

ENFORCEMENT DECREE OF THE BUILDING ACT

Wholly Amended by Presidential Decree No. 13655, May 30, 1992

Amended by Presidential Decree No. 13782, Dec. 21, 1992

Presidential Decree No. 13811, Dec. 31, 1992

Presidential Decree No. 13869, Mar. 6, 1993

Presidential Decree No. 13870, Mar. 6, 1993

Presidential Decree No. 13953, Aug. 9, 1993

Presidential Decree No. 14271, May 28, 1994

Presidential Decree No. 14447, Dec. 23, 1994

Presidential Decree No. 14486, Dec. 31, 1994

Presidential Decree No. 14521, Feb. 2, 1995

Presidential Decree No. 14548, Mar. 23, 1995

Presidential Decree No. 14891, Dec. 30, 1995

Presidential Decree No. 14920, Feb. 22, 1996

Presidential Decree No. 15096, jun. 29, 1996

Presidential Decree No. 15396, jun. 17, 1997

Presidential Decree No. 15476, Sep. 9, 1997

Presidential Decree No. 15480, Sep. 11, 1997

Presidential Decree No. 15639, Feb. 19, 1998

Presidential Decree No. 15659, Feb. 24, 1998

Presidential Decree No. 15675, Feb. 24, 1998

Presidential Decree No. 15802, May 23, 1998

Presidential Decree No. 16026, Dec. 31, 1998

Presidential Decree No. 16179, Mar. 12, 1999

Presidential Decree No. 16284, Apr. 30, 1999

Presidential Decree No. 16523, Aug. 7, 1999

Presidential Decree No. 16874, jun. 27, 2000

Presidential Decree No. 17028, Dec. 27, 2000

Presidential Decree No. 17365, Sep. 15, 2001

Presidential Decree No. 17395, Oct. 20, 2001

Presidential Decree No. 17816, Dec. 26, 2002

Presidential Decree No. 17926, Feb. 24, 2003

Presidential Decree No. 18039, jun. 30, 2003
Presidential Decree No. 18044, jun. 30, 2003
Presidential Decree No. 18108, Sep. 29, 2003
Presidential Decree No. 18146, Nov. 29, 2003
Presidential Decree No. 18404, May 29, 2004
Presidential Decree No. 18542, Sep. 9, 2004
Presidential Decree No. 18740, Mar. 18, 2005
Presidential Decree No. 18796, Apr. 22, 2005
Presidential Decree No. 18931, jun. 30, 2005
Presidential Decree No. 18951, Jul. 18, 2005
Presidential Decree No. 18978, Jul. 27, 2005
Presidential Decree No. 19092, Oct. 20, 2005
Presidential Decree No. 19163, Dec. 2, 2005
Presidential Decree No. 19466, May 8, 2006
Presidential Decree No. 19639, Aug. 4, 2006
Presidential Decree No. 19714, Oct. 26, 2006
Presidential Decree No. 19920, Feb. 28, 2007
Presidential Decree No. 19954, Mar. 23, 2007
Presidential Decree No. 20160, Jul. 3, 2007
Presidential Decree No. 20222, Aug. 17, 2007
Presidential Decree No. 20254, Sep. 10, 2007
Presidential Decree No. 20506, Dec. 31, 2007
Presidential Decree No. 20647, Feb. 22, 2008
Presidential Decree No. 20722, Feb. 29, 2008
Presidential Decree No. 20782, May 15, 2008
Presidential Decree No. 20791, May 26, 2008
Presidential Decree No. 20947, Jul. 29, 2008
Presidential Decree No. 21025, Sep. 22, 2008
Presidential Decree No. 21098, Oct. 29, 2008
Presidential Decree No. 21445, Apr. 21, 2009
Presidential Decree No. 21528, jun. 9, 2009
Presidential Decree No. 21565, jun. 26, 2009
Presidential Decree No. 21590, jun. 30, 2009
Presidential Decree No. 21626, Jul. 7, 2009
Presidential Decree No. 21629, Jul. 16, 2009
Presidential Decree No. 21656, Jul. 30, 2009

Presidential Decree No. 21688, Aug. 5, 2009
Presidential Decree No. 21719, Sep. 9, 2009
Presidential Decree No. 21744, Sep. 21, 2009
Presidential Decree No. 21881, Dec. 14, 2009
Presidential Decree No. 22052, Feb. 18, 2010
Presidential Decree No. 22073, Mar. 9, 2010
Presidential Decree No. 22224, jun. 28, 2010
Presidential Decree No. 22254, Jul. 6, 2010
Presidential Decree No. 22351, Aug. 17, 2010
Presidential Decree No. 22493, Nov. 15, 2010
Presidential Decree No. 24391, Feb. 20, 2013
Presidential Decree No. 24443, Mar. 23, 2013
Presidential Decree No. 24568, May 31, 2013
Presidential Decree No. 24621, jun. 17, 2013
Presidential Decree No. 25339, Apr. 29, 2014
Presidential Decree No. 25358, May 22, 2014
Presidential Decree No. 25456, Jul. 14, 2014
Presidential Decree No. 25509, Jul. 28, 2014
Presidential Decree No. 25578, Aug. 27, 2014
Presidential Decree No. 25652, Oct. 14, 2014
Presidential Decree No. 25716, Nov. 11, 2014
Presidential Decree No. 25786, Nov. 28, 2014
Presidential Decree No. 25840, Dec. 9, 2014
Presidential Decree No. 26210, Apr. 24, 2015
Presidential Decree No. 26302, jun. 1, 2015
Presidential Decree No. 26384, Jul. 6, 2015
Presidential Decree No. 26458, Aug. 3, 2015
Presidential Decree No. 26542, Sep. 22, 2015
Presidential Decree No. 26762, Dec. 28, 2015
Presidential Decree No. 26909, Jan. 19, 2016
Presidential Decree No. 26974, Feb. 11, 2016
Presidential Decree No. 27175, May 17, 2016
Presidential Decree No. 27299, jun. 30, 2016
Presidential Decree No. 27323, Jul. 6, 2016
Presidential Decree No. 27365, Jul. 19, 2016

Article 1 (Purpose)

The purpose of this Decree is to prescribe matters delegated by the Building Act as well as matters necessary for the enforcement thereof.

Article 2 (Definitions)

The terms used in this Decree shall be defined as follows: <Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 22052, Feb. 18, 2010; Presidential Decree No. 23356, Dec. 8, 2011; Presidential Decree No. 23469, Dec. 30, 2011; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25716, Nov. 11, 2014; Presidential Decree No. 25840, Dec. 9, 2014; Presidential Decree No. 26542, Sep. 22, 2015; Presidential Decree No. 26909, Jan. 19, 2016; Presidential Decree No. 27175, May 17, 2016; Presidential Decree No. 27299, Jun. 30, 2016; Presidential Decree No. 27365, Jul. 19, 2016>

1. The term "new construction" means to erect a new building (including newly erecting a primary building on a site on which only an accessory building is built, excluding alteration or reconstruction) on a site without any building (including a site, an existing building on which is removed or demolished);
2. The term "extension" means increasing the building area, total floor area, number of floors, or height of a building on an existing site;
3. The term "alteration" means fully or partially removing an existing building (referring to removal of at least three bearing walls, columns, beams, and roof trusses (in cases of Hanoks as defined in subparagraph 16, rafters shall be excluded from the scope of roof trusses)) to reconstruct a building on the site of the existing building of the same scale as that of the previous building;
4. The term "reconstruction" means reconstructing a building on the site of a building destroyed due to a natural disaster or other disasters, fulfilling all of the following requirements:
 - (a) The total floor area shall not exceed the previous scale;
 - (b) Number of buildings, number of floors, and the height shall meet the following conditions:
5. The term "relocation" means moving a building to another location within the same site without dismantling any of the main structural parts;
6. The term "water-resistant materials" means materials determined by Ordinance of the Ministry of Land, Infrastructure and Transport, which have water-resistant qualities, such as artificial stone and concrete;
7. The term "fire-resistant structure" means a structure that has fire resistant performance, and meets the standards determined by Ordinance of the Ministry of Land, Infrastructure and Transport;
8. The term "fireproof structure" means a structure capable of preventing the spread of flames, and meets the standards determined by Ordinance of the Ministry of Land, Infrastructure and Transport;
9. The term "incombustible materials" means materials that do not burn easily, and meet the standards determined by Ordinance of the Ministry of Land, Infrastructure and Transport;
10. The term "noncombustible materials" means materials, which do not burn, and meet the standards determined by Ordinance of the Ministry of Land, Infrastructure and Transport;

11. The term "quasi-noncombustible materials" means materials having qualities similar to those of noncombustible materials, and meet the standards determined by Ordinance of the Ministry of Land, Infrastructure and Transport;

12. The term "accessory building" means a building for a subsidiary use, which is separated from a main building located on the same site and is necessary for using or managing the main building;

13. The term "subsidiary use" means any of the following uses essential for the function of the main use of a building:

(a) Equipment of a building, shelter, hygiene, and other similar uses of facilities;

(b) Business, work, meeting, storage of goods, parking, and other similar uses of facilities;

(c) Employee welfare facilities, such as a cafeteria, a day care nursery, sports facilities, and on-site incineration facilities, and other similar uses of facilities. In such cases, a resting restaurant (meaning a resting restaurant referred to in subparagraph 3 (b) of attached Table 1 among Class I neighborhood convenience facilities set forth in subparagraph 3 of the same Table) that meets all of the following requirements, shall be deemed included in the cafeteria:

