

PREVENTION OF STEEP SLOPE DISASTERS ACT

Act No. 8551, Jul. 27, 2007

Amended by Act No. 8852, Feb. 29, 2008

Act No. 8976, Mar. 21, 2008

Act No. 9193, Dec. 26, 2008

Act No. 9276, Dec. 29, 2008

Act No. 10272, Apr. 15, 2010

Act No. 11495, Oct. 22, 2012

Act No. 11599, Dec. 18, 2012

Act No. 11690, Mar. 23, 2013

Act No. 11994, Aug. 6, 2013

Act No. 12248, Jan. 14, 2014

Act No. 12844, Nov. 19, 2014

Act No. 13058, Jan. 20, 2015

Act No. 13474, Aug. 11, 2015

Act No. 14426, May 29, 2016

Act No. 14749, Mar. 21, 2017

Article 1 (Purpose)

The purpose of this Act is to protect lives and property of people from the danger of steep slope failures, etc. and to contribute to public welfare by prescribing matters concerning the designation and management of steep slopes at risk of collapse, the formulation and execution of necessary improvement plans and emergency measures.

Article 2 (Definitions)

The definitions of terms used in this Act shall be as follows: <Amended by Act No. 9276, Dec. 29, 2008; Act No. 11599, Dec. 18, 2012; Act No. 13058, Jan. 20, 2015; Act No. 14226, May 29, 2016; Act No. 14749, Mar. 21, 2017>

1. The term "steep slope" means a steep slope prescribed by Presidential Decree, which is a natural slope or artificial slope (including a retaining wall and an embankment, etc.; hereinafter the same shall apply) attached to a housing site, road, railroad or park facility, etc. or a mountainous region adjacent thereto;

2. The term "area at risk of collapse" means an area designated and announced, pursuant to Article 6, as a steep slope or its surrounding land that may possibly cause damage to the lives and property of people due to a collapse, falling rocks, etc.;

3. The term "disaster" means damage caused by a natural disaster to a steep slope referred to in subparagraph 1 (a) of Article 3 of the Framework Act on the Management of Disasters and Safety;

4. The term "disaster risk assessment" means that a person with relevant experience and skills conducts a naked-eye or instrument-assisted inspection in order to analyze social and geographical conditions, risk factors for collapse, the extent of the expected damage, the history of disasters from steep slope failures, etc., and analyzes and estimates risk both quantitatively and qualitatively;

5. The term "management agency" means an administrative agency or a public institution as listed below, which possesses or manages a steep slope:

(a) A local government;

(b) A Regional Forest Service;

(c) The Korea Rural Community Corporation under the Korea Rural Community Corporation and Farmland Management Fund Act;

(d) The Korea Land and Housing Corporation under the Korea Land and Housing Corporation Act;

(e) Deleted; <by Act No. 11599, Dec. 18, 2012>

(f) The Korea Rail Network Authority under the Korea Rail Network Authority Act;

(g) A Metropolitan Rapid Transit Corporation under the Urban Railroad Act;

(h) The Korea National Park Service under the Natural Park Service Act;

(i) Other administrative agencies and public institutions prescribed by Presidential Decree.

6. The term "instrumentation business" means the business of conducting regular instrumentation of steep slopes governed by this Act and other facilities prescribed by the Presidential Decree.

Article 3 (Scope of Application)

This Act shall not apply to a national expressway referred to in Article 11 of the Road Act, a general national road referred to in Article 12 of the same Act, and the structures referred to in subparagraphs 2 and 3 of Article 2 of the Special Act on the Safety Control of Public Structures. <Amended by Act No. 8976, Mar. 21, 2008; Act No. 12248, Jan. 14, 2014>

Article 4 (Relationship with Other Acts)

With respect to the designation and management of steep slopes and emergency measures therefor, etc., the provisions of this Act shall prevail over any other laws.

Article 5 (Safety Inspection for Steep Slopes)

(1) A management agency shall conduct a safety inspection for steep slopes under its jurisdiction at least twice a year, and notify the results to a Special Self-Governing City Mayor, and the head of a Si (including administrative city referred to in Article 11 (1) of the Special Act on the Establishment of Jeju Special Self-Governing Province and the Development of Free International City. The same shall apply hereinafter)/Gun/Gu (meaning an autonomous Gu. The same shall apply hereinafter). <Amended by Act No.

13058, Jan. 20, 2015; Act No. 14779, Mar. 21, 2017>

(2) A Special Self-Governing City Mayor and the head of a Si/Gun/Gu (hereinafter referred to as the "head of a Si/Gun/Gu") shall conduct a safety inspection for steep slopes in the district under his/her jurisdiction at least once a year. However, he/she may not conduct a safety inspection for a steep slope which is deemed to be in no danger of collapsing based on the results referred to in paragraph (1).

