to conduct combined construction files an application for a building permit under Article 11, the application shall be accompanied by an agreement on combined construction specifying the following matters, and the project owner shall also submit drawings and documents prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport:

1. Locations and specific use areas of the sites subject to combined construction;
2. Names, addresses, and dates of birth of persons (referring to the registration number assigned pursuant to Article 49 of the Registration of Real Estate Act in the case of a corporation, an association or a foundation which is not a corporation, or a foreigner) who have entered into an agreement on combined construction (hereinafter referred to as "parties to an agreement on combined construction");
3. The floor area ratio prescribed by municipal ordinance under Article 78 of the National Land Planning and Utilization Act and the floor area ratio applicable to each site, which is adjusted for combined construction;
4. A construction plan for each site subject to combined construction.

(2) Where any site has been integrated into an urban or Gun planning project as defined in subparagraph 11 of Article 2 of the National Land Planning and Utilization Act, a permitting authority need not grant a building permit.

(3) A permitting authority shall undergo deliberation of the building committee before granting a building permit under paragraph (1): Provided, That, where the floor area ratio applicable to each site, which is adjusted for combined construction, exceeds the floor area ratio prescribed by municipal ordinance on urban planning applicable to each site under Article 78 of the National Land Planning and Utilization Act by 20/100, it shall undergo a joint deliberation of the building committee and the urban planning committee, as prescribed by Presidential Decree.

(4) Article 77-6 (2) shall apply mutatis mutandis where the sites subject to combined construction span over at least two Metropolitan Autonomous Cities, Special Self-Governing Provinces, and Sis/Guns/Gus.

Article 77-16 (Management of Combined Construction)

(1) Upon granting a building permit that includes combined construction, the permitting authority shall publicly announce the details thereof, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, and prepare and manage a combined construction ledger.

(2) Upon receipt of an application for approval for use of a building related to combined construction, the permitting authority shall grant an approval for use after confirming that measures specified in the report on the commencement of construction works or measures prescribed by Presidential Decree have been performed on the other site subject to the relevant agreement on combined construction.

(3) Upon permitting any combined construction, the permitting authority shall record the details of the combined construction in the building register, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(4) An agreement reached under an agreement on combined construction shall be maintained for at least 30 years: Provided, That the same shall not apply where any new construction, alteration, or

reconstruction is conducted, upon reverting the standard for the floor area ratio specified in the agreement on combined construction to the original standard.

(5) In order to rescind an agreement on combined construction, a report shall be filed with the permitting authority with the unanimous consent of parties to the agreement on combined construction, and the permitting authority shall accept the rescindment of the combined construction after confirming the destruction of the building to which the floor area ratio has been transferred. In such cases, paragraphs (1) and (3) shall apply mutatis mutandis to the rescindment of combined construction.

(6) Articles 77-4 (3) and 77-10 shall apply mutatis mutandis to whether an agreement on combined construction is complied with, and the effect and succession thereof. In such cases, "construction agreement" shall be construed as "agreement on combined construction."

Article 78 (Supervision)

(1) Where the Minister of Land, Infrastructure and Transport finds that any order or disposition issued by a Mayor/Do Governor or the head of a Si/Gun/Gu violates this Act, an order or a disposition issued under this Act, or any municipal ordinance of the competent local government or is unreasonable, he/she may order the Mayor/Do Governor or the head of Si/Gun/Gu to revoke or change such order or disposition, or to take other necessary measures. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) Where the Special Metropolitan City Mayor, a Metropolitan City Mayor, or a Do Governor finds that any order or disposition issued by the head of a Si/Gun/Gu violates this Act, an order or a disposition issued under this Act, or any municipal ordinance of the competent local government, he/she may order the head of the Si/Gun/Gu to revoke or change such order or disposition, or to take other necessary measures. *<Amended by Act No. 12246, Jan. 14, 2014>*

(3) A Mayor/Do Governor or the head of a Si/Gun/Gu who receives an order to take necessary measures under paragraph (1) shall promptly report the results of measures taken for correction to the Minister of Land, Infrastructure and Transport, while the head of a Si/Gun/Gu who receives such order under paragraph (2) shall promptly report the results of measures taken for correction to the Special Metropolitan City Mayor, Metropolitan City Mayor, or the Do Governor. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014>*

(4) The Minister of Land, Infrastructure and Transport and each Mayor/Do Governor shall establish and implement a plan for guidance and inspection for each year, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, in order to provide guidance and conduct inspections for proper operation of the building permit system, the status of management of illegal buildings, and the better operation of building administration. *<Amended by Act No. 11690, Mar. 23, 2013>*

(5) Where the Minister of Land, Infrastructure and Transport or a Mayor/Do Governor finds that the method of deliberation of the building committee or results of deliberation violates this Act, an order or a disposition issued under this Act or any municipal ordinance, or is unreasonable, he/she may revoke or change such method of deliberation or results of deliberation, or take other necessary measures. In such cases, matters concerning orders for investigations and corrections, procedures for changes, etc.,

pertaining to the deliberation shall be prescribed by Presidential Decree. <Newly Inserted by Act No. 13785, Jan. 19, 2016>

Article 79 (Measures, etc., against Non-Compliant Buildings, etc.)

(1) Where a building site or a building violates this Act, or an order or a disposition issued under this Act, a permitting authority may revoke the relevant permit or approval granted under this Act, issue an order to the project owner, contractor, site manager, owner, manager, or occupant of the building (hereinafter referred to as "project owner, etc.") to suspend construction works, or demolish, alter, extend, repair, change the use of, prohibit or restrict the use of, the building, or take other necessary measures within a reasonable period set by the permitting authority.

(2) With respect to a building for which a permit or approval has been revoked pursuant to paragraph (1), or a building for which a corrective order issued pursuant to paragraph (1), is disobeyed, the competent permitting authority may request any other permitting authority not to permit, license, or authorize, register, or designate a business or any other activities under any other statute: Provided, That the same shall not apply to any residential house which the competent permitting authority has allowed to use or carry on a business, or conduct any other activity for a prescribed period and in cases prescribed by Presidential Decree. <Amended by Act No. 12701, May 28, 2014>

(3) In receipt of a request under paragraph (2), a person shall comply therewith, except in extenuating circumstances.

(4) Where a permitting authority issues a corrective order pursuant to paragraph (1), it shall record the details of the relevant violation in the building register. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13785, Jan. 19, 2016>

(5) Deleted. <by Act No. 13785, Jan. 19, 2016>

Article 80 (Non-Performance Penalties)

(1) The competent permitting authority may impose the following non-performance penalties on a project owner, etc., subject to a corrective order under Article 79 (1) Article for failure to comply with such corrective order within a reasonable period set for fulfilling his/her obligation: Provided, That, if the relevant building is a residential building with a total floor area (based on the area of a unit, in the case of multi-family housing) of up to 85 square meters or a residential building prescribed by Presidential Decree among those referred to in subparagraph 2, an amount set by ordinance of the competent local government within 1/2 of the following amounts shall be imposed upon the project owner, etc., of such building: <Amended by Act No. 10755, May 30, 2011; Act No. 13471, Aug. 11, 2015>

1. If the building is constructed in excess of the building-to-land ratio or the floor area ratio provided for in Article 55 or 56, or is constructed without a permit or reporting, the non-performance penalty shall be the amount calculated by multiplying the amount equivalent to 50/100 of the standard market value per square meter applicable to the building pursuant to the Local Tax Act by the rate prescribed by Presidential Decree depending on the nature of the violation, within the limit of the amount calculated by multiplying the area of the non-compliant part;

2. If the building is non-compliant, other than the one provided for in subparagraph 1, the non-performance penalty shall be the amount prescribed by Presidential Decree depending on the nature of the violation within 10/100 of the amount equivalent to the standard market value applicable to the building pursuant to the Local Tax Act.