(d) Facilities that can be installed as incidental facilities for the main use under the relevant statutes, and other facilities recognized as similar to the aforesaid facilities, publicly announced by the Minister of Land, Infrastructure, and Transport;

14. The term "balcony" means a buffer space that connects the interior to the exterior in a building, being installed additionally to abut on the building's outer wall for aesthetics and resting. In such cases, a balcony installed in a house in compliance with the standards prescribed by the Minister of Land, Infrastructure and Transport may be used as a living room, bedroom, storage, etc., where necessary;

15. The term "skyscraper" means a building at least 50 floors or 200 meters tall;

15-2. The term "quasi-skyscraper" means a high rise building which is not a skyscraper;

16. The term "Hanok" means a traditional Korean-style house as defined in subparagraph 2 of Article 2 of the Act on Value Enhancement of Hanok and Other Architectural Assets;

17. The term "public-use building" means any of the following buildings used by many, unspecified persons:

(a) A building with an aggregate floor area of at least 5,000 square meters, used for any of the following purposes:

(b) A building with at least 16 floors;

17-2. The term "quasi-public-use building" means a building, other than public-use buildings, which has an aggregate floor area of at least 1,000 square meters and is used for any of the following purposes:

(a) Cultural and assembly facilities (excluding zoos and botanic gardens);

(b) Religious facilities;

(c) Sales facilities;

(d) Passenger facilities among transportation facilities;

- (e) General hospitals among medical facilities;
- (f) Education and research facilities;
- (g) Facilities for older persons and children;
- (h) Training facilities;
- (i) Tourist accommodation facilities among lodging facilities;
- (j) Amusement facilities;
- (k) Facilities for tourism and relaxation;
- (l) A funeral parlor;

18. The term "building of unique structures" means any of the following buildings:

- (a) A building with any beams, pent roofs, etc., one end of which is fixed and the other end unsupported, protruding at least three meters from the centerline of the external wall;
- (b) A building, the columns of which are at least 20 meters apart (referring to the distance between the centerlines of columns, and referring to the distance between the centerlines of bearing walls, in cases of a building without columns; hereinafter the same shall apply);
- (c) A building determined and publicly announced by the Minister of Land, Infrastructure and Transport, which requires special design, construction works, construction methods, etc.

19. The term "structure prescribed by Presidential Decree, such as a ventilation facility" in Article 2 (1) 21 of the Act, means a vent of a building structure for supply or exhaust of air.

Article 3 (Scope of Sites)

(1) At least two parcels of land that may be deemed one site pursuant to the proviso to Article 2 (1) 1 of the Act, shall be as follows: *<Amended by Presidential Decree No. 21881, Dec. 14, 2009; Presidential Decree No. 22993, Jun. 29, 2011; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24874, Nov. 20, 2013; Presidential Decree No. 25652, Oct. 14, 2014; Presidential Decree No. 26302, Jun. 1, 2015; Presidential Decree No. 27175, May 17, 2016>*

1. Where a building is constructed extensively over at least two parcels of land: The total land in each parcel on which the building is constructed;
2. Any of the following cases, where annexation is impracticable under Article 80 (3) of the Act on the Establishment, Management, etc. of Spatial Data: The total land in parcels, which is impracticable to be annexed: Provided, That the same shall not apply where the land owners are mutually different, or legal relationships, other than proprietorship, are mutually different:
 - (a) Where each parcel has a different parcel number-allocating area;
 - (b) Where each parcel is mapped on a different scale;
 - (c) Where each parcel is mutually adjacent, but on a discontinuous ground;
3. Where a building which constitutes urban/Gun planning facilities as defined in subparagraph 7 of Article 2 of the National Land Planning and Utilization Act is constructed: All land on which such urban/Gun planning facilities are installed;

4. Where housing and facilities incidental thereto and other welfare facilities are constructed upon approval of a project plan under Article 16 of the Housing Act: A housing complex as defined in subparagraph 6 of Article 2 of the same Act;

5. Where a building is constructed below the surface of roads: Land determined to be the land on which such building is constructed by the Special Metropolitan City Mayor, Metropolitan City Mayor, Metropolitan Autonomous City Mayor, Special Self-Governing Province Governor, or the head of a Si/Gun/Gu (referring to the head of an autonomous Gu; hereinafter the same shall apply);

6. Where a building permit is granted on condition that at least two parcels are combined into one parcel as at the time an application for approval of use is filed under Article 22 of the Act: Land of such parcels to be combined: Provided, That the same shall not apply where the owners of such land are different.

(2) Part of one or more parcels of land that may be deemed one site pursuant to the proviso to Article 2 (1) of the Act, shall be as follows: *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

1. Where urban/Gun planning facilities for part of at least one parcels have been determined and publicly announced: The part of the land in relation to which such determination and public announcement is made;

2. Where permission for diverting the use of farmland is granted under Article 34 of the Farmland Act for part of at least one parcels: The part of the land in relation to which such permission is granted;

3. Where permission for diverting the use of mountainous districts is granted under the Mountainous Districts Management Act for part of at least one parcels: The part of the land in relation to which such permission is granted;

4. Where permission to engage in development activities is granted under Article 56 of the National Land Planning and Utilization Act for part of at least one parcels: The part of the land in relation to which such permission is granted;

5. Where a building permit is granted on condition that a parcel is partitioned, as at the time an application for approval for use is filed under Article 22 of the Act: The part of the land to be partitioned.

Article 3-2 (Scope of Substantial Repair)

"Which is further defined by Presidential Decree" in Article 2 (1) 9 of the Act, means any of the following, except for extension, alteration, or reconstruction: *<Amended by Presidential Decree No. 22052, Feb. 18, 2010; Presidential Decree No. 25786, Nov. 28, 2014>*

1. Enlarging or dismantling a bearing wall, or repairing or changing a bearing wall by at least 30 square meters;

2. Enlarging or dismantling a pillar, or repairing or changing at least three pillars;

3. Enlarging or dismantling a beam, or repairing or changing at least three beams;

4. Enlarging or dismantling a roof truss (in cases of Hanoks, rafters shall be excluded from the scope of roof trusses), or repairing or changing at least three roof trusses;

5. Enlarging, dismantling, repairing, or changing firewalls, or floors or walls for fire zones;
6. Enlarging, dismantling, repairing, or changing main stairs, fire escape stairs, or special escape stairs;
7. Changing the exterior (including fences) of a building in a fine view district;
8. Enlarging, dismantling, repairing, or changing party walls between household units in multi-unit houses and multi-household houses;
9. Additionally installing or dismantling finishing materials (referring to finishing materials provided for in Article 52 (2) of the Act) used as external walls of a building, or repairing or changing the wall area by at least 30 square meters.

Article 3-3 (Structures and Width of Roads depending on Topographical Conditions, etc.)

“Road with a structure and width prescribed by Presidential Decree” in Article 2 (1) 11 of the Act means any of the following roads: *<Amended by Presidential Decree No. 25652, Oct. 14, 2014>*

1. A road at least three meters wide (at least two meters wide in cases of dead-end roads less than ten meters long) within a section of which location is designated and publicly announced by the Metropolitan Autonomous City Mayor, Special Self-Governing Province Governor, or the head of a Si/Gun/Gu as he/she deems it impracticable to install a road for vehicular traffic in such section due to topographical conditions;
2. A dead-end road not falling under subparagraph 1, the width of which meets or exceeds the standards specified in the following Table depending on its length:

Article 3-4 (Materials, etc. for Interior Construction)

“Materials and decorations prescribed by Presidential Decree, such as wallpaper, ceiling materials, flooring materials, and glass” in Article 2 (1) 20 of the Act means:

1. Materials for walls, ceilings, floors, and ceiling frames;
2. Materials for handrails, windows, and entrance doors installed indoors;
3. Materials for electricity, gas, water-supply, drainage, and ventilation facilities installed indoors;
4. Materials for facilities installed indoors to prevent safety accidents of users, including trapping and collision.

Article 3-5 (Types of Buildings by Use)

The types of buildings referred to in the subparagraphs of Article 2 (2) of the Act shall be as shown in attached Table 1.

Article 4 Deleted. *<by Presidential Decree No. 18951, Jul. 18, 2005>*

Article 5 (Establishment, etc. of Central Building Committee)

(1) The Central Building Committee established under the jurisdiction of the Ministry of Land, Infrastructure and Transport pursuant to Article 4 (1) of the Act (hereinafter referred to as the "Central Building Committee") shall investigate, deliberate on, conciliate, or adjudicate (hereinafter referred to as "deliberation, etc."), on the following matters: *<Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25786, Nov. 28, 2014>*

1. Matters concerning approval of standard plans and drawings under Article 23 (4) of the Act;
 2. Matters concerning conciliation or arbitration on disputes arising in relation to the construction, substantial repair, or change of use of a building, and the installation of building equipment, or construction of a structure (hereinafter referred to as "construction, etc. of a building");
 3. Important matters concerning the enactment, amendment, and enforcement of the Act and this Decree;
 4. Where any deliberation by the Central Building Committee is required by other statutes, matters subject to deliberation under the relevant statutes;
 5. Other matters tabled to the Central Building Committee by the Minister of Land, Infrastructure and Transport for deliberation as deemed necessary.
- (2) A building deliberated upon under paragraph (1) falling under any of the following cases may be exempted from deliberation, etc. by the Central Building Committee with respect to the construction, etc. of the relevant building:

1. Where the scale of the building is altered, meeting all the following conditions that:
 - (a) Such alteration shall not be contrary to the outcomes of the deliberation, etc. by a building committee;
 - (b) Such alteration shall be made within the extent not exceeding 1/10 of each of the building area, total floor area, number of floors, or height of the building deliberated upon;
 2. Where matters concerning the construction, etc. of the building is altered to reflect the outcomes of deliberation by the Central Building Committee.
- (3) The Central Building Committee shall be comprised of up to 70 members, including one chairperson and one vice chairperson.
- (4) Members of the Central Building Committee shall be appointed or commissioned by the Minister of Land, Infrastructure and Transport from among the related public officials, and persons with abundant knowledge about and experience in construction-related affairs. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*
- (5) The chairperson and the vice chairperson of the Central Building Committee shall be appointed or commissioned by the Minister of Land, Infrastructure and Transport from among members appointed or commissioned under paragraph (4). *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*
- (6) The term of office of a non-public official member shall be two years, which may be renewed only one further term.