<Amended by Act No. 14779, Mar. 21, 2017>

(3) Where necessary for a more efficient inspection under paragraph (2), the head of a Si/Gun/Gu may conduct a safety inspection in collaboration with the relevant institutions and experts. *<Amended by Act No. 14779, Mar. 21, 2017>*

(4) The head of a Si/Gun/Gu shall notify such inspection results under paragraphs (2) and (3) to the relevant management agency and the owner, occupant or custodian of the land in question (hereinafter referred to as "interested person") and have them take necessary safety measures. *<Amended by Act No. 14779, Mar. 21, 2017>*

Article 6 (Designation, etc. of Areas at Risk of Collapse)

(1) Where it is necessary for a management agency to designate a steep slope under its jurisdiction as an area at risk of collapse based on the safety inspection results under Article 5, it shall request the head of a Si/Gun/Gu with jurisdiction over such area to designate it as an area at risk of collapse after a disaster risk assessment and the process of residents' consensus building. The head of a Si/Gun/Gu shall immediately comply with such request and make an announcement, in the absence of special circumstances. The same shall also apply to the cases where he/she makes any changes to such designation. *<Amended by Act No. 13058, Jan. 20, 2015; Act No. 14779, Mar. 21, 2017>*

(2) The head of a Si/Gun/Gu may designate and announce a steep slope, owned or managed by a person other than a management agency in the district under his/her jurisdiction, as an area at risk of collapse after a disaster risk assessment and the process of residents' consensus building. In such cases, the head of the Si/Gun/Gu shall be the management agency for the area at risk of collapse.

(3) The head of a Si/Gun/Gu may gather the opinions of its residents in response to the request from a management agency made in connection with the designation of an area at risk of collapse referred to in paragraph (1).

(4) Where the head of a Si/Gun/Gu has designated and announced an area as one at risk of collapse pursuant to paragraph (1) or (2), he/she shall notify interested persons of such fact: Provided, That where their address or residence is not clear, a public notice shall be made in lieu of such notification, as prescribed by Ordinance of the Prime Minister. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>*

(5) Where a steep slope has been designated and announced as an area zoned for elimination of danger of natural disasters referred to in Article 12 of the Countermeasures against Natural Disasters Act, the steep slope shall be deemed to have been designated and announced as an area at risk of collapse pursuant to paragraphs (1) and (2). *<Amended by Act No. 11495, Oct. 22, 2012>*

(6) Matters concerning methods and procedures for a disaster risk assessment and the process of residents' consensus building referred to in paragraphs (1) and (2) shall be prescribed by Presidential Decree, and other matters necessary for the designation, announcement and change, etc. of an area at risk of collapse shall be prescribed by Ordinance of the Prime Minister. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

(7) Where the risk of a disaster is relieved as a result of a project for improving an area at risk of collapse, the head of a Si/Gun/Gu shall cancel such designation and make a public notice thereof. <Newly Inserted by Act No. 13058, Jan. 20, 2015>

Article 6-2 (Recommendation for Designation of Areas at Risk of Collapse)

(1) Where the head of a Si/Gun/Gu fails to designate a steep slope that is highly likely to collapse in their jurisdiction as an area at risk of collapse pursuant to Article 6 (1) and (2), the Minister of Public Safety and Security, or the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Do Governor, or a Special Self-Governing Province Governor may recommend the head of the Si/Gun/Gu to designate and provide a public notice of the area in question as an area at risk of collapse. In such cases, the head of the Si/Gun/Gu shall comply in the absence of special circumstances. <Amended by Act No. 14749, Mar. 21, 2017>

(2) Where a management agency fails to request a designation of a steep slope that is highly likely to collapse in their jurisdiction as an area at risk of collapse pursuant to Article 6 (1), the head of a Si/Gun/Gu may recommend the management agency to make such a request. In such cases, the management agency shall comply in the absence of special circumstances.

Article 7 (On-Site Investigation, etc.)

(1) Where the head of a management agency makes a request for designation of a steep slope as an area at risk of collapse pursuant to Article 6 (1) or the head of a Si/Gun/Gu deems it necessary to conduct an on-site investigation for the designation and announcement of a steep slope as an area at risk of collapse pursuant to paragraph (2) of the same Article, he/she may allow an on-site investigation team consisting of public officials under his/her control, experts in the field of steep slopes, etc. to conduct an on-site investigation. <Amended by Act No. 13058, Jan. 20, 2015>

(2) Any person who conducts an on-site investigation pursuant to paragraph (1) may, if necessary, access or use the land of a third party temporarily, and change or remove trees, soil, stones or other obstacles.

(3) Any person who has an access to or uses the land of a third party temporarily, or intends to change or remove an obstacle pursuant to paragraph (2), shall obtain the consent of the interested person, as prescribed by Ordinance of the Prime Minister: Provided, That where he/she is unable to obtain such consent because the interested person's address or residence is not clear, he/she shall obtain the consent of the head of the Si/Gun/Gu with jurisdiction over the land. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

(4) Any person who has an access to or uses the land of a third party temporarily, or intends to change or remove an obstacle pursuant to paragraph (2), shall carry an identification indicating his/her authority and present it to the interested person.