(2) In cases prescribed by Presidential Decree, such as a violation for gain or a habitual violation, the competent permitting authority may increase the amount referred to in paragraph (1) within the limit of 50/100. <Newly Inserted by Act No. 13471, Aug. 11, 2015>

(3) The competent permitting authority shall issue a written warning to the effect that the non-performance penalty will be imposed and collected under paragraph (1) or (2), before imposing it pursuant to paragraph (1) or (2). <Amended by Act No. 13471, Aug. 11, 2015>

(4) In imposing the non-performance penalty under paragraph (1) or (2), the competent permitting authority shall give written notice of the amount, the grounds for imposition, the payment deadline, the receiving institutions, the methods for filing an objection, and the institutions with which an objection is filed. <Amended by Act No. 13471, Aug. 11, 2015>

(5) Based on the date of an initial corrective order, each permitting authority may repeatedly impose and collect the non-performance penalty under paragraph (1) or (2) several times specified by ordinance of a local government within up to two times a year, until the corrective order is complied with: Provided, That in cases falling under the proviso to paragraph (1), the frequency for imposing the non-performance penalty may be prescribed separately by ordinance of the competent local government within up to five times. <Amended by Act No. 12701, May 28, 2014; Act No. 13471, Aug. 11, 2015>

(6) Once a person subject to a corrective order issued under Article 79 (1) fulfills his/her obligation, the competent permitting authority shall immediately cease imposing any further penalty, but shall collect any non-performance penalty already imposed.

(7) If a person on whom a non-performance penalty has been imposed under paragraph (4) fails to pay it by the payment deadline, the competent permitting authority shall collect it, as prescribed by the Act on the Collection, etc. of Local Non-Tax Revenue. <Amended by Act No. 11998, Aug. 6, 2013; Act No. 13471, Aug. 11, 2015>

Article 80-2 (Special Exceptions to Imposition of Non-Performance Penalties)

(1) A permitting authority may reduce a non-performance penalty imposed under Article 80 as prescribed in the following: Provided, That the same shall not apply where the relevant violation is not corrected until the expiration of the period prescribed by ordinance of a local government:

1. 1/5 of the non-performance penalty shall be reduced for agricultural or fishery facilities, such as a cattle shed, which does not exceed 500 square meters (1,000 square meters in the area other than the Seoul Metropolitan area as defined in subparagraph 1 of Article 2 of the Seoul Metropolitan Area Readjustment Planning Act);

2. The non-performance penalty shall be reduced at a rate prescribed by Presidential Decree within 1/2 in other cases prescribed by Presidential Decree, considering the motive, scope, timing, etc., of the

violation (excluding cases falling under Article 80 (2)).

(2) A permitting authority may reduce a non-performance penalty imposed under Article 80 on a residential building that has violated this Act or any order or disposition issued under this Act, before the enforcement date of the amended Building Act (Act No. 4381) (referring to June 1, 1992), as prescribed by Presidential Decree.

Article 81 (Safety Inspections of Existing Buildings and Corrective Orders, etc.)

(1) If an existing building falls under the criteria prescribed by Presidential Decree on the grounds of national security or for a violation of any provision of Chapter IV (Articles 40 through 47), the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may issue an order to demolish, alter, extend, repair, change the use of, prohibit or restrict the use of, the building, or take other necessary measures. *<Amended by Act No. 12246, Jan. 14, 2014>*

(2) If the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu finds that a building in an aesthetic district or a scenery district defined in Article 37 (1) 1 of the National Land Planning and Utilization Act substantially degrades the urban scenery or a residential environment, he/she may issue an order to alter or repair it, after hearing the opinion of the building committee. *<Amended by Act No. 12246, Jan. 14, 2014>*

(3) If the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu issues an order to take necessary measures pursuant to paragraph (1), he/she may pay reasonable compensation, as prescribed by Presidential Decree. *<Amended by Act No. 12246, Jan. 14, 2014>*

(4) Project owners, etc., of buildings publicly notified by the Minister of Land, Infrastructure and Transport, among buildings designated by the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu and buildings of unique structures as they likely to cause hazards, shall require the Registered Architects Association or any other corporation or organization equipped with experts recognized by the Minister of Land, Infrastructure and Transport to inspect the structural safety of the buildings, as prescribed by Presidential Decree, and shall report the findings of such inspection to the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of the Si/Gun/Gu. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014; Act No. 12968, Jan. 6, 2015>*

(5) If deemed necessary, as a result of the inspection under paragraph (4), a Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may issue an order to demolish, alter, repair, change the use of, or prohibit or restrict the use of, the building, or to take other necessary measures. *<Amended by Act No. 12246, Jan. 14, 2014>*

Article 81-2 (Rearrangement of Abandoned Houses)

Where a residential house or building which no one has resided in or used (excluding the abandoned houses defined in subparagraph 10 of Article 2 of the Rearrangement of Agricultural and Fishing Villages Act; hereinafter referred to as "abandoned house") for at least one year from the date whether it has been occupied or used is confirmed, falls under any of the following cases, the Metropolitan Autonomous City

Mayor, the Special Self-Governing Province Governor, or the head of the Si/Gun/Gu may order the owner of the abandoned house to take necessary measures, such as demolishing it, upon deliberation of the building committee. In such cases, the owner of the abandoned house shall take the measures within 60 days, unless a compelling reason not to do so exists:

1. Where the abandoned house is deemed detrimental to the public interest or substantially degrading the urban scenery or a residential environment;
2. Where it is necessary to expand infrastructure subject to rearrangement and joint-use facilities defined in subparagraph 2 of the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents for the improvement of an urban or a residential environment.

Article 81-3 (Procedures, etc., for Rearrangement of Abandoned Houses)

(1) Where the owner of an abandoned house subject to an order to demolish the abandoned house under Article 81-2, fails to comply with the order without any compelling reason not to do so, the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may demolish it ex officio, as prescribed by Presidential Decree.

(2) Where the whereabouts of the owner of an abandoned house to be demolished under paragraph (1) are unknown, an order to demolish the abandoned house and the details that it will be demolished ex officio unless such order is fulfilled, shall be announced at least once in a daily newspaper and such abandoned house may be demolished ex officio if its owner fails to demolish it until 60 days pass from the date of announcement.

(3) In cases falling under paragraphs (1) or (2), the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall pay the reasonable amount of compensation to the owner of the abandoned house, as prescribed by Presidential Decree. In such cases, if the owner of the abandoned house refuses to receive compensation, or it is impossible to pay compensation due to his/her unknown whereabouts, the amount of compensation shall be deposited.

(4) Upon demolition of an abandoned house under paragraph (1) or (2), the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall arrange the building register without delay, and, upon arrangement of the building register, he/she shall notify the competent registry office of the fact that the abandoned house has been demolished under this Act and request it to cancel the registration of such abandoned house without delay.