Article 5-2 (Exclusion, Challenge and Evasion of Members)

- (1) Where any member of the Central Building Commission (hereafter referred to as "member" in this Article and Article 5) falls under any of the following cases, he/she shall be excluded from the deliberation and resolution of the Central Building Committee:
1. Where he/she, or a person who is or was his/her spouse, becomes a party to the relevant agenda (in cases where the party is a corporation, organization, etc., including the executives thereof; hereafter the

same shall apply in this subparagraph and subparagraph 2) or is holding any right or duty jointly with the party to such agenda;

2. Where he/she is or was a relative of a party to the relevant agenda;

3. Where he/she has given any advice, or conducted any research, service (including any subcontract), appraisal or examination with respect to the relevant agenda;

4. Where he/she or any corporation or organization where he/she belongs is or was an agent of a party to the relevant agenda;

5. Where any corporation, etc. where he/she is holding or has held a post within recent three years has given any advice, or conducted any research, service (including any subcontract), appraisal or examination with respect to the relevant agenda.

(2) If there exists any ground for which it would be difficult to expect the impartial deliberation and resolution of any member, a party to the relevant agenda may file a request for the challenge to him/her with the Central Building Committee, and the Central Building Committee shall make a decision on such request by its resolution. In such case, the member subjected to such request for challenge shall not participate in the resolution.

(3) A member shall, if falling under any subparagraph of paragraph (1), voluntarily refrain from the deliberation and resolution of the relevant agenda.

Article 5-3 (Removal or Dismissal of Members)

Where a member falls under any of the following cases, the Minister of Land, Infrastructure and Transport may remove or dismiss such member from his/her office: *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

1. Where he/she becomes incapable of carrying out his/her duties due to mental handicap;

2. Where he/she is deemed unsuitable for a member due to delinquency of duties, injury to dignity, or any other reason;

3. Where he/she fails to refrain himself/herself despite that he/she falls under a case set forth in any subparagraph of Article 5-2 (1).

Article 5-4 (Detailed Regulations on Operation)

Matters concerning the operation of the Central Building Committee and payment of allowances and travel expenses other than those prescribed in Articles 5, 5-2 and 5-3 shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

Article 5-5 (Local Building Committees)

(1) Every building committee established under the jurisdiction of the Special Metropolitan City, each Metropolitan City, Metropolitan Autonomous City, Do, Special Self-Governing Province (hereinafter referred to as "City/Do") or Si/Gun/Gu (referring to autonomous Gu; hereinafter the same shall apply) pursuant to Article 4 (1) of the Act (hereinafter referred to as "local building committee"), shall be responsible for deliberation, etc., on the following: *<Amended by Presidential Decree No. 24874, Nov. 20, 2013>*

Presidential Decree No. 25652, Oct. 14, 2014; Presidential Decree No. 25716, Nov. 11, 2014; Presidential Decree No. 25786, Nov. 28, 2014>

1. Matters for defining building lines under Article 46 (2) of the Act;
 2. Important matters concerning the enactment, amendment, and enforcement of ordinances (limited to ordinances proposed by the head of the relevant local government) under the Act or this Decree;
 3. Deleted; <by *Presidential Decree No. 25716, Nov. 11, 2014*>
 4. Matters concerning structural safety of public-use buildings and buildings of unique structures;
 5. Deleted; <by *Presidential Decree No. 26909, Jan. 19, 2016*>
 6. Matters concerning the construction of buildings for sale, the uses and scales of which fall under the uses and scales prescribed by an ordinance on construction;
 7. Where deliberation by a local building committee is required under other statutes, matters subject to deliberation prescribed in the relevant statutes;
 8. Matters concerning the construction, etc., of buildings prescribed by an ordinance on construction, which the Special Metropolitan City Mayor, Metropolitan City Mayor, Metropolitan Autonomous City Mayor, Do Governor, Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor"), or the head of a Si/Gun/Gu deems necessary to be deliberated upon by a local building committee.
- (2) A building subject to deliberation, etc., referred to in paragraph (1) that falls under any subparagraph of Article 5 (2), may be exempted from deliberation, etc., by a local building committee with respect to the construction, etc., of the building.
- (3) Each local building committee referred to in paragraph (1) shall be comprised of at least 25 up to 150 members, including one chairperson and one vice chairperson, considering gender composition. <Amended by *Presidential Decree No. 26909, Jan. 19, 2016*>
- (4) Members of each local building committee shall be appointed or commissioned by a Mayor/Do Governor, or the head of a Si/Gun/Gu from among the following persons:
1. Public officials related to urban planning and construction;
 2. Persons with abundant knowledge and experience in urban planning and construction, etc.
- (5) The chairperson and the vice chairperson of each local building committee shall be appointed or commissioned by a Mayor/Do Governor, or the head of a Si/Gun/Gu from among members appointed or commissioned under paragraph (4).
- (6) Matters concerning the appointment, commission, exclusion, challenge, abstention, dismissal, and the term of office of, members of local building committees, matters concerning the composition and operation of meetings and subcommittees, and deliberation, etc., by local building committees, and matters concerning allowances and travel expenses of members, shall be prescribed by municipal ordinances, in compliance with the following standards: <Amended by *Presidential Decree No. 25716, Nov. 11, 2014; Presidential Decree No. 25786, Nov. 28, 2014*>

1. Standards for the appointment and commission of members; the exclusion, challenge, abstention, dismissal and their term of office:

- (a) The number of public officials appointed shall not exceed 1/4 of the total number of members;
- (b) Non-public official members shall be commissioned upon recommendation of the related organizations or institutions, such as societies and associations related to construction, or through open recruitment;
- (c) Where a local building committee deliberates on a case under other statutes, the number of experts in the relevant field shall be at least 1/4 of the number of deliberating members participating in the deliberation. In such cases, experts in the related field who participate only in the relevant deliberations may be appointed or commissioned, if necessary;
- (d) Articles 5-2 and 5-3 shall apply mutatis mutandis to the exclusion, challenge, abstention, and dismissal of members;
- (e) No term of office of any non-public official member shall exceed three years, and may be reappointed only once, if necessary;

2. Standards for deliberation, etc.:

- (a) Matters jointly deliberated upon by a building committee and an urban planning committee under the proviso to Article 30 (3) of the National Land Planning and Utilization Act shall be exempted from deliberation;
- (b) Deleted; <by Presidential Decree No. 25716, Nov. 11, 2014>
- (c) The chairperson of a local building committee shall confirm the agenda items and members to participate in deliberation not later than ten days before holding a meeting, and notify each member of the meeting agenda items not later than seven days before holding the meeting: Provided, That this shall not apply to any matter requiring confidentiality or in extenuating circumstances;
- (d) Upon confirming the members to participate in deliberation pursuant to item (c), the chairperson of a local building committee shall notify the list of such members to the applicant for deliberation, etc.;
- (e) Deleted; <by Presidential Decree No. 25786, Nov. 28, 2014>
- (f) A major of the members (referring to the chairperson and the members confirmed by the chairperson to participate in a meeting pursuant to item (c)) of a local building committee shall constitute a quorum, and any decision thereof shall require the concurring vote of a majority of those present; the outcomes of the deliberation, etc., shall be notified to the applicant for the deliberation, etc.;
- (g) Where deemed necessary for performing duties, the chairperson of a local building committee shall require related experts to attend a meeting of the local building committee to state his/her opinion, or shall request data from any relevant institution or organization;
- (h) If requested by the owner or architect of a building or an applicant for deliberation, etc., such person may attend a meeting and explain the relevant agenda item, etc.;

(i) Where matters prescribed in paragraph (1) 5 through 8 are deliberated on, an applicant for deliberation, etc., shall submit simplified architectural plans and drawings (limited to layout plans, floor plans, elevation plans, principal sectional plans, and documents determined and publicly announced by the Minister of Land, Infrastructure and Transport, including documents in electrical form);

(j) Matters related to specific fields, such as building structures, shall be deliberated upon by the working committee for the relevant field (limited to where working committees for each field are established pursuant to Article 5-6 (1));

(k) Standards determined and publicly announced by the Minister of Land, Infrastructure and Transport regarding procedures and methods for deliberation by local building committees shall be complied with.

Article 5-6 (Composition, etc., of Working Committees)

(1) The Minister of Land, Infrastructure and Transport, each Mayor/Do Governor, or the head of each Si/Gun/Gu may organize and operate a working committee for each of the following fields pursuant to Article 4 (2) of the Act: *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

1. Architectural planning and design field;
2. Construction structure field;
3. Building equipment field;
4. Construction accident prevention field;
5. Environmental architecture field, such as energy management;
6. Building landscaping field (including spatial environment);
7. Landscaping field;
8. Urban planning and site planning fields;
9. Traffic and information technology fields;
10. Social and economic fields;
11. Other fields.

