

ENFORCEMENT DECREE OF THE FOREIGNER'S LAND ACQUISITION ACT

Wholly Amended by Presidential Decree No. 15819, jun. 24, 1998
Amended by Presidential Decree No. 17854, Dec. 30, 2002
Presidential Decree No. 18312, Mar. 17, 2004
Presidential Decree No. 20722, Feb. 29, 2008
Presidential Decree No. 21531, jun. 9, 2009
Presidential Decree No. 24443, Mar. 23, 2013

Article 1 (Purpose)

The purpose of this Decree is to prescribe matters delegated by the Foreigner's Land Acquisition Act and matters necessary for the enforcement thereof.

Article 2 (International Organizations Subject to Report on Land Acquisition Contracts)

The term "international organization prescribed by Presidential Decree" referred to in the main sentence of Article 4 (1) of the Foreigner's Land Acquisition Act (hereinafter referred to as "Act") shall be as listed in annexed Table 1.

Article 3 (Report, etc. on Land Acquisition)

(1) When a foreigner, foreign government, or international organization prescribed in Article 2 (hereinafter referred to as "foreigners, etc.") intends to report land acquisition or continuous possession of land as prescribed in Article 4 (1), 5, or 6 of the Act, he/she or it shall submit to the head of a Si (referring to the head of a Si in which a Gu is not established, and to the head of a Si under Article 17 of the Special Act on the Establishment of Jeju Special Self-Governing Province and the Development of Free International City; hereinafter the same shall apply)/Gun/Gu who has jurisdiction over such land a report on land acquisition or a report on continuous possession of land, accompanied by documents prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

(2) Where a foreigner, etc. intends to obtain permission for land acquisition as prescribed in Article 4 (2) of the Act, he/she shall submit to the head of a Si/Gun/Gu an application for permission for land acquisition, accompanied by documents prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

(3) The head of a Si/Gun/Gu, upon receipt of an application for permission for land acquisition as prescribed in paragraph (2), shall issue a disposition of permission or nonpermission within 15 days from

the date of receipt of such application.

Article 4 (Management of Report, etc. on Land Acquisition)

- (1) Where the head of a Si/Gun/Gu issues a certificate of report after receiving a report as prescribed in Article 3 (1) or issues a permit certificate after granting permission as prescribed in paragraph (3) of the same Article, he/she shall record the details thereof in a management ledger and manage them.
- (2) When the head of Sis/Guns/Gu has received a report on the transaction of real estate or houses under the proviso to Article 4 (1) of the Act, he/she shall confirm the details thereof and record such details in the management ledger under paragraph (1) and manage them.
- (3) The head of a Si/Gun/Gu shall notify a Special Metropolitan City Mayor, Metropolitan City Mayor, Do Governor or Special Self-Governing Province Governor of the contents of the management ledger under paragraph (1) within one month from the end of each quarter.
- (4) The Special Metropolitan City Mayor, Metropolitan City Mayor, Do Governor or Special Self-Governing Province Governor who has been notified of the contents of the management ledger as prescribed in paragraph (3) shall notify the Minister of Land, Infrastructure and Transport of such contents within one month from the date of receipt of such notification. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

Article 5 (Permission Areas of Land Acquisition)

The term "areas prescribed by Presidential Decree" referred to in Article 4 (2) 1 of the Act means island areas necessary for military purposes, which are publicly announced by the Minister of Land, Infrastructure and Transport after consultation with the heads of related central administrative agencies, such as the Minister of National Defense, etc. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

Article 6 (Land Acquisition by Means of Any Cause other than Contracts)

The term "any cause other than contracts prescribed by Presidential Decree" referred to in Article 5 of the Act means the exercise of a right of repurchase pursuant to the Act on the Acquisition of Land, etc. for Public Works and the Compensation Therefor or other relevant Acts, a final and conclusive judgment by a court, or merger of juristic persons.

Article 7 (Imposition of Fines for Negligence)

- (1) The standards for imposing fines for negligence under Article 9 (1) and (2) of the Act shall be as listed in annexed Table 2.
- (2) The head of a Si/Gun/Gu may reduce or increase the amount of fines for negligence under annexed Table 2 by more than half, in consideration of the motives, results, frequency, etc. of violations: Provided, That even in cases of increase, the amount shall not exceed the upper limit of the amount of fines for negligence under Article 9 (1) and (2) of the Act.

ADDENDA

Article 1 (Enforcement Date)

This Decree shall enter into force on June 26, 1998.

Article 2 Omitted.

ADDENDA <*Presidential Decree No. 17854, Dec. 30, 2002*>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2003.

Articles 2 through 8 Omitted.

ADDENDUM <*Presidential Decree No. 18312, Mar. 17, 2004*>

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

ADDENDA <*Presidential Decree No. 20722, Feb. 29, 2008*>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <*Presidential Decree No. 21531, Jun 9, 2009*>

Article 1 (Enforcement Date)

This Decree shall enter into force on June 27, 2009.

Article 2 (Transitional Measures)

The imposition of fines for negligence for violations committed before this Decree enters into force shall be done pursuant to the previous examples.

ADDENDA <*Presidential Decree No. 24443, Mar. 23, 2013*>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.