(5) The Act on Acquisition of and Compensation for Land, etc. for Public Works Projects shall apply to the compensation for the loss incurred under the provisions of paragraph (2).

Article 8 (Instrumentation and Management of Areas at Risk of Collapse)

(1) Where a management agency deems it necessary for detecting in advance positional changes caused by ground sinking, activity, upset, collapse, etc. in an area at risk of collapse, it may conduct continuous instrumentation and data management (hereinafter referred to as "regular instrumentation and management") on its own, or have a person who has registered his/her instrumentation business pursuant to Article 22 conduct regular instrumentation and management on its behalf, as prescribed by Presidential Decree.

(2) Where a management agency conducts regular instrumentation and management on its own or outsources it to an instrumentation business entity pursuant to paragraph (1), it shall provide the instrumentation data to the head of the competent Si/Gun/Gu in real time. *<Amended by Act No. 14779, Mar. 21, 2017>*

(3) In the event of an emergency, the head of a Si/Gun/Gu shall immediately evacuate residents of the area in question by making an efficient use of the instrumentation data he/she has received under paragraph (2) and his/her own instrumentation data. *<Amended by Act No. 14779, Mar. 21, 2017>*

(4) No person shall damage apparatuses, equipment, etc. installed for regular instrumentation and management.

(5) Where a management agency conducts regular instrumentation and management pursuant to paragraph (1), the State may offer a subsidy to cover part of the expenses incurred in the installation of the measuring instruments. *<Newly Inserted by Act No. 13058, Jan. 20, 2015>*

Article 9 (Establishment and Operation of Management Standards for Evacuation of Residents)

(1) The head of a Si/Gun/Gu shall establish and operate the management standards for the evacuation of residents in consideration of the regular instrumentation and management data, the amount of precipitation, the nature and state of a slope, etc.

(2) The Minister of Public Safety and Security shall prepare guidelines for the establishment and operation of the management standards under paragraph (1) in consultation with the heads of the relevant central administrative agencies and notify the heads of Sis/Guns/Gus of the same and shall provide necessary guidance and supervision. *<Amended by Act No. 12844, Nov. 19, 2014>*

Article 10 (Consultation on Activities in Areas at Risk of Collapse)

(1) Where the relevant administrative agency intends to grant permission or authorization, license, approval, cancellation, decision, consent, consultation, etc. (hereinafter referred to as "authorization, permission, etc."), which involves any of the following activities in an area at risk of collapse, it shall consult the competent management agency in advance: Provided, That this shall not apply to the cases where there have been prior consultations on the examination of factors influencing disasters under Article 4 of the Countermeasures against Natural Disasters Act:

1. Laying a pipeline, erecting a steel tower, installing structures such as a road or a bridge, etc., which involve excavation of earth and stones;
 2. Building a new building, extending or remodelling a building, which involve excavation of earth and stones;
 3. Making changes to a retaining wall, embankment, side gutter, etc.;
 4. Felling trees or removing turfs;
 5. Other matters prescribed by Presidential Decree, which could undermine the stability of a steep slope.
- (2) Where the relevant administrative agency intends to have consultations under paragraph (1), it shall present the documents required by Presidential Decree when making a request for consultation, and the management agency that has received such a request shall notify the administrative agency of the results.
- (3) The administrative agency notified of the consultation results pursuant to paragraph (2) shall take measures necessary for reflecting them, in the absence of special circumstances, and shall notify the management agency of the measures already taken or to be taken.
- (4) Where the consultation results have been reflected in the relevant administration plan or development project pursuant to paragraph (3), the relevant administrative agency and business entity shall in good faith perform the same.
- (5) A management agency may request the relevant administrative agency and business entity to take necessary measures, such as the suspension of construction, for the performance of the consultation results pursuant to paragraph (4). In such cases, the administrative agency and business entity shall comply in the absence of special circumstances.
- (6) The relevant administrative agency shall not grant authorization or permission until the consultation procedures referred to in paragraph (1) are complete.

Article 11 (Setting-Up of Warning Signs)

- (1) A management agency shall install a warning sign informing any danger in an area at risk of collapse.
- (2) Details concerning the size and content of a warning sign installed in an area at risk of collapse pursuant to paragraph (1) shall be prescribed by Ordinance of the Prime Minister. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>*
- (3) No person shall move or damage any warning sign without permission of the person who has installed it pursuant to paragraphs (1) and (2).