(2) Matters concerning the composition and operation of working committees referred to in paragraph (1), and payment of allowances and travel expenses, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure, and Transport or an ordinance on construction. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

Article 5-7 (Deliberation by Local Building Committees)

(1) “Building prescribed by Presidential Decree” in Article 4-2 (1) of the Act means buildings subject to deliberation under subparagraphs 5 through 8 of Article 5-5 (1).

(2) Where a person who intends to construct or substantially repair any building pursuant to Article 4-2 (1) of the Act, files an application for deliberation by a local building committee, a Mayor/Do Governor or the head of a Si/Gun/Gu shall submit the agenda item to the relevant local building committee for deliberation within 30 days from the date of receipt of the application for deliberation, pursuant to Article 4-2 (2) of the

Act.

(3) A Mayor/Do Governor or the head of a Si/Gun/Gu, in receipt of an application for re-deliberation pursuant to Article 4-2 (3) of the Act, shall select the members to participate in the local building committee's deliberation and submit the agenda item for re-deliberation to such local building committee for deliberation pursuant to Article 4-2 (4) of the Act.

Article 5-8 (Disclosure of Minutes of Local Building Committees)

(1) Where a person who has filed an application for deliberation under Article 4-2 (1) of the Act (including re-deliberation under paragraph (3) of the same Article; hereafter the same shall apply in this Article) requests disclosure of the minutes, a Mayor/Do Governor or the head of a Si/Gun/Gu shall disclose such minutes either by permitting the person to inspect them or providing a copy thereof to such person within six months from the date he/she has notified the person of the outcomes of deliberation by the relevant local building committee.

(2) "Personally identifiable information prescribed by Presidential Decree, including the committee members' names and resident registration numbers" in the proviso to Article 4-3 of the Act, means information, such as names, resident numbers, positions, and addresses, by which a specific person can be identified.

Article 5-9 (Matters Subject to Deliberation by Working Committees for Construction-Related Civil Petitions)

"Civil petitions prescribed by Presidential Decree" in Article 4-4 (1) 3 of the Act, means the following:

1. Civil petitions regarding the operation and execution of an ordinance on construction;
2. Other civil petitions against any unjust demand of permitting authorities, such as demands for any matter in breach of the standards for dispositions under the building-related statutes.

Article 5-10 (Applications for Deliberation on Civil Petitions for Inquiries)

(1) A public official in receipt of an oral application for deliberation on a civil petition for inquiries pursuant to the proviso to Article 4-5 (2), shall assist the applicant in filling a written application for deliberation.

(2) "Matters prescribed by Presidential Decree, including the name of the relevant administrative agency" in Article 4-5 (2) 3 of the Act, means:

1. The name of the administrative agency against which a civil petition is filed;
2. The name and address of a proxy or representative (only where the proxy or representative is delegated to attend the meetings of the committee, present opinions, receive the notification of decisions and the results of action taken, etc. under Articles 4-6 (2), 4-7 (2), and (5) of the Act).

Article 6 (Relaxed Application)

(1) The relaxed application of criteria to buildings under Article 5 (1) of the Act, shall be as follows:
<Amended by Presidential Decree No. 21590, Jun. 30, 2009; Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 22052, Feb. 18, 2010; Presidential Decree No. 22351, Aug. 17, 2010; Presidential Decree No. 22526, Dec. 13, 2010; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24229, Dec. 12,

2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24568, May 31, 2013; Presidential Decree No. 25339, Apr. 29, 2014; Presidential Decree No. 25652, Oct. 14, 2014; Presidential Decree No. 26762, Dec. 28, 2015; Presidential Decree No. 27365, Jul. 19, 2016>

1. Where it is impracticable to establish the scope of a site because the relevant building, etc., is to be constructed on the water: Criteria provided for in Articles 40 through 47, 55 through 57, 60, and 61 of the Act;
2. In cases of communications facilities or machinery/equipment facilities without a living room: Criteria provided for in Articles 44 through 46 of the Act;
3. In cases of buildings with at least 31 floors (excluding where a whole building is used as multi-family housing) and buildings for special purposes, such as power plants, steel mills, manufacturing facilities for industries prescribed by Ordinance of the Ministry of Trade, Industry and Energy pursuant to subparagraph 2 (e) of attached Table 1 of the Enforcement Decree of the Industrial Cluster Development and Factory Establishment Act, and sports facilities: Criteria provided for in Articles 43, 49 through 52, 62, 64, 67, and 68 of the Act;
4. In cases of buildings in an area determined by the ordinance on construction of a City/Do to preserve traditional cultures, such as traditional temples and Hanoks: Criteria provided for in Articles 2 (1) 11, 44, 46, and 60 (3) of the Act;
5. In cases of multi-family housing arranged in tiers in a sloppy site, in which it is possible to access to each floor on which household units are located directly from the ground and the household unit on the upper floor is able to utilize the rooftop of the household on the lower floor as a garden, etc., and skyscrapers: Criteria provided for in Article 55 of the Act;
6. In cases of any of the following buildings: Criteria provided for in Articles 42, 43, 46, 55, 56, 58, 60, and 61 (2) of the Act:
 - (a) A building in a zone designated and publicly announced by the permitting authority as deemed necessary to promote remodeling (hereinafter referred to as "remodeling promotion zone");
 - (b) A building requiring remodeling, as at least 15 years have passed since approval to use the buildings was granted;
7. Where the criteria provided for in Article 55 or 56 of the Act become unsatisfied if convenience facilities referred to in Article 8 of the Act on the Guarantee of Convenience Promotion of Persons with Disabilities, Older Persons, Pregnant Women and Nursing Mothers, Etc. are installed in an existing building: Criteria provided for in Articles 55 and 56 of the Act;
- 7-2. In cases of buildings prescribed by an ordinance on construction, constructed in an area constituting a Dong or Eup among areas, other than urban areas and district-unit planning zones designated under the National Land Planning and Utilization Act: Criteria provided for in Articles 2 (1) 11 and 44 of the Act;
8. In cases of buildings constructed in any of the following sites, for which measures for preventing disasters are required: Criteria provided for in Articles 55, 56, 60, and 61 of the Act:

- (a) A disaster prevention district designated under Article 37 of the National Land Planning and Utilization Act;
- (b) An area at risk of collapse designated under Article 6 of the Prevention of Steep Slope Disasters Act;

9. In cases of buildings deemed by the Special Metropolitan City Mayor, Metropolitan City Mayor, Metropolitan Autonomous City Mayor, Special Self-Governing Province Governor, or the head of a Si/Gun/Gu (hereinafter referred to as "permitting authority") as creating a beautiful cityscape through their harmonious and creative construction, and urban-type residential housing as defined in Article 3 (1) of the Enforcement Decree of the Housing Act (excluding apartment houses): Criteria provided for in Articles 60 and 61 of the Act;

10. In cases of public housing as defined in subparagraph 1 of Article 2 of the Special Act on Public Housing : Criteria provided for in Article 61 (2) of the Act;

11. Where public facilities for residents as defined in subparagraph 3 of Article 2 of the Regulations on Standards, etc. for Housing Construction (limited to facilities jointly owned by owners of houses, which are used for subsidiary uses and not for profit purposes; hereinafter referred to as "public facilities for residents") are installed in any of the following multi-family housing: Criteria provided for in Article 56 of the Act:

- (a) Multi-family housing constructed in accordance with a project plan approved under Article 16 of the Housing Act;
- (b) Multi-family housing with at least 200 to not exceeding 300 units constructed in a commercial area or semi-residential area with a building permit granted under Article 11 of the Act;
- (c) Urban-type residential housing as defined in Article 3 of the Enforcement Decree of the Housing Act constructed with a building permit granted under Article 11 of the Act;

12. Where a building is constructed, substantially repaired, or remodeled upon construction agreement concluded pursuant to Article 77-4 (1) of the Act: Criteria provided for in Articles 55 and 56.

(2) A permitting authority shall meet the following requirements when it determines whether to allow relaxation of criteria, and to what extent such relaxation shall be allowed, pursuant to Article 5 (2) of the Act: <Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 22052, Feb. 18, 2010; Presidential Decree No. 22254, Jul. 6, 2010; Presidential Decree No. 22526, Dec. 13, 2010; Presidential Decree No. 24229, Dec. 12, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24568, May 31, 2013; Presidential Decree No. 25652, Oct. 14, 2014>

1. In cases falling under paragraph (1) 1 through 5, 7, 7-2, and 9:

- (a) No public interest shall be undermined and no neighboring site and building shall be excessively disadvantaged;
- (b) No aesthetics and environment of any urban area shall be excessively spoiled;

2. In cases falling under paragraph (1) 6:

- (a) The criteria referred to in the items of subparagraph 1 shall be satisfied;
 - (b) An extension shall be done within the scale and scope prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, considering functional upgrades, etc.;
 - (c) Multi-family housing subject to approval of a business plan under Article 16 of the Housing Act, shall not be remodeled to sell welfare facility units;
3. In cases falling under paragraph (1) 8:
- (a) The criteria referred to in the items of subparagraph 1 shall be satisfied;
 - (b) The ratios provided for in Articles 55, 56, 60, and 61 of the Act, which apply to the relevant area, shall be determined by an ordinance on construction within 140/100;
4. In cases falling under paragraph (1) 10:
- (a) The criteria referred to in the items of subparagraph 1 shall be satisfied;
 - (b) The scope of the criteria to be relaxed, shall be limited to the balcony part that exceeds the length from the centerline of the outer wall to the end of the balcony by one and half meters. In such cases, the scope to be relaxed shall not exceed one meter, and no door or window shall be installed at the relaxed part;
5. In cases falling under paragraph (1) 11:
- (a) Criteria referred to in the items of subparagraph 1 shall be satisfied;
 - (b) In applying the standard for the floor area ratio under Article 56 of the Act, the floor area ratio prescribed by an ordinance on construction shall apply up to the limit, calculated by adding the floor area ratio equivalent to the public facilities for residents, to the floor area ratio applicable to the relevant area.
6. In cases falling under paragraph (1) 12:
- (a) Criteria referred to in the items of subparagraph 1 shall be satisfied;
 - (b) The building-to-land-ratio or the floor area ratio referred to in Article 55 or 56 of the Act shall apply by deeming at least two adjoining parcels of sites to be one site, if an application for a building permit is simultaneously filed with respect to at least two adjoining parcels of sites in an area or district for which a construction agreement has been concluded pursuant to Article 77-4 (1) of the Act (hereinafter referred to as "construction agreement zone").