Article 82 (Delegation and Entrustment of Authority)

(1) The Minister of Land, Infrastructure and Transport may delegate part of his/her authority under this Act to the Mayors/Do Governors, as prescribed by Presidential Decree. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Each Mayor/Do Governor may delegate part of his/her authority under this Act to the head of each Si (including the head of each administrative Si; hereafter the same shall apply in this Article)/Gun/Gu, as prescribed by Presidential Decree.

(3) The head of each Si/Gun/Gu may delegate part of his/her authority under this Act to the head of each Gu (referring to the head of Gu that is not an autonomous Gu) and the head of each Dong/Eup/Myeon, as prescribed by Presidential Decree.

(4) The Minister of Land, Infrastructure and Transport may entrust the operation of the electronic information processing system established for efficiently processing affairs relating to building permits, etc. pursuant to Articles 31 (1) and 32 (1) to an institution or organization prescribed by Presidential Decree. <Amended by Act No. 11690, Mar. 23, 2013>

Article 83 (Application Mutatis Mutandis to Retaining Walls and other Structures)

(1) A person who intends to erect a retaining wall, chimney, advertising tower, high-rise water tank, underground shelter, or similar structure prescribed by Presidential Decree, shall file a report thereon with the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu, as prescribed by Presidential Decree. <Amended by Act No. 12246, Jan. 14, 2014>

(2) The owners or managers of structures referred to in paragraph (1) shall inspect the status of maintenance and management thereof, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, and report the findings of such inspection to the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu. <Newly Inserted by Act No. 12701, May 28, 2014>

(3) Articles 14, 21 (3), 29, 35 (1), 40 (4), 41, 47, 48, 55, 58, 60, 61, 79, 81, 84, 85, and 87 hereof and Article 76 of the National Land Planning and Utilization Act shall apply mutatis mutandis to cases falling under paragraph (1), as prescribed by Presidential Decree.

Article 84 (Calculation of Area, Height and Number of Floors)

The method for calculating the area of a building site, the total floor area, floor area, height, eaves, ceiling, floor of a building, and the number of floors of a building shall be prescribed by Presidential Decree.

Article 85 (Special Exceptions to Application of the Administrative Vicarious Execution Act)

(1) Where a permitting authority takes necessary measures pursuant to Article 11, 14, 41, or 79 (1), and if he/she finds it impracticable to achieve the objectives by following the procedures described in Article 3 (1) and (2) of the Administrative Vicarious Execution Act in any of the following cases, he/she may carry out vicarious execution without necessarily following such procedures:

1. Where there is any imminent risk of disaster;
2. Where there is any potential risk associated with property loss, such as collapse, due to the existence of any substantial defect in the structural safety of a building;
3. Where, despite the receipt of an order to suspend construction works issued by the permitting authority, a person refuses to comply with such order and continues to perform such construction works;
4. Where an illegally constructed building substantially obstructs road traffic;
5. In cases prescribed by Presidential Decree as deemed necessary to implement such measures swiftly because public safety or public interest are substantially undermined.

(2) Vicarious execution under paragraph (1) shall be performed to the minimum extent necessary to manage a building.

Article 86 (Hearings)

Each permitting authority shall hold a hearing to revoke a permit or approval pursuant to Article 79.

Article 87 (Reporting, Inspections, etc.)

(1) The Minister of Land, Infrastructure and Transport, each Mayor/Do Governor, the head of each Si/Gun/Gu, a public official under the control of any of them, an agent designated under Article 27, or a building instructor designated under Article 37, may demand the project owner, etc., project supervisor, contractor, or related specialized engineer of a building to submit necessary materials or reports, and may enter a building, building site, or construction site to conduct inspections or necessary tests of the building, facilities therein, and other materials relating to the building project. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 14016, Feb. 3, 2016>*

(2) Any person who conducts an inspection or a test pursuant to paragraph (1) shall carry with him/her identification indicating his/her authority and produce it to relevant persons.

(3) A permitting authority may examine the terms and conditions of a contract concluded between construction participants, etc., and where there is any possibility of faulty design, construction, or supervision because an unfair or unreasonable term and condition is found as a result of the examination, it shall notify the relevant project owner thereof and provide special guidance and supervision on the construction site of the relevant building. *<Newly Inserted by Act No. 14016, Feb. 3, 2016>*

Article 88 (Working Committee for Conciliation of Construction Disputes)

(1) A working committee for conciliation of construction disputes (hereinafter referred to as “dispute committee”) shall be established under the jurisdiction of the Ministry of Land, Infrastructure and Transport to conciliate and adjudicate on the following disputes (excluding disputes subject to conciliation under Article 69 of the Framework Act on Construction Industry; hereinafter the same shall apply) arising from the construction, etc. of buildings: *<Amended by Act No. 9594, Apr. 1, 2009; Act No. 12701, May 28, 2014>*

1. Disputes between construction participants and neighboring residents who suffer any loss due to construction works on the building (hereinafter referred to as "neighboring residents");
2. Disputes between related specialized engineers and neighboring residents;
3. Disputes between construction participants and related specialized engineers;
4. Disputes between construction participants;
5. Disputes between neighboring residents;
6. Disputes between related specialized engineers;
7. Other matters prescribed by Presidential Decree.

(2) and (3) Deleted. *<by Act No. 12701, May 28, 2014>*

Article 89 (Composition of Dispute Committees)

(1) The dispute committee shall be comprised of up to 15 members, including one chairperson and one vice chairperson. *<Amended by Act No. 9594, Apr. 1, 2009; Act No. 12701, May 28, 2014>*

(2) Members of the dispute committee shall be appointed or commissioned by the Minister of Land, Infrastructure and Transport from among the following persons who have abundant knowledge and experience in construction or law. In such cases, the dispute committee shall have at least two members who fall under subparagraph 4: *<Amended by Act No. 9594, Apr. 1, 2009; Act No. 11690, Mar. 23, 2013; Act No. 12246, Jan. 14, 2014; Act No. 12701, May 28, 2014>*

1. A public official of at least Grade 3 serving for at least one year;
2. Deleted; *<by Act No. 12701, May 28, 2014>*
3. At least an assistant professor teaching architectural engineering or law in a college or university under the Higher Education Act, with at least three years' experience;
4. A judge or public prosecutor, or practiced as an attorney-at-law with at least six years' experience;
5. A certified technician in the field of construction under the National Technical Qualifications Act, or an architect who has filed a report on the establishment of a architectural firm under Article 23 of the Architects Act, with at least six years' experience;
6. Any person with abundant knowledge and experience in construction works or the construction industry, who has at least fifteen years' relevant business experience.

(3) Deleted. *<by Act No. 12701, May 28, 2014>*

(4) The chairperson and the vice chairperson of the dispute committee shall be commissioned by the Minister of Land, Infrastructure and Transport. *<Amended by Act No. 9594, Apr. 1, 2009; Act No. 12701, May 28, 2014>*

(5) The term of office of non-public official members shall be three years, but may be renewed consecutively; the term of office of a member elected to fill a vacancy shall be the remaining term of his/her predecessor.