Article 12 (Development of Mid-Term Plans for Improvement of Areas at Risk of Collapse)

- (1) A management agency shall develop a mid-term plan for the improvement of areas at risk of collapse (hereinafter referred to as "mid-term plan") every five years, as prescribed by Presidential Decree, and notify the plan to the head of a Si/Gun/Gu. The head of the Si/Gun/Gu shall submit the plan to the Minister of Public Safety and Security through the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Do Governor or a Special Self-Governing Province Governor: Provided, That a Special Self-Governing City Mayor shall submit a mid-term plan notified by the management agency to the Minister of Public Safety and Security directly. *<Amended by Act No. 11994, Aug. 6, 2013; Act No. 13058, Jan. 20, 2015; Act*

No. 14749, Mar. 21, 2017>

(2) If necessary, the Minister of Public Safety and Security may request a modification or supplementation of the mid-term plan received under paragraph (1), and the management agency in receipt of such request shall comply in the absence of special circumstances. *<Amended by Act No. 11994, Aug. 6, 2013; Act No. 14749, Mar. 21, 2017>*

(3) Where the head of a Si/Gun/Gu finds that an excessive budget has been spent in a project for improving steep slopes or that fundamental risk factors of collapse are unlikely to be eliminated only through the improvement of steep slopes in the formulation of a mid-term plan pursuant to paragraph (1), he/she may prepare measures to relocate residents after the process of residents' consensus building and economic analysis.

(4) Article 78 of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects shall apply mutatis mutandis to the establishment of the measures to relocate residents under paragraph (3).

Article 13 (Action Plans for Improvement Projects for Areas at Risk of Collapse)

(1) A management agency shall formulate an action plan for an improvement project every year based on a mid-term plan developed under Article 12 in consultation with the head of the relevant administrative agency and announce the plan, as prescribed by Presidential Decree. The same shall also apply to the change of such action plan.

(2) When drafting an action plan for an improvement project pursuant to paragraph (1), the management agency may include a project for preventing damage from an adjacent area if an area at risk of collapse is feared to suffer damage due to an avalanche of soil and stones and a landslide, etc. in the adjacent area.

(3) In the absence of special circumstances, a management agency shall take measures necessary for reflecting the results of the consultation with the head of the relevant administrative agency pursuant to paragraph (1), and notify the head of the administrative agency of the measures already taken or to be taken.

(4) A management agency shall submit an action plan for an improvement project formulated pursuant to paragraph (1) to the head of the competent Si/Gun/Gu, and the head of the Si/Gun/Gu shall submit the same to the Minister of Public Safety and Security through the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Do Governor or a Special Self-Governing Province Governor: Provided, That a Special Self-Governing City Mayor shall submit an action plan for an improvement project submitted by the management agency to the Minister of Public Safety and Security directly. *<Amended by Act No. 11994, Aug. 6, 2013; Act No. 14749, Mar. 21, 2017>*

(5) Where the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Do Governor, a Special Self-Governing Province Governor, or the head of a Si/Gun/Gu has formulated an action plan for an improvement project for an area at risk of collapse, the expenses incurred may be covered partially or fully by a subsidy from State Treasury under Article 70 of the Countermeasures against Natural Disasters Act. *<Amended by Act No. 13058, Jan. 20, 2015; Act No. 14749, Mar. 21, 2017>*

(6) The Minister of Public Safety and Security may grant a reward after confirming the performance of an action plan for an improvement project referred to in paragraph (1) and conducting an assessment of agencies. *<Amended by Act No. 12844, Nov. 19, 2014>*

Article 14 (Deemed Authorization, Permission, etc. under Other Acts)

In the formulation of an action plan for an improvement project for an area at risk of collapse pursuant to Article 13 (1), when a management agency has announced an action plan after consulting the head of the relevant administrative agency in advance over authorization, permission, etc. for the following, it shall be deemed to have obtained required authorization, permission, etc., and have made required public notice or announcement of authorization, permission, etc. under the relevant Act. *<Amended by Act No. 8976, Mar. 21, 2008; Act No. 10272, Apr. 15, 2010; Act No. 12248, Jan. 14, 2014>*

1. Permission for development pursuant to Article 56 of the National Land Planning and Utilization Act;
2. Occupation and use of a road pursuant to Article 61 of the Road Act;
3. Permission to occupy and use public waters pursuant to Article 8 of the Public Waters Management and Reclamation Act and permission to reclaim public waters pursuant to Article 28 of the same Act;
4. Deleted. *<by Act No. 10272, Apr. 15, 2010>*
5. Permission for and consultation on the diversion of farmland pursuant to Article 34 of the Farmland Act and permission for temporary use of farmland for other purposes pursuant to Article 36 of the same Act;
6. Diversion of grassland, etc. pursuant to Article 23 of the Grassland Act;
7. Permission to divert a mountainous district pursuant to Article 14 of the Mountainous Districts Management Act, permission for soil and stone collection quarrying, etc. pursuant to Article 25 of the same Act, permission for and report on stumpage felling, etc. pursuant to Article 36 (1) and (4) of the Creation and Management of Forest Resources Act;
8. Restrictions on acts in erosion-control land pursuant to Article 14 of the Erosion Control Work Act.

Article 15 (Ensuring Safety of Areas at Risk of Collapse)

(1) Interested persons listed below who have been notified of the designation of an area at risk of collapse pursuant to Article 6 (4) shall conduct a self safety inspection and take necessary measures, such as emergency measures, repair, and reinforcement to address collapse risk and ensure the stability of steep slopes: *<Amended by Act No. 13474, Aug. 11, 2015>*

1. A management body referred to in Article 2 (1) 10 of the Multi-Family Housing Management Act;
2. An authorized administrator, etc. and an administrative corporation, etc. referred to in Articles 30 and 31 of the Industrial Cluster Development and Factory Establishment Act.