Article 6-2 (Special Exception to Existing Buildings, Etc.)

(1) "Reasons prescribed by Presidential Decree" in Article 6 of the Act, means any of the following:

<Amended by Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>

- 1. Where an urban/Gun management plan is determined or amended, or an administrative district is changed;
- 2. Where urban/Gun planning facilities are installed, an urban development project is performed, or a road is built under the Road Act;
- 3. Other cases similar to subparagraphs 1 and 2, prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(2) The permitting authority may grant a building permit in any of the following cases, even though an existing building or site fails to comply with the statutes, etc., due to the enactment or amendment of any statute, or due to any of the reasons provided for in paragraph (1): <Amended by Presidential Decree No. 22052, Feb. 18, 2010; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25652, Oct. 14, 2014; Presidential Decree No. 26909, Jan. 19, 2016; Presidential Decree No. 27175, May 17, 2016>

1. Where an existing building is reconstructed;
2. Where parts to be extended or altered comply with the statutes, etc.;
3. Where the area of the site on which an existing building stands, falls short of the area prescribed by the relevant local government under Article 57 of the Act, because of the establishment of urban/Gun planning facilities or construction of a road under the Road Act, and such existing building is extended or altered within the limit of its total floor area;
4. Where an existing building fails to comply with Article 55 or 56 of the Act, because of the establishment of urban/Gun planning facilities or the construction of a road under the Road Act, and such existing building is extended within the limit of its total floor area, such as by installing a toilet, stairs, and elevators, to maintain the function of the building;
5. Where the distance from the building boundary of an existing building constructed before the enforcement date of ordinance of the relevant local government, first amended pursuant to the amended provisions of Article 50 of the Building Act (partially amended by Act No. 7696) and the boundary of neighboring sites falls short of the distance prescribed by such ordinance, and such existing building is extended in compliance with statutes in force as at the time it was constructed;
6. Where an existing Hanok is altered;
7. Where all or part of a site is included in an area zoned to manage natural disaster risks under Article 12 of the Countermeasures against Natural Disasters Act and an existing building thereon, for which 20 years have passed since approval for use was granted under Article 22 of the Act, is altered within the limit of its total floor area to prevent it from damage from disasters.

(3) Where an existing factory is extended under Article 84-2 or 93-2 of the Enforcement Decree of the National Land Planning and Utilization Act, the permitting authority may permit the extension of the existing factory (hereinafter referred to as "existing factory") by applying the following standards: <Newly Inserted by Presidential Decree No. 26909, Jan. 19, 2016>

1. Notwithstanding subparagraph 2 of Article 3-3, the standard width of a dead-end road, which is not less than 35 meter long in an urban area, shall be at least four meters;
2. Notwithstanding Article 28 (2), where the total floor area of an existing factory which is less than 3,000 square meters becomes not less than 3,000 square meters by extension, the width of the road adjoining the relevant site shall be at least four meters and the length of the relevant site adjoining the road shall be at least two meters.

Article 6-3 (Special Exceptions to Verification of Structural Safety of Buildings of Unique Structures)

(1) "Buildings prescribed by Presidential Decree" in Article 6-2 of the Act, means buildings of unique structures defined in subparagraph 18 of Article 2.

(2) A project owner who intends to construct or substantially repair a building of unique structures, shall file an application with the permitting authority for deliberation on the structural safety of the building by the local building committee, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, before reporting the commencement of the construction works. In such cases, the project owner shall require the architect to examine the structural safety of the building in advance pursuant to Article 48 (2) of the Act.

(3) In receipt of an application filed under paragraph (2), the permitting authority shall refer the agenda to the working committee for construction structure field referred to in Article 5-6 (1) 2 within 15 days from the date of receipt of the application for deliberation, and notify the applicant of the result of deliberation.

(4) A person who is dissatisfied with the result of deliberation notified under paragraph (3), may file an application for re-deliberation with the permitting authority within one month from the date of receipt of the result of deliberation.

(5) The project owner who is notified of the result of deliberation under paragraph (3) or re-deliberation under paragraph (4), shall reflect it in filing a report on the commencement of construction works under Article 21 of the Act.

(6) Article 4-2 (2) and (4) of the Act shall apply mutatis mutandis to the notification of the result of deliberation under paragraph (3), and methods of re-deliberation and notification of the result thereof under paragraph (4).

Article 6-4 (Special Exceptions to Floating Buildings)

(1) Pursuant to Article 6-3 (1) of the Act, Articles 40 through 44, 46 and 47 of the Act shall apply to a floating building provided for in the same paragraph (hereinafter referred to as "floating building") in compliance with the standards classified below:

1. In the case of safety standards for sites under Article 40 of the Act: Only the part concerning the discharge and treatment of waste water under paragraph (3) of the same Article, shall apply to the floating building;

2. In cases of Articles 41 through 44, 46 and 47 of the Act: These Articles shall not apply: Provided, That Article 44 of the Act shall not apply only where access to the floating building is deemed not impeded.

(2) Notwithstanding paragraph (1), where any ordinance on construction otherwise prescribes the standards, in consideration of regional characteristics, etc., such standards shall prevail. In such cases, the standards shall be prescribed within the scope of the standards prescribed in Articles 40 through 44, 46, and 47 of the Act.

Article 6-5 (Structure, etc., Easy to be Remodeled)

(1) "Structure prescribed by Presidential Decree" in Article 8 of the Act, means a structure that satisfies each of the following requirements. In such cases, the detailed criteria to decide whether each of the

following requirements is satisfied shall be determined and published by the Minister of Land, Infrastructure and Transport: <Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 24443, Mar. 23, 2013>

1. Each household unit can be integrated or dividable into neighboring household units in either vertical or horizontal direction;
 2. Building equipment, interior finishing materials, and exterior finishing materials in structural parts shall be separable;
 3. The size, number, location, etc., of partitioned rooms in each household unit shall be changeable.
- (2) "Rate prescribed by Presidential Decree" in Article 8 of the Act, means 120/100: Provided, That where the rate is tightened by an ordinance on construction in consideration of regional characteristics, etc., the criteria prescribed by the ordinance on construction shall prevail.

Article 7 Deleted. <by Presidential Decree No. 14891, Dec. 30, 1995>

Article 8 (Building Permits)

(1) The construction of a building that shall be permitted by the Special Metropolitan City Mayor or Metropolitan City Mayor under the proviso to Article 11 (1) of the Act, means the construction of a building which has at least 21 floors, or the total floor area of at least 100,000 square meters (including where the number of floors becomes at least 21, or the total floor area becomes at least 100,000 square meters due to an extension of at least 3/10 of the total floor area): Provided, That excluded herefrom shall be the construction of any of the following: <Amended by Presidential Decree No. 21098, Oct. 29, 2008; Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 22526, Dec. 13, 2010; Presidential Decree No. 24229, Dec. 12, 2012; Presidential Decree No. 25716, Nov. 11, 2014; Presidential Decree No. 25786, Nov. 28, 2014>

1. A factory;
 2. A warehouse;
 3. Buildings deliberated on by a local building committee (limited to buildings subject to deliberation by the competent local building committee, as prescribed by ordinance of the Special Metropolitan City or a Metropolitan City; excluding skyscrapers).
- (2) Deleted. <by Presidential Decree No. 19466, May 8, 2006>
- (3) "Building for the use prescribed by Presidential Decree, such as a building for amusement or lodging facilities" in Article 11 (2) 2 of the Act, means any of the following: <Amended by Presidential Decree No. 21098, Oct. 29, 2008>

1. Multi-family housing;
2. Class II neighborhood living facilities (limited to restaurants);
3. Business facilities (limited to general business facilities);
4. Lodging facilities;
5. Amusement facilities.

(4) and (5) Deleted. <by Presidential Decree No. 19466, May 8, 2006>

(6) Documents necessary for filing an application for approval under Article 11 (2) of the Act, procedures for filing an application, and other necessary matters, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 21098, Oct. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

Article 9 (Filing Applications for Building Permits, etc.)