(6) Meetings of the dispute committee shall be open with a majority of incumbent members present and shall adopt resolutions by the affirmative vote of a majority of those present. *<Amended by Act No. 9594, Apr. 1, 2009; Act No. 12701, May 28, 2014>*

(7) None of the following persons shall become a member of the dispute committee: *<Amended by Act No. 9594, Apr. 1, 2009; Act No. 12701, May 28, 2014>*

1. A person under adult guardianship, person under limited guardianship, or person declared bankrupt, who is not yet reinstated;
2. A person in whose case two years have not passed since a sentence of imprisonment without prison labor or heavier punishment imposed upon him/her was completely executed (or was held as completely executed) or discharged;
3. A person whose qualifications are suspended by court ruling or law.

(8) The exclusion, challenge, and abstention of a member of the committee, the operation thereof, and the refusal and suspension of conciliation, and other necessary matters, shall be prescribed by Presidential Decree. *<Newly Inserted by Act No. 12701, May 28, 2014>*

Article 90 Deleted. <by Act No. 12701, May 28, 2014>

Article 91 (Agents)

(1) A party to a case may appoint any of the following persons as his/her agent:

1. The party's spouse, lineal ascendant or descendant, or sibling;
2. An executive or employee of the corporation involved in the case as a party;
3. An attorney-at-law.

(2) Deleted. <by Act No. 12701, May 28, 2014>

(3) The power delegated to an agent shall be supported by written statement.

(4) Each agent shall have the power delegated by the principal to engage in the following activities:

1. Withdrawing applications;
2. Accepting proposals for conciliation;
3. Appointing subagents.

Article 92 (Applications for Conciliation, etc.)

(1) A person who intends to apply for conciliation or adjudication (hereinafter referred to as "conciliation, etc.") of a dispute arising in connection with construction works, etc. of a building shall file an application with the dispute committee. <Amended by Act No. 9594, Apr. 1, 2009; Act No. 12701, May 28, 2014>

(2) An application for conciliation under paragraph (1) shall be filed by one or more parties to the case, while an application for adjudication shall be filed under agreement between parties to the case: Provided, That the dispute committee for disputes, in receipt of an application for conciliation, shall notify all parties to the case of the fact that the application has been filed. <Amended by Act No. 9594, Apr. 1, 2009; Act No. 12701, May 28, 2014>

(3) Upon receipt of an application for conciliation from a party, the dispute committee shall complete all procedures within 60 days, while it shall, upon receipt of an application for adjudication, complete all procedures within 120 days: Provided, That the dispute committee may extend such periods by resolution in extenuating circumstances. <Amended by Act No. 9594, Apr. 1, 2009; Act No. 12701, May 28, 2014>

Article 93 (Suspension of Construction Works due to Application for Conciliation, etc.)

(1) and (2) Deleted. <by Act No. 12701, May 28, 2014>

(3) Neither a Mayor/Do Governor nor the head of any Si/Gun/Gu shall suspend the relevant construction works only on the ground that an application for conciliation, etc., has been filed in connection with such construction works, unless it is urgently required to prevent any danger or a compelling reason not to do so exists.

Article 94 (Conciliation Panel and Adjudication Panel)

(1) Conciliation shall be carried out by a conciliation panel consisting of three members, while adjudication shall be carried out by an adjudication panel consisting of five members.

(2) Members of a conciliation panel (hereinafter referred to as "conciliators") and members of an adjudication panel (hereinafter referred to as "adjudicators") shall be appointed on a case-by-case basis by the committee chairperson from among members of the dispute committee. In such cases, the adjudication

panel shall have at least one member who falls under Article 89 (2) 4. <Amended by Act No. 9594, Apr. 1, 2009; Act No. 12701, May 28, 2014>

(3) Meetings of a conciliation panel or an adjudication panel shall be open with all members present and shall adopt resolution by the affirmative vote of a majority of the members.

Article 95 (Investigation for Conciliation and Hearing of Opinions)

(1) If deemed necessary for conciliation, a conciliation panel may assign a conciliator or an employee of its secretariat to inspect relevant documents or enter the relevant place of business for investigation.

<Amended by Act No. 12701, May 28, 2014>

(2) A conciliation panel may summon a party or a witness to the panel to hear his/her opinions, if deemed necessary.

(3) A conciliation panel, in receipt of an application for conciliation of a dispute, shall examine the case and prepare a proposal for conciliation within the period set for conciliation. <Amended by Act No. 12701, May 28, 2014>

Article 96 (Effect of Conciliations)

(1) Once a conciliation panel completes a proposal for conciliation pursuant to Article 95 (3), it shall promptly present the proposal to parties.

(2) Each party shall, upon receiving a proposal for conciliation under paragraph (1), notify the conciliation panel of whether to accept the proposal within 15 days from the date on which the proposal was delivered.

(3) The conciliation panel shall, if all parties accept the proposal for conciliation, prepare a protocol of conciliation, and the conciliators and parties shall write their names and affix their seals thereon.

(4) Once parties accept a proposal for conciliation and write their names and affix their seals on the protocol of conciliation in accordance with paragraph (3), it shall be deemed that agreement with the terms and conditions identical with those of the protocol of conciliation has been duly made.

Article 97 (Arbitration of Disputes)

(1) Arbitration shall be referred in writing, and the written statement of arbitration shall contain the following descriptions, on which arbitrators shall write their names and affix their seals:

1. Reference number and name of the case;
2. Addresses and names of parties, appointed representatives, representative of parties, and agents;
3. Main text;
4. Claims;
5. Rationales;
6. Date of arbitration.

(2) The rationales under paragraph (1) 5 shall indicate parties' claims to the extent that it can be agreed that the contents of the main text are fair enough.

(3) The arbitration panel shall, once it makes a decision, deliver the original statement of arbitration to parties or their agents forthwith.

Article 98 (Authority to Investigate for Arbitration)

(1) An arbitration panel may, if deemed necessary for arbitration of a dispute, assign an arbitrator or a public official under its control, at the request of a party or at its discretion, to perform the following acts:

1. To demand a party or a witness to make an appearance before the panel, seek advice, or hear testimony;
2. To demand an expert to make an appearance before the panel or provide his/her expert opinion;
3. To inspect or make copies of a document or an article relevant to the case, demand a person to submit such document or article, or keep such document or article in custody;
4. To enter and investigate a place relevant to the case.

(2) Parties to a case may participate in investigations, etc. under paragraph (1).

(3) When an arbitration panel completes an investigation under paragraph (1) at its discretion, it shall hear parties' opinions on the findings of such investigation.

(4) When an arbitration panel requests a party or witness to give testimony or an expert to provide an expert opinion under paragraph (1), it shall require the party, witness, or expert to take an oath.

(5) An arbitrator or a public official of the committee who performs the duty under paragraph (1) 4 shall carry with him/her identification indicating his/her authority to produce it to relevant persons.

Article 99 (Effect of Arbitration)

An arbitration award decided by an arbitration panel shall be deemed as an agreement between parties on the terms and conditions identical with those of the arbitration award, if both parties or one party fails to file a lawsuit for the claims that have given rise to a dispute on the building project brought for the arbitration within 60 days from the date the original statement of arbitration was delivered to the parties or if such lawsuit is voluntarily dismissed.

Article 100 (Interruption of Prescriptions)

In determining whether a prescriptive period is interrupted and the deadline for filing a lawsuit, an application for arbitration shall be deemed a claim filed for a trial with a court at the time when a party files a lawsuit in protest against the arbitration award.