(2) Interested persons referred to in paragraph (1) shall make efforts to prevent disasters, such as securing maintenance expenses required to ensure the safety of an area at risk of collapse.

Article 16 (Expropriation or Use of Land, etc.)

(1) Where a management agency deems it necessary for undertaking an improvement project in an area at risk of collapse pursuant to Article 13, it may expropriate or use land, objects or rights (hereinafter referred to as "land, etc.") in the area in question.

(2) Where an action plan for an improvement project for an area at risk of collapse is announced pursuant to Article 13, it shall be deemed that approval referred to in Article 20 (1) of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects has been granted and that a public notice referred to in Article 22 of the same Act has been made. Notwithstanding Articles 23 (1) and 28 (1) of the same Act, an application for adjudication shall be made within the duration of an improvement project for the area at risk of collapse.

(3) Except as otherwise provided for herein, the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects shall apply mutatis mutandis to expropriation or use pursuant to paragraph (1).

Article 17 (Emergency Safety Measures, etc. for Prevention of Disasters)

(1) Where a safety inspection conducted under Article 5 finds that a steep slope disaster has occurred or is likely to occur on the steep slope in an area at risk of collapse under the jurisdiction of the head of a Si/Gun/Gu, he/she may order the interested person to take necessary safety measures, such as placing restrictions on or a ban on the use of the relevant facilities, or repairs, reinforcing or removing the facilities. *<Amended by Act No. 14749, Mar. 21, 2017>*

(2) Where a person ordered to take safety measures under paragraph (1) has taken such measures, he/she shall notify the director general of a Si/Gun/Gu of the result thereof, as prescribed by Ordinance of the Prime Minister. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>*

(3) Where a person ordered to take safety measures pursuant to paragraph (1) fails to comply with such order, the head of a Si/Gun/Gu may take safety measures on his/her behalf. In such cases, the Administrative Vicarious Execution Act shall apply mutatis mutandis thereto.

Article 18 (Evacuation Orders, etc.)

Where a disaster has occurred or is likely to occur in an area at risk of collapse, the head of a Si/Gun/Gu may take measures, such as an evacuation order or compulsory evacuation, etc., for residents of the area or those in the area, if necessary for the prevention of harm to human life or body.

Article 19 (Temporary Use, etc. of Facilities, such as Land)

(1) Where emergency measures are required because a disaster has occurred or is likely to occur in an area at risk of collapse in the district under the jurisdiction of the head of a Si/Gun/Gu, he/she shall take emergency measures for those who are in the disaster site or those who live therearound, or temporarily use land, buildings, structures and other possessions of a third party, or change or remove any obstacles, as prescribed by Presidential Decree.

(2) Where loss has been incurred as a result of the emergency measures taken under paragraph (1), the head of the Si/Gun/Gu shall pay compensation in accordance with the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects.

(3) The head of the Si/Gun/Gu shall apply Article 65 of the Framework Act on Management of Disasters and Safety mutatis mutandis to medical treatment of and compensation to persons engaged in emergency measures pursuant to paragraph (1). *<Amended by Act No. 14749, Mar. 21, 2017>*

Article 20 (Building of Information System for Steep Slopes)

(1) Where a person who created steep slopes upon the relevant statutory authorization, permission, etc. has completed the relevant project, he/she shall submit the as-built drawings and documents to the head of the competent Si/Gun/Gu. *<Amended by Act No. 14749, Mar. 21, 2017>*

(2) A management agency shall submit status data, including details, photographs, reports on ground instrumentation, etc. of steep slopes under its management, to the head of the competent Si/Gun/Gu where such steep slopes are located. *<Amended by Act No. 14749, Mar. 21, 2017>*

(3) The head of the Si/Gun/Gu shall build a database based on the as-built drawings and documents referred to in paragraph (1), status data set forth in paragraph (2) and data on soil investigation, etc. of the construction work performed in the district under his/her jurisdiction, of which size is the same or greater than that prescribed by Presidential Decree, and provide the relevant information to those who need them. *<Amended by Act No. 14749, Mar. 21, 2017>*

(4) The Minister of Public Safety and Security shall develop, distribute, and operate a system for building a database under paragraphs (1) through (3), and prepare and distribute nationwide maps to address the risk of ground disasters that could be used in relevant design, construction and forecast for collapse risk, etc. *<Amended by Act No. 12844, Nov. 19, 2014>*

(5) Matters concerning the as-built drawings and documents and status data of steep slopes submitted to the head of a Si/Gun/Gu pursuant to paragraphs (1) and (2) shall be prescribed by Presidential Decree. *<Amended by Act No. 14749, Mar. 21, 2017>*