(1) A person who intends to obtain a building permit pursuant to Article 11 (1) of the Act, shall file an application for building permit with the permitting authority, accompanied by related documents, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That in cases of intending to obtain building permits for defense industry facilities pursuant to the Defense Acquisition Program Act, the related documents may be substituted for by the architect's confirmation on whether the statutes pertaining to construction are observed. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

(2) Upon granting a building permit under Article 11 (1) of the Act, the permitting authority shall issue a written building permit to the applicant, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

Article 9-2 (Reasons for Exceptions to Securing Ownership when Filing Application for Building Permit)

(1) "Reason prescribed by Presidential Decree, such as the deterioration of a building or problems concerning structural safety" in Article 11 (11) 2 of the Act, means any of the following reasons:

1. Where it is likely to be impracticable for the facilities for water-supply, drainage or waste water, roof, walls, etc., to maintain their functions due to deterioration or damage;
2. Where there is any functional or structural defect that affects the durability of a building due to its deterioration;
3. Where there is concern of collapse or other accident, due to damage or partial destruction of a building;
4. Where new construction or reconstruction is to be performed due to a collapse caused by a natural disaster or other disasters.

(2) Where a project owner applies for a building permit under Article 11 (1) of the Act after fulfilling the requirements for consent set forth in paragraph (11) 2 of the same Article due to any reason provided for in paragraph (1) 1 through 3, the permitting authority shall conduct an on-site investigation to confirm the relevancy of the reason. In such cases, the permitting authority may require the project owner to undergo a safety diagnosis conducted by any of the following persons and submit the result thereof, if necessary:

1. An architect;
2. A building structural engineer registered under Article 5-7 of the Professional Engineers Act (hereinafter referred to as "building structural engineer");
3. A specialized safety diagnosis institution in the field of construction, registered under Article 9 (1) of the Special Act on the Safety Control of Public Structures.

Article 10 (One-Stop-Service Council for Complex Construction Civil Petitions)

(1) "Relevant statutes prescribed by Presidential Decree" in Article 12 (1) of the Act, means the following:
<Amended by Presidential Decree No. 21528, Jun. 9, 2009; Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 22052, Feb. 18, 2010; Presidential Decree No. 22073, Mar. 9, 2010; Presidential Decree No. 22560, Dec. 29, 2010; Presidential Decree No. 23994, Jul. 26, 2012; Presidential Decree No. 24229, Dec. 12, 2012; Presidential Decree No. 25456, Jul. 14, 2014; Presidential Decree No. 27175, May 17, 2016>

1. Article 13 of the Protection of Military Bases and Installations Act;
 2. Article 23 of the Natural Parks Act;
 3. Articles 7 through 9 of the Seoul Metropolitan Area Readjustment Planning Act;
 4. Article 6 of the Housing Site Development Promotion Act;
 5. Articles 24 and 38 of the Act on Urban Parks, Greenbelts, Etc.;
 6. Articles 82 of the Aviation Act;
 7. Article 6 of the School Health Act;
 8. Articles 8, 10, 12, 14, and 18 of the Mountainous Districts Management Act;
 9. Article 36 of the Creation and Management of Forest Resources Act and Article 9 of the Forest Protection Act;
 10. Articles 40 and 61 of the Road Act;
 11. Articles 19, 19-2, and 19-4 of the Parking Lot Act;
 12. Article 22 of the Framework Act on Environmental Policy;
 13. Article 15 of the Natural Environment Conservation Act;
 14. Articles 7 and 15 of the Water Supply and Waterworks Installation Act;
 15. Articles 34 and 36 of the Urban Traffic Improvement Promotion Act;
 16. Article 35 of the Cultural Heritage Protection Act;
 17. Article 10 of the Korean Traditional Temples Preservation and Support Act;
 18. Articles 12 (1), 13, and 15 of the Act on Special Measures for Designation and Management of Development Restriction Zones;
 19. Articles 32 and 34 of the Farmland Act;
 20. Article 11 of the Special Act on the Preservation and Promotion of Ancient Cities;
 21. Article 7 of the Installation, Maintenance, and Safety Control of Fire-Fighting Systems Act.
- (2) The permitting authority shall hold a meeting of the one-stop-service council for complex construction civil petitions established under Article 12 of the Act (hereinafter referred to as the "Council") within ten days from the date an application for prior determination is filed under Article 10 (1) of the Act or from the date an application for a building permit is filed under Article 11 (1) of the Act.
- (3) The permitting authority shall notify the relevant administrative agencies and relevant departments that a meeting of the Council is to be held, at least three days before the scheduled date for the meeting of the Council.

(4) The relevant public official attending a meeting of the Council shall state his/her opinion on the relevant statutes at the meeting of the Council.

(5) The relevant administrative agency or relevant department which makes a prior determination or grants a building permit, shall submit its opinion as to consent or dissent to the permitting authority within five days from the date the meeting of the Council is held.

(6) Except as otherwise expressly provided for in this Decree, the operation of the Council, and other necessary matters, shall be prescribed by an ordinance on construction.

Article 10-2 (Security Bonds for Safety Control of Construction Sites)

(1) "Letter of guarantee prescribed by Presidential Decree" in Article 13 (2) of the Act, means any of the following: <Amended by Presidential Decree No. 22493, Nov. 15, 2010; Presidential Decree No. 24229, Dec. 12, 2012; Presidential Decree No. 24443, Mar. 23, 2013>

1. Surety insurance policy issued by an insurance company under the Insurance Business Act;
2. Payment guarantee issued by a bank under the Banking Act;
3. Letter of guarantee to guarantee the payment of debts, etc., issued by a mutual aid association established under the Framework Act on the Construction Industry;
4. Listed stock certificate referred to in Article 192 (2) of the Enforcement Decree of the Financial Investment Services and Capital Markets Act;
5. Other letters of guarantee prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(2) "Interest rate set by Presidential Decree" in the main sentence of Article 13 (3) of the Act, means the interest rate applicable to security bonds for safety control referred to in Article 13 (2) of the Act, deposited in a financial institution prescribed in Article 11 of the Enforcement Decree of the Management of the National Funds Act.

(3) Where two years have passed since the construction works on any building were interrupted after the commencement thereof had been reported, the permitting authority may take any of the following measures for improving the aesthetics and safety control of the construction site, pursuant to Article 13 (7) of the Act, with security bonds paid under Article 13 (2) of the Act after giving notice to the project owner: <Newly Inserted by Presidential Decree No. 25786, Nov. 28, 2014>

1. Installing safety fences around the construction site;
2. Measures for preventing the collapse of the site and the building;
3. Landscaping and installing facilities for improving the aesthetics of the construction site;
4. Other matters prescribed by an ordinance on construction as it is necessary to take measures for improving the aesthetics of the construction site, or safety control of the site and the building.

Article 11 (Building Reports)

(1) "Disaster-stricken district and zone prescribed by Presidential Decree, such as a disaster-prevention district" in Article 14 (1) 2 (b) of the Act, means any of the following: <Newly Inserted by Presidential Decree No. 25652, Oct. 14, 2014>

1. Disaster prevention district designated under Article 37 of the National Land Planning and Utilization Act;
 2. Area at risk of collapse designated under Article 6 of the Prevention of Steep Slope Disasters Act.
- (2) "Substantial repair of a building prescribed by Presidential Decree without demolishing its main structural parts" in Article 14 (1) 4 of the Act, means any of the following substantial repairs: <Newly Inserted by Presidential Decree No. 1668, Aug. 5, 2009; Presidential Decree No. 25652, Oct. 14, 2014>
1. Repair of a bearing wall by an area of at least 30 square meters;
 2. Repair of at least three pillars;
 3. Repair of at least three beams;
 4. Repair of at least three roof trusses;
 5. Repair of fire-walls, or floors or walls for fire zones;
 6. Repair of main stairs, fire escape stairs, or special escape stairs.
- (3) "Building prescribed by Presidential Decree" in Article 14 (1) 5 of the Act, means any of the following: <Amended by Presidential Decree No. 21098, Oct. 29, 2008; Presidential Decree No. 21688, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25652, Oct. 14, 2014; Presidential Decree No. 25716, Nov. 11, 2014; Presidential Decree No. 27299, Jun. 30, 2016>
1. Building with a total floor area not exceeding 100 square meters;
 2. Building, the height of which is extended by less than 3 meters;
 3. Building constructed in compliance with the standard architectural plans and drawings approved under Article 23 (4) of the Act (hereinafter referred to as "standard architectural plans and drawings") and determined by ordinance on construction as its use and scale are deemed not to affect the surrounding environment and aesthetics;
 4. Factory with less than two floors and a total floor area not exceeding 500 square meters (including facilities for manufacturing and processing goods, such as manufacturing facilities referred to in subparagraph 4 (p) of attached Table 1 of this Decree), constructed in an industrial area designated under Article 36 (1) 1 (c) of the National Land Planning and Utilization Act, a district-unit planning zone (limited to an industrial or distribution zone referred to in subparagraph 10 of Article 48 of the Enforcement Decree of the said Act) designated under Article 51 (3) of the said Act, and an industrial complex designated under the Industrial Sites and Development Act;
 5. Warehouse with a total floor area not exceeding 200 square meters, a stable, a crop cultivation shed, a seeds and seedlings cultivation facility, and a greenhouse for flowers, bonsai trees, etc. with a total floor area not exceeding 400 square meters, constructed in an Eup/Myeon area (excluding any district designated and publicly announced by the Metropolitan Autonomous City Mayor, Special Self-Governing Province Governor, or the head of a Si/Gun as impeding regional planning or urban/Gun planning) in order to conduct any agricultural or fishery business.
- (4) Article 9 (1) shall apply mutatis mutandis to building reports filed under Article 14 of the Act. <Amended by Presidential Decree No. 21098, Oct. 29, 2008>

Article 12 (Revisions, etc., to Permits or Reports)