Article 101 (Transfer for Conciliation)

Upon receipt of an application for adjudication on a case, the dispute committee may, at its discretion, initiate the procedures for conciliation of the case, if it is deemed appropriate to settle the case by conciliation. <Amended by Act No. 9594, Apr. 1, 2009; Act No. 12701, May 28, 2014>

Article 102 (Liability for Expenses)

(1) Each party to a case shall be liable to pay expenses incurred in appraisal, examination, testing, etc. in proportion to the rate agreed upon by the parties to the case: Provided, That the conciliation panel or the arbitration panel may determine the rate for bearing expenses, if the parties fail to agree on the rate.

(2) A conciliation panel or an arbitration panel may, if deemed necessary, require parties to a case to deposit a bond to cover the expenses referred to in paragraph (1), as prescribed by Presidential Decree.

(3) The scope of the expenses referred to in paragraph (1) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 9594, Apr. 1, 2009; Act No. 11690, Mar. 23, 2013; Act No. 12701, May 28, 2014>

Article 103 (Entrustment of Operation and Business Affairs of Dispute Committee)

(1) The Minister of Land, Infrastructure and Transport may entrust the operation and business affairs of the dispute committee to the Korea Infrastructure Safety Corporation established under Article 25 of the Special Act on the Safety Control of Public Structures. <Amended by Act No. 12701, May 28, 2014>

(2) The organizational structure, personnel, etc. of the dispute committee for operating and performing the business affairs thereof, shall be prescribed by Presidential Decree. <Amended by Act No. 12701, May 28, 2014>

(3) The Minister of Land, Infrastructure and Transport may contribute to or subsidize the Korea Infrastructure Safety Corporation to cover the expenses incurred in operating the dispute committee and in performing the business affairs, within the budgetary limits. <Amended by Act No. 12701, May 28, 2014>

Article 104 (Procedures for Conciliation, etc.)

Necessary matters concerning the method and procedures for conciliation, etc. of disputes shall be prescribed by Presidential Decree, in addition to those provided for in Articles 88 through 103.

Article 104-2 (Protection of Information concerning Affairs of Dispute Committee)

Building committees or relevant administrative agencies shall endeavor to ensure that the interests of applicants and interested persons are not be impaired due to the divulgence of information related to deliberation on civil petitions filed under Article 4-5 and applications for conciliation of disputes filed under Article 92.

Article 105 (Deemed Public Officials for Purposes of Penalty Provisions)

Any of the following persons shall be deemed a public official, even if he/she is not actually a public official, for the purposes of Articles 129 through 132 of the Criminal Act, and Articles 2 and 3 of the Act on the Aggravated Punishment, etc. of Specific Crimes: <Amended by Act No. 9594, Apr. 1, 2009; Act No. 12246, Jan. 14, 2014; Act No. 14016, Feb. 3, 2016>

1. A member of any of the building committees established under Article 4;

1-2. A person who conducts a safety impact assessment under Article 13-2 (2); <<Enforcement Date: Feb. 2, 2017>>

1-3. A person who inspects building materials under Article 24-2 (4);

2. An agent designated under Article 27 to conduct on-site surveys, inspections, or verifications;

3. A building instructor appointed under Article 37;

4. An executive or employee of an institution or organization referred to in Article 82 (4);

5. Deleted. <by Act No. 12701, May 28, 2014>

Article 106 (Penalty Provisions)

(1) An architect, supervisor, contractor, manufacturer, distributor, related specialized engineer, and project owner shall be punished by imprisonment for not more than ten years, if he/she endangers the general

public, by seriously damaging or destroying the foundation or main structural parts of a building within the defect liability period provided for in Article 28 of the Framework Act on Construction Industry after the commencement of the construction works due to faulty work as a consequence of the design, construction, supervision, maintenance and management, manufacture, or distribution of building materials conducted, in violation of Article 23, 24 (1), 24-2 (1), 25 (3), or 35. <Amended by Act No. 12968, Jan. 6, 2015; Act No. 14016, Feb. 3, 2016>

(2) Each person who commits a crime provided for in paragraph (1), causing death of, or injury to, any third person shall be punished by imprisonment for life, or for at least three years.

Article 107 (Penalty Provisions)

(1) Each person who commits a crime provided for in Article 106 (1) by his/her malpractice in the course of performing his/her duty, shall be punished by imprisonment, with or without labor, for not more than five years, or by a fine not exceeding 500 million won. <Amended by Act No. 14016, Feb. 3, 2016>

(2) Each person who commits a crime provided for in Article 106 (2) by his/her malpractice in the course of performing his/her duty, shall be punished by imprisonment, with or without labor, for not more than 10 years, or by a fine not exceeding 1 billion won. <Amended by Act No. 14016, Feb. 3, 2016>

Article 108 (Penalty Provisions)

(1) Each project owner or contractor who constructs or substantially repairs a building, or changes the use of a building in an urban area, in violation of Article 11 (1), 19 (1) or (2), 47, 55, 56, 58, 60, 61, or 77-10, shall be punished by imprisonment for not more than three years, or by a fine not exceeding 500 million won. <Amended by Act No. 12701, May 28, 2014; Act No. 13785, Jan. 19, 2016; Act No. 14016, Feb. 3, 2016>

(2) Both imprisonment and a fine may be imposed concurrently in cases falling under paragraph (1).

Article 109 (Penalty Provisions)

A person who makes any misrepresentation in filing a report under Article 27 (2), shall be punished by imprisonment for not more than two years, or by a fine not exceeding 200 million won. <Amended by Act No. 14016, Feb. 3, 2016>

Article 110 (Penalty Provisions)

Each of the following persons shall be punished by imprisonment for not more than 2 years, or by a fine not exceeding 100 million won: <Amended by Act No. 9049, Mar. 28, 2008; Act No. 9103, Jun. 5, 2008; Act No. 11057, Sep. 16, 2011; Act No. 12701, May 28, 2014; Act No. 12968, Jan. 6, 2015; Act No. 13785, Jan. 19, 2016; Act No. 14016, Feb. 3, 2016>

1. A project owner or contractor who constructs or substantially repairs a building, or changes the use of a building in any area, other than an urban area, in violation of Article 11 (1), 19 (1) or (2), 47, 55, 56, 58, 60, 61, or 77-10;

1-2. A project owner or contractor who violates Article 13 (5);

2. A project owner or contractor who violates any provision of Article 16 (limited to matters requiring a permit for revision), 21 (3), 22 (3), or 25 (7);

3. A project owner or contractor who erects a temporary structure or a structure without obtaining a permit under Article 20 (1) or filing a report under Article 83;
4. Each of the following persons:
 - (a) A person who permits a third person to perform any construction works without appointing a project supervisor, in violation of Article 25 (1);
 - (b) A person who appoints a contractor him/herself or his/her affiliate as a project supervisor, in violation of Article 25 (1);
5. A person who fails to comply with a request made by a project supervisor for corrective measures or reconstruction, in violation of Article 25 (3), or who continues a project in defiance of a project supervisor's request to suspend the project;
6. A person who fails to submit an interim report on supervision or a report on completion of supervision without good cause, in violation of Article 25 (6) or who prepares and submits a false report;
- 6-2. A person who conducts an on-site survey, inspection, or verification as a proxy, in violation of Article 27 (2);
7. An owner or manager of a building, who violates Article 35 (excluding paragraph (3));
8. A project owner or contractor who violates Article 40 (4);
- 8-2. A project owner, architect, contractor, or project supervisor who violates any provision of Article 43 (1), 49, 50, 51, 53, 58, 61 (1) or (2), or 64;
9. An architect, project supervisor, contractor, or related specialized engineer referred to in Article 67 who violates Article 48;
- 9-2. An architect, project supervisor, or contractor who violates Article 50-2 (1);
- 9-3. A project owner, architect, project supervisor, contractor, or related specialized engineer referred to in Article 67, who violates Article 48-4;
10. A contractor who fails to use fire-proof materials under Article 52, or an architect or project supervisor responsible for using such materials;
11. A supplier, contractor, or project supervisor who fails to submit a quality control report on double-layered materials or submits a false quality control report;
12. An architect, project supervisor, contractor, or related specialized engineer referred to in Article 67, who violates Article 62.