Article 21 (Standard Guidelines for Database)

The Minister of Public Safety and Security shall prepare standard guidelines for the integration and compatibility of a database built under Article 20 to provide comprehensive and integrated information, and endeavor to accumulate and disseminate information and technology concerning the safety management of steep slopes and prevention of disasters. *<Amended by Act No. 12844, Nov. 19, 2014>*

Article 22 (Registration of Instrumentation Business)

(1) Any person who intends to engage in the business of conducting regular instrumentation and management shall meet the standards for registration of technological capability and facilities, etc. prescribed by Presidential Decree, and register with the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, a Do Governor or a Special Self-Governing Province Governor (hereinafter referred to as the "Mayor/Do Governor"), as prescribed by Ordinance of the Prime Minister. The same shall also apply to the cases where he/she intends to modify matters prescribed by Presidential Decree after registration. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014; Amended by Act No. 13058, Jan. 20, 2015; No. 14749, Mar. 21, 2017>*

(2) Where a person who has registered an instrumentation business pursuant to paragraph (1) (hereinafter referred to as "instrumentation business entity") intends to permanently or temporarily close his/her business, he/she shall report it to the Mayor/Do Governor, as prescribed by Ordinance of the Prime Minister. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014; Act No. 13058, Jan. 20, 2015>

Article 23 (Disqualifications for Instrumentation Business Entity)

Any of the following persons shall not register an instrumentation business: <Amended by Act No. 14749, Mar. 21, 2017>

1. A person under adult guardianship or under limited guardianship;
2. A person for whom two years have not passed since his/her imprisonment with labor or a heavier punishment, as ordered by the court for a violation of this Act, was completely executed (including the cases where the execution is deemed to have been completed) or he/she was exempt from the execution;
3. A person who is under suspension of the execution of imprisonment with labor, as sentenced by the court for violation of this Act;
4. A person for whom two years have not passed since his/her registration of an instrumentation business was cancelled (excluding a person whose registration is cancelled on the grounds of subparagraph 1);
5. A corporation, any of whose executive officers falls under any of subparagraphs 1 through 4.

Article 24 (Succession to Status of Instrumentation Business Entity)

(1) Where an instrumentation business entity intends to take over another instrumentation business or to merge or consolidate with another instrumentation business which is a corporation, he/she shall report the fact to the Mayor/Do Governor, as prescribed by Presidential Decree. <Amended by Act No. 13058, Jan. 20, 2015>

(2) A transferee and the corporation surviving the merger or resulting from the consolidation, who has filed a report under paragraph (1), shall respectively succeed to the status of a transferor and a corporation before the merger as an instrumentation business entity.

(3) In cases of the death of an instrumentation business entity, where his/her successor intends to succeed to such status and conduct an instrumentation business, he/she shall report the fact to the Mayor/Do Governor, as prescribed by Presidential Decree. <Amended by Act No. 13058, Jan. 20, 2015>

(4) Article 23 shall apply mutatis mutandis to reporting in paragraphs (1) and (3).

Article 25 (Cancellation of Registration of Instrumentation Business)

(1) Where an instrumentation business entity falls under any of the following, the Mayor/Do Governor may cancel his/her registration or order suspension of business for a period of up to three months: Provided, That where he/she falls under subparagraph 1 or 3, the Mayor/Do Governor shall cancel his/her registration: <Amended by Act No. 13058, Jan. 20, 2015; Act No. 14797, Mar. 21, 2017>

1. Where he/she has obtained registration referred to in Article 22 by false or fraudulent means;

2. Where he/she fails to meet the standards for registration pursuant to Article 22 (1);
 3. Where he/she falls under any of the subparagraphs of Article 23: Provided, That where a corporation has any executive officer falling under subparagraph 5 of Article 23 and the executive in question is replaced within three months, the foregoing shall not apply;
 4. Where he/she lends a certificate of registration for an instrumentation business or its name, or subcontracts his/her contracted instrumentation business;
 5. Where he/she files a false report on instrumentation results or a poorly prepared one, either intentionally or by gross negligence;
 6. Where he/she fails to commence business for not less than two years without justifiable grounds.
- (2) Disposition standards for each violation pursuant to paragraph (1) shall be prescribed by Ordinance of the Prime Minister in consideration of the reasons therefor and the severity thereof. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>*

Article 26 (Performance Test for Measuring Instruments)

- (1) When conducting and managing regular instrumentations, an instrument business entity shall use measuring instruments that have passed a performance test (hereinafter referred to as "performance test") conducted by the Minister of Public Safety and Security. *<Amended by Act No. 12844, Nov. 19, 2014>*
- (2) Details concerning the subjects of, and standards and procedures for, a performance test shall be prescribed by Ordinance of the Prime Minister. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>*
- (3) Where the result of a performance test conducted under paragraph (2) is satisfactory, the Minister of Public Safety and Security shall issue a test certificate, as prescribed by Ordinance of the Prime Minister. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>*
- (4) The Minister of Public Safety and Security may allow a person who has been registered pursuant to Article 27 (hereinafter referred to as "agent conducting a performance test as proxy") to conduct a performance test on his/her behalf. In such cases, where the result of a performance test under paragraph (2) is satisfactory, the agent conducting a performance test as proxy shall issue a test certificate, as prescribed by Ordinance of the Prime Minister. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>*