(1) Each person who intends to revise any matter in a permit or a report pursuant to Article 16 (1) of the Act, shall obtain permission from the permitting authority, or report to the Metropolitan Autonomous City Mayor, Special Self-Governing Province Governor, or the head of a Si/Gun/Gu as classified follow: <Amended by Presidential Decree No. 21668, Aug. 5, 2009; Presidential Decree No. 24229, Dec. 12, 2012; Presidential Decree No. 25652, Oct. 14, 2014>

1. In cases of a revision constituting an extension or alteration in excess of a total floor area of 85 square meters, he/she shall obtain permission, and file a report in other cases;
 2. In cases of a revision of a total floor area of a building for which permission is substituted by a report under Article 14 (1) 2 or 5 of the Act in a scale that permission is substitutable by a report after alteration, a report is to be filed, notwithstanding subparagraph 1;
 3. Where the project owner, contractor, or project supervisor is changed, he/she shall file a report
- (2) "Modification to insignificant matters prescribed by Presidential Decree" in the proviso to Article 16 (1) of the Act, means any modification which does not fall under new construction, extension, alteration, reconstruction, relocation, substantial repair, or alteration of a building for another use. <Amended by Presidential Decree No. 24229, Dec. 12, 2012>

(3) "Matters prescribed by Presidential Decree" in Article 16 (2) of the Act, means the following: <Amended by Presidential Decree No. 26909, Jan. 19, 2016>

1. Where the total floor area of the portions to be changed without changing the number of buildings or floors does not exceed 50 square meters and all of the following requirements are met:
 - (a) The height of the portions to be changed shall not exceed 1 meter or 1/10 of the total height;
 - (b) The location of the portion being constructed with a permit or upon filing a report, shall be changed within one meter;
 - (c) It shall not be a change from the scope for which a building permit shall be deemed granted under Article 11 of the Act if a report is filed under Article 14 (1) of the Act to the scale subject to building permit;
2. Where the portion to be changed without changing the number of buildings or floors does not exceed 1/10 of the total floor area (limited to where the floor area of each floor is changed by up to 50 square meters for buildings with the total floor area of at least 5,000 square meters): Provided, That it shall apply only to changes within the scope provided for in the main sentences of subparagraphs 4 and 5;
3. Cases falling into substantial repairs;
4. Where the height of the portion to be changed without changing the number of floors does not exceed one meter or 1/10 of the total height: Provided, That it shall apply only to changes within the scope provided for in the main sentences of subparagraphs 1, 2, and 5;
5. Where the location of a portion under construction with a permit or upon filing a report is changed within one meter: Provided, That it shall apply only to changes within the scope provided for in the main sentences of subparagraphs 1, 2, and 4.

(4) Article 9 (1) shall apply mutatis mutandis to the revision to permits or reports under paragraph (1).

Article 13 Deleted. <by Presidential Decree No. 18951, Jul. 18, 2005>

Article 14 (Change of Use)

(1) and (2) Deleted. <by Presidential Decree No. 19466, May 8, 2006>

(3) The Minister of Land, Infrastructure and Transport may publish building standards applicable to the change of use referred to in Article 19 (1) of the Act. In such cases, he/she shall pre-consult with the head of the related administrative agency about building standards under the authority of other administrative agencies. <Amended by Presidential Decree No. 21098, Oct. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(4) "Changes prescribed by Presidential Decree" in the proviso to Article 19 (3) of the Act, means the mutual changes in the uses of any of the following buildings: <Amended by Presidential Decree No. 21590, Jun. 30, 2009; Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 22993, Jun. 29, 2011; Presidential Decree No. 24229, Dec. 12, 2012; Presidential Decree No. 25273, Mar. 24, 2014>

1. Mutual changes in the uses of the buildings referred to in the same subparagraphs of attached Table 1;

2. Mutual changes in the use of Class I neighborhood living facilities and Class II neighborhood living facilities in compliance with the restrictions of their use prescribed by the National Land Planning and Utilization Act or other relevant statutes.

(5) The uses of buildings that belong to the facility groups referred to in the subparagraphs of Article 19 (4) of the Act, shall be as follows: <Amended by Presidential Decree No. 21098, Oct. 29, 2008; Presidential Decree No. 22526, Dec. 13, 2010; Presidential Decree No. 22993, Jun. 29, 2011; Presidential Decree No. 25273, Mar. 24, 2014; Presidential Decree No. 26974, Feb. 11, 2016>

1. Group of facilities relating to motor vehicles: Motor vehicle-related facilities;

2. Group of facilities for industrial purposes, etc.:

(a) Transportation facilities;

(b) Warehouse facilities;

(c) Factories;

(d) Storage and treatment facilities for hazardous substances;

(e) Resource recycling facilities;

(f) Graveyard-related facilities;

(g) Funeral parlors;

3. Group of facilities for telecommunications:

(a) Broadcasting communications facilities;

(b) Power generating facilities;

4. Group of cultural and assembly facilities:

(a) Cultural and assembly facilities;

- (b) Religious facilities;
 - (c) Amusement facilities;
 - (d) Tourist resting facilities;
5. Group of facilities for commerce:
- (a) Sales facilities;
 - (b) Sports facilities;
 - (c) Lodging facilities;
 - (d) Communal living facilities among Class II neighborhood living facilities;
6. Group of facilities for education and welfare:
- (a) Medical facilities;
 - (b) Education and research facilities;
 - (c) Facilities for older persons and children;
 - (d) Training facilities;
 - (e) Campground facilities;
7. Group of neighborhood living facilities:
- (a) Class I neighborhood living facilities;
 - (b) Class II neighborhood living facilities (excluding communal living facilities);
8. Group of facilities for residential and business purposes:
- (a) Detached houses;
 - (b) Multi-family housing;
 - (c) Business facilities;
 - (d) Correctional and military facilities;
9. Miscellaneous group of facilities:
- (a) Animal and plant-related facilities;
 - (b) Deleted. <by Presidential Decree No. 22526, Dec. 13, 2010>.

(6) Where an existing building or site becomes not compliant with the provisions of the statutes, etc., due to the enactment or amendment of a statute or any of the causes prescribed in each subparagraph of Article 6-2 (1), its use may be changed, as prescribed by an ordinance on construction. <Amended by Presidential Decree No. 21098, Oct. 29, 2008>

(7) "Cases prescribed by Presidential Decree" in Article 19 (6) of the Act, means cases where the use of a one-storied stable is changed to a factory without accompanying any extension, alteration or substantial repairs and impairing structural safety, escape, etc. <Amended by Presidential Decree No. 21098, Oct. 29, 2008>

Article 15 (Temporary Structures)

(1) "Standards prescribed by Presidential Decree" in Article 20 (2) 3 of the Act, means the following: <Amended by Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25652, Oct. 14, 2014>

1. The temporary structure is neither a reinforced concrete structure nor a steel-framed reinforced concrete structure;
2. The retention period of the temporary structure shall not exceed three years: Provided, That such period may be extended until an urban/Gun planning project is implemented;
3. The temporary structure does not require installation of new arterial supply facilities, such as electricity, tap water, and gas;
4. The temporary structure shall not be multi-family housing, sales facility, or transportation facility built for sale.

(2) Article 38 of the Act shall not apply to temporary structures prescribed in paragraph (1).

(3) Articles 46 and 55 of the Act shall not apply to shading facilities installed in an open space in a marketplace or over a road among temporary structures prescribed in paragraph (1).

(4) Articles 45 through 47 of the Act shall not apply where a temporary structure prescribed in paragraph (1) is built in an urban/Gun pre-planned road. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(5) "Temporary structure for disaster recovery, performances, exhibitions, construction works, or any other purpose prescribed by Presidential Decree" in Article 20 (3) of the Act, means any of the following: *<Amended by Presidential Decree No. 21590, Jun. 30, 2009; Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 22052, Feb. 18, 2010; Presidential Decree No. 22993, Jun. 29, 2011; Presidential Decree No. 24568, May 31, 2013; Presidential Decree No. 25652, Oct. 14, 2014; Presidential Decree No. 25716, Nov. 11, 2014; Presidential Decree No. 26210, Apr. 24, 2015; Presidential Decree No. 26909, Jan. 19, 2016; Presidential Decree No. 27299, Jun. 30, 2016>*

1. A structure constructed for a temporary use in a disaster-struck zone or an adjacent zone designated by the Metropolitan Autonomous City Mayor, Special Self-Governing Province Governor, or the head of a Si/ Gun/Gu;
2. A temporary venue for performances or exhibitions, a temporary shop for direct trade of agricultural, fisheries, and forest products, and other similar places, deemed not to impede urban scenery or traffic by the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu;
3. A temporary structure and a fixture for construction works in a scale necessary for construction works;
4. Model house for display or similar thereto;
5. A temporary shop (referring to those to sell goods, etc.) constructed in an area designated and publicly announced by the Metropolitan Autonomous City Mayor, Special Self-Governing Province Governor, or the head of a Si/Gun/Gu to maintain roadsides, etc., and does not impede safety, fire prevention, and hygiene;
6. A temporary structure with a prefabricated structure, used as a guard room, having a total floor area not exceeding ten square meters;

7. A temporary garage with a prefabricated light-structure, having no outer wall;
8. A temporary structure built of containers or other similar materials to be used as a temporary office, temporary warehouse, or temporary lodging (excluded herefrom shall be those constructed on the rooftop of a building: Provided, That those constructed on the rooftop of a factory between July 1, 2009 and June 30, 2015 and between July 1, 2016 and June 30, 2019 shall be included herein);
9. A vinyl greenhouse for agriculture and fisheries with a total floor area of at least 100 square meters, installed in a residential, commercial, or industrial area, among urban areas;
10. A vinyl greenhouse or tent (including tents with walls or roof made of synthetic resin and tents, not more than 1/2 of the roof area of which, is made of composite steel sheets) structure with a total floor area of at least 100 square meters, used as a temporary stable, livestock excrement treatment facility, play-yard for livestock, or rain shelter for livestock;
11. A fixed-type greenhouse, or temporary workplace for agricultural and fishery purposes, and a livestock breeding facility;
12. A tent (including tents with walls or roof made of synthetic resin) used as a storage, simple packaging, or simple repair works, installed in a factory or warehouse, or on adjacent land, etc.;
13. A tent or an establishment with a light structure for temporary tourism or cultural events, etc., in an amusement park, general recreation business area, etc.;
14. An outdoor exhibition facility and a filming facility;
15. A temporary structure used for an outdoor smoking room, the floor area of which does not exceed 50 square meters;
16. Other buildings similar to those referred to in subparagraphs 1 through 14 and prescribed by ordinance on construction.