Article 111 (Penalty Provisions)

Each of the following persons shall be punished by a fine not exceeding 50 million won: <Amended by Act No. 9437, Feb. 6, 2009; Act No. 12246, Jan. 14, 2014; Act No. 12701, May 28, 2014; Act No. 14016, Feb. 3, 2016>
<<Enforcement Date: Feb. 4, 2017>>

1. A person who fails to file a report or an application under Article 14, 16 (limited to matters requiring a permit for revision), 20 (3), 21 (1), 22 (1), or 83 (1), or who files a false report or application;

2. An architect who fails to comply with a request for revising an architectural plan and drawing, in violation of Article 24 (3) without good cause;
3. A person who fails to prepare detailed shop drawings upon receipt of a request from a project supervisor, in violation of Article 24 (4), or who fails to perform construction works in compliance with such shop drawings;
- 3-2. A person who fails to appoint a site manager, in violation of Article 24 (6), or a person who makes a false statement thereof in the report on the commencement of construction works; <<Enforcement Date: Feb. 4, 2017>>
- 3-3. A manufacturer or distributor of building materials who violates Article 24-2 (1);
4. A contractor who violates Article 28 (1);
5. A project owner or contractor who violates Article 41 or 42;
6. A project owner or contractor who performs interior construction, in violation of Article 52-2;
7. A person who fails to comply with an order issued under Article 81 (1) and (5), or violates paragraph (4) of the same Article;
8. Deleted. <by Act No. 9437, Feb. 6, 2009>

Article 112 (Joint Penalty Provisions)

(1) If a representative, an agent, an employee, or other servant of a corporation commits an offense under Article 106 in connection with the business of the corporation, not only shall such offender be punished, but also the corporation shall be punished by a fine not exceeding one billion won: Provided, That the same shall not apply where such corporation has not been negligent in giving due attention and supervision concerning the relevant business to prevent such offense.

(2) If an agent, an employee, or other servant of an individual commits an offense under Article 106 in connection with the business of the individual, not only shall such offender be punished, but also the individual shall be punished by a fine not exceeding one billion won: Provided, That the same shall not apply where such individual has not been negligent in giving due attention and supervision concerning the relevant business to prevent such offense.

(3) If a representative, an agent, an employee, or other servant of a corporation commits an offense under any provision of Articles 107 through 111 in connection with the business of the corporation, not only shall such offender be punished, but also the corporation shall be punished by a fine under the relevant provision: Provided, That the same shall not apply where such corporation has not been negligent in giving due attention and supervision concerning the relevant business to prevent such offense.

(4) If an agent, an employee, or any servant of an individual commits an offense under any provision of Articles 107 through 111 in connection with the business of the individual, not only shall such offender be punished, but also the individual shall be punished by a fine under the relevant provision: Provided, That the same shall not apply where such individual has not been negligent in giving due attention and supervision concerning the relevant business to prevent such offense.

Article 113 (Administrative Fines)

(1) Each of the following persons shall be subject to an administrative fine not exceeding two million won: <Amended by Act No. 9437, Feb. 6, 2009; Act No. 12701, May 28, 2014; Act No. 13785, Jan. 19, 2016; Act No. 14016, Feb. 3, 2016>

1. A person who fails to file an application to change an entry in the building register under Article 19 (3);
2. A person who fails to keep architectural plans and drawings on a construction site, in violation of Article 24 (2);
3. A person who fails to install a sign displaying the building permit, in violation of Article 24 (5);
4. A person who refuses, interferes with, or evades an inspection conducted under Article 24-2 (2);
5. A person who fails to make a disclosure under Article 48-3 (1).

(2) Each of the following persons shall be subject to an administrative fine not exceeding one million won: <Newly Inserted by Act No. 9437, Feb. 6, 2009; Act No. 11182, Jan. 17, 2012; Act No. 12701, May 28, 2014; Act No. 14016, Feb. 3, 2016>

1. A project supervisor who fails to report, in violation of Article 25 (4);
2. A person who fails to report under Article 27 (2);
3. A person who fails to report under Article 35 (2);
4. A person who fails to report under Article 36 (1);
5. Deleted; <by Act No. 14016, Feb. 3, 2016>
6. A project owner, owner, or manager who fails to cooperate in any matter necessary for monitoring, in violation of Article 77 (2);
7. Deleted; <by Act No. 13785, Jan. 19, 2016>
8. A person who fails to report under Article 83 (2);
9. A person who fails to submit data or report under Article 87 (1) or who submits false data or a false report.

(3) A site manager who leaves construction site in violation of Article 24 (6), shall be punished by an administrative fine not exceeding 500 thousand won. <Newly Inserted by Act No. 14016, Feb. 3, 2016>

(4) Administrative fines referred to in paragraphs (1) and (3) shall be imposed and collected by the Minister of Land, Infrastructure and Transport, a Mayor/Do Governor, or the head of a Si/Gun/Gu, as prescribed by Presidential Decree. <Amended by Act No. 9437, Feb. 6, 2009; Act No. 11690, Mar. 23, 2013; Act No. 14016, Feb. 3, 2016>

(5) Deleted. <by Act No. 9437, Feb. 6, 2009>

ADDENDA

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 13 (62) of the Addenda shall enter into force on April 7, 2008; those of Article 13 (43) of the

Addenda on April 11, 2008; those of Article 13 (5) of the Addenda on June 8, 2008; those of Article 13 (70) of the Addenda on June 28, 2008; those of Article 22 (4) 4 above on August 28, 2008; those of Article 69 (2) 5 above on September 22, 2008; and those of Article 13 (67), (68), and (69) of the Addenda on December 28, 2008, respectively.

Article 2 (Transitional Measures concerning Enforcement Date)

Until the amended provisions of Articles 22 (4) 4 and 69 (2) 5 enter into force pursuant to the proviso to Article 1 of Addenda, the former provisions of Articles 18 (4) 6 and 60 (2) 5 through 7 corresponding to the amended provisions shall remain effective.

Article 3 (Transitional Measures concerning Heights of Buildings in Combined Complexes)

The former provisions shall apply to the combined complexes as defined in subparagraph 5 of Article 2 of the former Balanced Regional Development and Support for Local Small and Medium Enterprises Act (referring to the one in force before the Partial Amendment (Act No. 7695) in force as at the date this Act enters into force, notwithstanding the amended provisions of Article 61 (3) 3.