Article 27 (Registration of Agent Conducting Performance Tests as Proxy)

- (1) A person who intends to conduct a performance test as proxy shall meet the standards for registration, such as technical capability and facilities, etc. and register with the Minister of Public Safety and Security. The same shall also apply to the cases where he/she intends to make any changes to the registered matters prescribed by Presidential Decree. *<Amended by Act No. 12844, Nov. 19, 2014; Act No. 13058, Jan. 20, 2015>*
- (2) An agent conducting a performance test as proxy may collect charges for such test.
- (3) Article 24 shall apply mutatis mutandis to the succession to the status of an agent conducting a performance test as proxy. In such cases, an "instrumentation business entity" shall be deemed an "agent conducting a performance test as proxy".

Article 28 (Disqualifications as Agent Conducting Performance Test as Proxy)

Any of the following persons shall not be registered as an agent conducting a performance test as proxy:
<Amended by Act No. 14749, Mar. 21, 2017>

1. A person under adult guardianship or under limited guardianship;
2. A person for whom two years have not passed since his/her imprisonment with labor or a heavier punishment, as ordered by the court for violation of this Act, was completely executed (including the cases where the execution is deemed to have been completed) or he/she was exempt from the execution;
3. A person who is under suspension of the execution of imprisonment with labor, as ordered by the court for violation of this Act;
4. A person for whom two years have not passed since the cancellation (excluding the case where the registration is cancelled on the grounds of subparagraph 1) of his/her registration as an agent conducting a performance test as proxy;
5. A corporation, any of whose executive officers falls under any of subparagraphs 1 through 4.

Article 29 (Cancellation, etc. of Registration of Agent Conducting Performance Tests as Proxy)

(1) Where an agent conducting a performance test as proxy falls under any of the following, the Minister of Public Safety and Security may cancel such person's registration or suspend his/her business for a period of up to three months: Provided, That where the person falls under subparagraph 1 or 3, the Minister of Public Safety and Security shall cancel such registration: <Amended by Act No. 12844, Nov. 19, 2014; Act No. 13058, Jan. 20, 2015; Act No. 14749, Mar. 21, 2017>

1. Where he/she has obtained registration referred to in Article 27 by false or fraudulent means;
2. Where he/she fails to meet the standards for registration of an agent conducting a performance test as proxy pursuant to Article 27 (1);
3. Where he/she falls under any of the subparagraphs of Article 28: Provided, That where a corporation has any executive officer who falls under subparagraph 5 of Article 28 and the executive officer in question is replaced within three months, the foregoing shall not apply;
4. Where he/she lends a certificate of registration of an agent conducting a performance test as proxy or his/her name to another;
5. Where he/she files a false report on performance test results or conducts a test by unlawful means;
6. Where he/she refuses or evades a performance test without justifiable grounds.

(2) Disposition standards for each violation pursuant to paragraph (1) shall be prescribed by Ordinance of the Prime Minister in consideration of the reasons therefor and the severity thereof. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

Article 30 (Prior Job Training for Instrumentation Experts)

(1) In order to ensure the fairness of and public confidence in regular instrumentation and management and to improve technical skills, a person who falls under the following shall complete the job training course provided by the Minister of Public Safety and Security, as prescribed by Ordinance of the Prime Minister: <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

1. A technical expert engaged in instrumentation business pursuant to Article 22 (1);
 2. A technical expert engaged in the business of conducting a performance test as proxy pursuant to Article 27 (1).
- (2) The Minister of Public Safety and Security may designate and announce an institution or an organization specializing in emergency management as an educational institution for providing job training set forth in paragraph (1) on his/her behalf. *<Amended by Act No. 12844, Nov. 19, 2014>*
- (3) An employer of a person required to receive training pursuant to paragraph (1) shall bear the costs of such training.
- (4) Details concerning the requirements and procedures for the designation of an educational institution pursuant to paragraph (2) shall be prescribed by Ordinance of the Prime Minister. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>*

Article 31 (Criteria for Calculation of Instrumentation Expenses and Testing Charges)

The Minister of Public Safety and Security shall formulate and announce the criteria for calculating instrumentation expenses and charges for testing the performance of measuring instruments used in conducting and managing regular instrumentations in consideration of standard expenses, etc. *<Amended by Act No. 12844, Nov. 19, 2014>*

Article 32 (Hearings)

Where the Mayor/Do Governor, or the Minister of Public Safety and Security intends to cancel the registration of an instrumentation business or registration of an agent conducting a performance test as proxy, or order suspension of business or service pursuant to Article 25 or 29, he/she shall hold a hearing. *<Amended by Act No. 12844, Nov. 19, 2014; Act No. 13058, Jan. 20, 2015>*