Article 4 (Transitional Measures concerning Building Standards, etc.)

In applying the building standards, etc. to the cases for which a building permit has been granted, an application for building permit has been filed, or a report on a building project has been filed before May 9, 2006, which corresponds to the date the Amendment (Act No. 7696) to the Building Act (hereinafter referred to as the "former Act") enters into force, the former provisions shall apply: Provided, That the amended provisions (excluding Article 21 (4)) shall apply where the former provisions are more disadvantageous to a project owner, contractor, or project supervisor than the amended provisions.

Article 5 (Transitional Measures concerning Applications, etc. for Building Permits)

Where a building is under construction without obtaining a building permit or filing a report on the building project at the time the former Act was in force because it was allowed by the former provisions to construct such building without such permit or report, it shall be deemed that a building permit for the project has been granted or a report on the building project has been filed in accordance with the amended provisions of Article 11 (1) or 14 (1).

Article 6 (Transitional Measures concerning Safety Control, etc. of Construction Sites)

- (1) Where the permitting authority becomes aware that a construction site for which a building permit granted as at the time the former Act was in force and which has a total floor area of at least 5,000 square meters degrades the urban scenery and threatens safety because it has been abandoned for at least one year, it shall issue an improvement order pursuant to the amended provisions of Article 13 (5).
- (2) Where an improvement order issued under paragraph (1) has been disobeyed, necessary measures for such improvement shall be taken vicariously pursuant to the amended provisions of Article 13 (6), the expenses incurred in relation to such vicarious execution shall be imposed on the project owner to pay it at the time he/she files an application for an inspection for use of the building, and a written approval for use shall be issued after the expenses are paid.

Article 7 (Transitional Measures concerning Approval for Use of Building)

The former provisions shall apply to the building, an application for approval to use which was filed as at the time the former Act was in force, notwithstanding the amended provisions of Article 22.

Article 8 (Transitional Measures concerning Conciliation of Disputes on Building Projects)

The disputes on building projects filed as at the time the former Act was in force shall be addressed by the competent building dispute conciliation committee under the former provisions (or the competent local building dispute conciliation committee composed pursuant to the amended provisions of Articles 88 and 89 for the cases over which a City/Do conciliation committee has jurisdiction pursuant to the former provisions), notwithstanding the amended provisions of Article 88 (2): Provided, That the competent building dispute conciliation committee under the former provisions may, if it is necessary for the building dispute conciliation committee under the amended provisions of Article 88 (2), to handle a case, transfer the case to the competent building dispute conciliation committee.

Article 9 (Transitional Measures concerning Non-Performance Penalties)

The provisions in force before they were amended pursuant to the former Act shall apply to the procedures for collecting non-performance penalties imposed as at the time the former Act was in force and filing an objection against such penalties, notwithstanding the amended provisions of Article 80.

Article 10 (Transitional Measures concerning Reporting on Building Projects, etc.)

(1) In applying the building standards, etc. to the cases for which a building permit was granted, an application for building permit was filed, or a report on a building project was filed before July 4, 2007, which corresponds to the date the partial Amendment (Act No. 8219) to the Building Act entered into force, the former provisions shall apply: Provided, That the amended provisions shall apply where the former provisions are more disadvantageous to a project owner, contractor, or project supervisor than the amended provisions.

(2) As to the buildings for which a report on the building project was filed before July 4, 2007, which corresponds to the date the partial Amendment (Act No. 8219) to the Building Act entered into force, the former provisions shall apply, notwithstanding the amended provisions of Article 14 (3).

(3) If a person on whom the non-performance penalty was imposed before January 3, 2007, which corresponds to the date Article 69-2 (6) of the partial Amendment (Act No. 8219) to the Building Act entered into force, has not paid until the payment deadline, such non-performance penalty may be collected in accordance with the amended provisions of Article 80 (6).

Article 11 (General Transitional Measures concerning Dispositions, etc.)

An act done by or against an administrative agency in accordance with the former provisions as at time this Act enters into force shall be deemed an act done by or against the administrative agency in accordance with the amended provisions corresponding to the former provisions.

Article 12 (Transitional Measures concerning Penalty Provisions and Administrative Fines)

The former provisions shall govern to the application of penalty provisions and the imposition of administrative fines for violations committed before this Act enters into force.

Article 13 Omitted.

Article 14 (Relationship with other Acts and Subordinate Statutes)

A citation of the former Building Act or any provision thereof by any other Act and subordinate statute in force as at the time this Act enters into force shall be deemed a citation of this Act or a corresponding provision of this Act in lieu of the former provision, if such corresponding provision exists herein.

ADDENDUM <Act No. 9049, Mar. 28, 2008>

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

ADDENDA <Act No. 9071, Mar. 28, 2008>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2009. (Proviso Omitted.)

Articles 2 through 11 Omitted.

ADDENDUM <Act No. 9103, Jun. 5, 2008>

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

ADDENDA <Act No. 9384, Jan. 30, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDUM <Act No. 9437, Feb. 6, 2009>

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

ADDENDA <Act No. 9594, Apr. 1, 2009>

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

(2) (Transitional Measures concerning Conciliation, etc. of Disputes on Building Projects) Disputes on building projects for which an application has been filed as at the time this Act enters into force shall be dealt with by the competent committee for conciliation of disputes on building projects under the former provisions notwithstanding the amended provisions of this Act.

(3) Omitted.

ADDENDA <Act No. 9770, Jun. 9, 2009>

Article 1 (Enforcement Date)

This Act shall enter into force on July 1, 2010. (Proviso Omitted.)

Articles 2 through 7 Omitted.

ADDENDA <Act No. 9774, Jun. 9, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 19 Omitted.

ADDENDA <Act No. 9858, Dec. 29, 2009>

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

(2) (Applicability concerning Use of Finishing Materials for Building Outside) The amended provisions of Article 52 (2) shall apply to an application for a building permit or the building report filed on or after the date this Act enters into force.

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

Article 1 (Enforcement Date)

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

Articles 2 through 13 Omitted.

ADDENDA <Act No. 10599, Apr. 14, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDA <Act No. 10755, May 30, 2011>

Article 1 (Enforcement Date)

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

Article 2 (Applicable Example concerning Term of Validity of Deliberation of Building Committee)

The amended provisions of Article 11 (10) shall be applicable from a case which undergoes the deliberation of a building committee under Article 4 (1) for the first time after this Act enters into force.

ADDENDA <Act No. 10764, May 30, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Act No. 10892, Jul. 21, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 10 Omitted.

ADDENDA <Act No. 11037, Aug. 4, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Act No. 11057, Sep. 16, 2011>

Article 1 (Enforcement Date)

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

Article 2 (Applicable Example concerning Examination of Safety of Structure)

The amended provisions of Article 48 (3) shall be applicable from a case for which the application for a building permit or a building report is filed for the first time after this Act enters into force.

Article 3 (Applicable Example concerning Installation of Egress Safety Zones, etc.)

The amended provisions of Article 50-2 (1) shall be applicable from a case for which the application for a building permit is filed for the first time after this Act enters into force.

ADDENDUM <Act No. 11182, Jan. 17, 2012>

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Article 11 (4) shall enter into force three months after the date of its promulgation.

ADDENDA <Act No. 11365, Feb. 22, 2012>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Act No. 11495, Oct. 22, 2012>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Act No. 11599, Dec. 18, 2012>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDUM <Act No. 11763, May 10, 2013>

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

ADDENDA <Act No. 11794, May 22, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 26 Omitted.

ADDENDA <Act No. 11921, Jul. 16, 2013>

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

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

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Act No. 12246, Jan. 14, 2014>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of subparagraph 1 of Article 105 shall enter into force six months after the date of its promulgation, whereas Articles 7, 11 (5) 1, 14 (1) 2, 20 (excluding paragraph (4)), 57 (3), 60 (3) 3, 69 (1), 71, 72 (6) and (7), 76 (2), 77, 77-2 through 77-13, and subparagraph 1 of Article 111 shall enter into force nine months after the date of its promulgation.

Article 2 (Applicable Example concerning Building Permits in Disaster-stricken Districts)

The amended provisions of Article 14 (1) 2 shall apply with regard to applications for a building permit filed on or after the enforcement date specified in the proviso to Article 1 of the Addenda.

Article 3 (Applicable Example concerning Restrictions on Heights of Buildings)

The amended provisions of the proviso to and the subparagraphs of Article 60 (3) shall apply with regard to applications for a building permit (including cases where an application for deliberation is

filed with the building committee under Article 4 in order to apply for a building permit) or building reports (including modification reports) made on or after the date municipal ordinance of the relevant local government is enacted or amended.

Article 4 (Transitional Measures concerning Revocation of Building Permits for Factories)

Notwithstanding the amended provisions of Article 11 (7), factories that have obtained a building permit as at the time this Act enters into force shall be governed by the previous provisions.

Article 5 Omitted.

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. 12701, May 28, 2014>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 2 (1) 20, Article 4, Articles 4-2 through 4-8, proviso to Article 11 (2) 1, Article 13, Article 27 (1), Article 35-2, Article 41 (1), Article 49 (3), Article 52-2, Article 53-2, Article 60 (3) 4, Article 80 (4), Article 83 (2) and (3), Articles 88 through 93, Article 95, Article 102 (3), Article 103, Article 104-2, subparagraph 5 of Article 105, and subparagraphs 6 and 7 of Article 111, and subparagraphs 8 and 9 of Article 113 shall enter into force six months after the promulgation of this Act.

Article 2 (Applicability to Extension, Alteration and Reconstruction of Buildings with at least Three Floors subject to Building Reports)

The amended provisions of the proviso to Article 14 (1) 1 shall apply from the first building report to be filed after this Act enters into force.

Article 3 (Applicability to Restrictions, etc. on Building Permits)

The amended provisions of Article 18 (3) shall apply from the first restriction placed on a building permit or commencement of construction of a permitted building after this Act enters into force.

Article 4 (Applicability to Agents for On-site Surveys, Inspections, and Verifications)

The amended provisions of Article 27 (1) shall apply from the first building, a building report on which is filed after the said provisions enter into force.

Article 5 (Applicability to Partition Walls of Buildings, and Noise Prevention of Floors)

The amended provisions of Article 49 (3) shall apply from the first building regarding which an application for a building permit (including the building applied for deliberation with a building committee under Article 4 to file an application for a building permit) or a building report is filed after the said provisions enter into force.

Article 6 (Applicability to Anti-Crime Standards)

The amended provisions of Article 53-2 shall apply from the first building regarding which an application for a building permit (including the building applied for deliberation with a building committee under Article 4 to file an application for a building permit) or a building report is filed after the said provisions enter into force.

Article 7 (Transitional Measures concerning Incompetent Persons, etc.)

A person under adult guardianship or person under limited guardianship referred to in the amended provisions of Article 89 (7) 1 shall be deemed to include persons for whom incompetence or quasi-incompetence declared by a court is still effective pursuant to Article 2 of the Addenda to the partially amended Civil Act (Act No. 10429).

Article 8 (Transitional Measures concerning Conversion of Penalty Provisions into Administrative Fines)

Notwithstanding the amended provisions of Article 108 (1), subparagraph 1 of Article 110, and Article 113 (1) 1, the former provisions shall apply to violations committed before this Act enters into force.

ADDENDA <Act No. 12737, Jun. 3, 2014>

Article 1 (Enforcement Date)

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

Articles 2 through 10 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.

ADDENDA <Act No. 12968, Jan. 6, 2015>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 6 (2), Article 38 (1), Article 49 (4), Article 50-2 (2), Article 52 (1), Article 68-3, and Article 81 (4) shall enter into force six months after the date of its promulgation, and the amended provisions of Article 52-3 and subparagraph 11 of Article 110 shall enter into force nine months after the date of its promulgation.

Articles 2 (Applicability)

The amended provisions of Articles 49 (4), 52 (1), and 52 (3) shall apply from the first application for a building permit or the first building report filed after such provisions enter into force.

ADDENDA <Act No. 12989, Jan. 6, 2015>

Article 1 (Enforcement Date)

This Act shall enter into force on July 1, 2015

Articles 2 through 6 Omitted.

ADDENDUM <Act No. 13325, May 18, 2015>

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 11 (3) and (4) and the proviso to Article 77-9 (1) shall enter into force one year after the date of its promulgation.

ADDENDA <Act No. 13433, Jul. 24, 2015>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Act No. 13470, Aug. 11, 2015>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Act No. 13471, Aug. 11, 2015>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Imposition of Non-Performance Penalties)

The amended provisions of Articles 80 and 80-2 shall begin to apply from the first non-performance penalty imposed after this Act enters into force.

ADDENDA <Act No. 13474, Aug. 11, 2015>

Article 1 (Enforcement Date)

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

Articles 2 through 35 Omitted.

ADDENDA <Act No. 13601, Dec. 22, 2015>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDA <Act No. 13782, Jan. 19, 2016>

Article 1 (Enforcement Date)

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

Articles 2 through 8 Omitted.

ADDENDA <Act No. 13785, Jan. 19, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Articles 48-3 and 113 (1) 4 shall enter into force one year after the date of its promulgation.

Article 2 (Applicability to Disclosure of Seismic Capacity)

The amended provisions of Article 48-3 shall begin to apply from an application for a building permit (including an application for deliberation of a building committee filed under Article 4-2 to apply for a building permit and a building report filed), or an application for permission to change a use (including a report on the change of use) to be filed after the amended provisions of the same Article enters into force.

ADDENDA <Act No. 13805, Jan. 19, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force on August 12, 2016.

Articles 2 through 22 Omitted.

ADDENDA <Act No. 14016, Feb. 3, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Article 113 (1) 4 and 5 of the partially amended Building Act (Act No. 13785) shall enter into force on January 20, 2017; and the amended provisions of Articles 13-2, 24 (6) and (7) and 25-2, subparagraph 1-2 of Article 105, Articles 107 through 109, Articles 110 (applicable only to the part amending the amount of a fine from 10 million won to 100 million won) and 111 (applicable only to the part amending the amount of a fine from 5 million won to 50 million won), subparagraph 3-2 of Article 111, and Article 113 (3) and (4), shall enter into force one year after the date of its promulgation.

Article 2 (Transitional Measures concerning Article 35 of the Housing Act)

"Article 35 of the Housing Act" in the amended provisions of Article 77-13 (6) shall be deemed "Article 21 of the Housing Act" until August 11, 2016.