Article 33 (Delegation of Authority)

The Minister of Public Safety and Security may delegate part of his/her authority granted under this Act to the Mayor/Do Governor, as prescribed by Presidential Decree. *<Amended by Act No. 12844, Nov. 19, 2014; Act No. 13058, Jan. 20, 2015>*

Article 34 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than two years or by a fine not exceeding 20 million won:

1. Where a person who fails to obtain registration pursuant to Article 22 or whose registration has been cancelled under Article 25 is engaged in regular instrumentation and management business;
2. Where a person who fails to obtain registration pursuant to Article 27 or whose registration has been cancelled under Article 29 is engaged in the business of conducting a performance test as proxy;
3. Where a person files registration pursuant to Article 22 or 27 by false or fraudulent means.

Article 35 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding 10 million won:

1. Where a person continues to conduct business during business suspension referred to in Article 25;
2. Where an agent conducting a performance test as proxy pursuant to Article 26 (4) conducts a performance test unlawfully;
3. Where a person continues to conduct business during business suspension referred to in Article 29.

Article 36 (Joint Penalty Provisions)

If the representative of a corporation, or an agent, an employee, or any other worker of a corporation or an individual commits an offense under Article 34 or 35 in connection with the business of the corporation or the individual, not only shall the offender be punished, but also the corporation or the individual shall be punished by a fine under the applicable provisions: Provided, That this shall not apply to the cases where the corporation or the individual has not been negligent in exercising due care and supervision of the relevant business in order to prevent such offense.

Article 37 (Administrative Fines)

(1) Any of the following persons shall be punished by an administrative fine not exceeding two million won:

1. A person who damages apparatus, equipment, etc. for regular instrumentation and management referred to in Article 8 (4);
2. A person who removes or damages a warning sign, in violation of Article 11 (3);
3. A person who fails to conduct a self safety inspection or to take necessary measures, such as emergency measures, pursuant to Article 15 (1);
4. A person who fails to comply with an order to take safety measures referred to in Article 17 (1);
5. A person who refuses to comply with an order, such as an evacuation order, issued pursuant to Article 18;
6. A person who refuses or interferes with the temporary use of land, a building, etc. or change or removal of an obstacle pursuant to Article 19;
7. A person who fails to submit as-built drawings and documents relevant to steep slopes pursuant to Article 20 (1);
8. A person who fails to report on transfer or acquisition of an instrumentation business, in violation of Article 24 (1) and (3) (including the cases applied mutatis mutandis in Article 27 (3)).

(2) The head of a Si/Gun/Gu shall impose and collect administrative fines pursuant to paragraph (1), as prescribed by Presidential Decree.

(3) through (5) Deleted. <by Act No. 13058, Jan. 20, 2015>

ADDENDA

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

(2) (Applicability to Formulation of Improvement Plan) After this Act enters into force, the first mid-term plan shall be formulated within one year from the enforcement date of this Act.

(3) Omitted.

ADDENDA <Act No. 8852, Feb. 29, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Act No. 8976, Mar. 21, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 10 Omitted.

ADDENDUM <Act No. 9193, Dec. 26, 2008>

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

ADDENDA <Act No. 9276, Dec. 29, 2008>

Article 1 (Enforcement Date)

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

Articles 2 and 5 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 14 Omitted.

ADDENDA <Act No. 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.

ADDENDA <Act No. 11994, Aug. 6, 2013>

Article 1 (Enforcement Date)

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

Article 2 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. 12844, Nov. 19, 2014>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions under Article 6 of these Addenda, which were promulgated before this Act enters into force but the enforcement date of which has not arrived, shall enter into force on the respective enforcement date of the relevant Act.

Articles 2 through 7 Omitted.

ADDENDA <Act No. 13058, Jan. 20, 2015>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Hearings)

The amended provisions in Article 32 shall begin to apply to the cases where it is intended to order suspension of business or service for the violation committed 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 36 Omitted.

ADDENDA <Act No. 14226, May 29, 2016>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Act No. 14749, Mar. 21, 2017>

Article 1 (Enforcement Date)

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

Articles 2 (Transitional Measures concerning Incompetent Persons etc.)

A person under adult guardianship or under limited guardianship referred to in the amended provisions of subparagraph 1 of Article 23 and subparagraph 1 of Article 28 shall be deemed to include a person for whom the declaration of incompetency or quasi-incompetency remains effective under Article 2 of the Addenda to the Civil Act (Act No. 10429).

Articles 3 (Transitional Measures concerning Change of Subject of Authority)

Safety orders on prevention of and preparation for disasters which a director general of the central emergency headquarters, director general of the emergency management headquarters of a City/Do, or director general of the Si/Gun/Gu issues, or other acts performed by or toward him or her in accordance with the previous provisions before this Act enters into force shall be deemed acts performed by or toward the Minister of Public Safety and Security, the Mayor/Do Governor, or the head of a Si/Gun/Gu under this Act.