(6) None of the following relevant provisions shall apply where any temporary structure is built pursuant to Article 20 (4) of the Act: <Amended by Presidential Decree No. 26542, Sep. 22, 2015>

1. Where any temporary structure referred to in the subparagraphs (excluding subparagraph 4) of paragraph (5) is built, Articles 25, 38 through 42, 44 through 47, 48, 48-2, 49, 50, 50-2, 51, 52, 52-2, 52-3, 53, 53-2, 54 through 58, 60 through 62, 64, 67, and 68 of the Act and Article 76 of the National Land Planning and Utilization Act shall not apply: Provided, That Articles 48, 49, and 61 shall not apply only in the following cases:
 - (a) Where Articles 48 and 49 of the Act shall not apply: Where a temporary structure with at least three floors, the structural and evacuation safety of which is recognized as a result of deliberation by a local building committee, is constructed;
 - (b) Where Article 61 of the Act shall not apply: Where agreement is reached with the owner of land adjoining to the temporary structure due north;
2. Where any temporary structure referred to in paragraph (5) 4 is built, only Articles 25, 38, 39, 42, 45, 50-2, 53, 54 through 57, 60, 61, and 68 of the Act and Article 76 of the National Land Planning and Utilization Act shall not apply.

(7) The retention period of a temporary structure subject to reporting under Article 20 (3) of the Act, shall not exceed three years: Provided, That the retention period of a temporary structure or fixture for construction works referred to in paragraph (5) 3 means a period until the date the relevant construction works is completed. <Amended by Presidential Decree No. 25652, Oct. 14, 2014; Presidential Decree No. 25716, Nov. 11, 2014>

(8) Each person who intends to build a temporary structure subject to reporting under Article 20 (3) of the Act, shall submit a building report on the temporary structure in the form prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, accompanied by relevant documents, to the Metropolitan Autonomous City Mayor, Special Self-Governing Province Governor, or the head of a Si/Gun/Gu: Provided, That where matters concerning the construction of a temporary structure for construction works have been submitted along with matters concerning the construction of a building as at the time an application for a building permit was filed, the submission of a building report on the temporary structure shall be omitted. <Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25652, Oct. 14, 2014>

(9) In receipt of a building report on a temporary structure submitted under paragraph (8), the Metropolitan Autonomous City Mayor, Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall issue a certificate of building report on temporary structure in the form prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, to the relevant person after verifying the details of the report. <Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25652, Oct. 14, 2014>

(10) Deleted. <by Presidential Decree No. 22052, Feb. 18, 2010>

Article 15-2 (Extension of Retention Period of Temporary Structure)

(1) The Metropolitan Autonomous City Mayor, Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall inform the owner of a temporary structure of the following matters by 30 days before of the retention period of the temporary structure expires pursuant to Article 20 of the Act: <Amended by Presidential Decree No. 25652, Oct. 14, 2014; Presidential Decree No. 27299, Jun. 30, 2016>

1. Expiration date of the retention period;
2. Whether the retention period can be extended;
3. The fact that the retention period may be extended pursuant to Article 15-3 (limited to a temporary structure referred to in any item of subparagraph 1 of the same Article).

(2) Each owner of a temporary structure who intends to extend its retention period shall file an application for permission or report to the Metropolitan Autonomous City Mayor, Special Self-Governing Province Governor, or the head of a Si/Gun/Gu, as follows: <Amended by Presidential Decree No. 25652, Oct. 14, 2014>

1. A temporary structure subject to permission: Filing an application for permission 14 days before the retention period expires;
2. A temporary structure subject to reporting: Reporting 7 days before the retention period expires.

Article 15-3 (Extension of Retention Period of Temporary Structure, etc., Established in Factories)

Notwithstanding Article 15-2 (2), where the owner of a temporary structure which satisfies all of the following requirements fails to notify the Metropolitan Autonomous City Mayor, Special Self-Governing Province Governor, or the head of a Si/Gun/Gu of his/her intention not to extend the retention period thereof within a period prescribed in Article 15-2 (2), its retention period shall be deemed extended for the same period as that of the existing temporary structure: <Amended by Presidential Decree No. 25652, Oct. 14, 2014; Presidential Decree No. 27299, Jun. 30, 2016>

1. That it shall be any of the following temporary structures:

(a) A temporary structure established in a factory;

(b) A temporary structure referred to in Article 15 (5) 11 (applicable only to the one installed in an agricultural and forest area referred to in Article 36 (1) 3 of the National Land Planning and Utilization Act);

2. That it shall be a temporary structure, the retention period of which can be extended.

Article 16 Deleted. <by Presidential Decree No. 14891, Dec. 30, 1995>

Article 17 (Approval for Use of Building)

(1) Deleted. <by Presidential Decree No. 19466, May 8, 2006>

(2) In cases where a project owner intends to receive approval for the temporary use of the portion of which construction has been completed before he/she receives a written approval for use under Article 22 (3) 2 of the Act, he/she shall submit an application (including submission in electronic documents) for approval for temporary use to the permitting authority, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 21098, Oct. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(3) The permitting authority who has received an application under paragraph (2) may approve a temporary use only when the portion of which construction has been completed satisfies the standards under Article 22 (3) 2 of the Act, and with respect to buildings of which construction is completed at the time when it is inadequate to take necessary measures for landscaping, such as tree-planting, its temporary use may be approved on the condition that necessary measures are to be taken for landscaping, such as tree-planting, by the time fixed by the permitting authority. <Amended by Presidential Decree No. 21098, Oct. 29, 2008>

(4) The validity period of the approval for temporary use shall be within two years: Provided, That the permitting authority may extend such period for large buildings, or buildings which take a long time in construction due to works on rock floors, etc. <Amended by Presidential Decree No. 21098, Oct. 29, 2008>

(5) "Contractors of main works prescribed by Presidential Decree" in the latter part of Article 22 (6) of the Act means a person falling under any of the following subparagraphs: <Amended by Presidential Decree No. 21098, Oct. 29, 2008>

1. A construction business operator who has registered a type of business performing general construction business under Article 9 of the Framework Act on the Construction Industry and is given a

contract for construction work by a person placing an order;

2. A contractor who performs construction works pursuant to the Electrical Construction Business Act, the Fire-Fighting System Installation Business Act or the Information and Communication Work Business Act.

Article 18 (Preparation of Architectural Plans and Drawings)

"Building prescribed by Presidential Decree" in Article 23 (1) 3 of the Act, means any of the following:
<Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 22052, Feb. 18, 2010; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 27299, Jun. 30, 2016>

1. Warehouse or farmer's hut (referring to the farmer's hut defined under the Farmland Act) with a total floor area not exceeding 200 square meters, and stable, crop cultivation shed, seeds and seedlings cultivation facility, and greenhouse for flowers, bonsai trees, etc., with a total floor area not exceeding 400 square meters, among buildings constructed in Eup or Myeon areas (excluding the areas designated and publicly announced by the head of a Si/Gun as they impede regional planning or urban/Gun planning);
2. Temporary structure referred to in any of the subparagraphs of Article 15 (5) and prescribed by an ordinance on construction.

Article 18-2 (Inspection on Violations of Manufacturing and Distribution of Building Materials and Measures therefor)

(1) Where any violation is identified as a result of an inspection conducted under Article 24-2 (2) of the Act, the Minister of Land, Infrastructure and Transport, a Mayor/Do Governor, or the head of a Si/Gun/Gu shall give notice of the violation to the construction participants (referring to the project owner, architect, contractor, and project supervisor; hereinafter the same shall apply), manufacturer and distributor pursuant to paragraph (3) of the same Article, and may take measures in accordance with the following standards:

1. Measures to be taken against the construction participants:
 - (a) Where any part has been constructed using the relevant building material: Issuing an order to correct the constructed portion, to suspend construction works of the relevant construction stage, and to suspend the use of the relevant building material;
 - (b) Where the relevant building material is brought in, and kept at, the construction site: Issuing an order to suspend the use of the relevant building material;
2. Measures to be taken against the manufacturer and the distributor: Requesting the head of the related administrative agency to suspend the business of such manufacturer and distributor in accordance with the related statutes.

(2) Upon receipt of a notice of the violation under paragraph (1) or an order issued under subparagraph 1 of the same paragraph, the construction participants, manufacturer, and distributor shall prepare and submit an action plan to the Minister of Land, Infrastructure and Transport, a Mayor/Do Governor, or the head of a Si/Gun/Gu within seven days from the date of the receipt of such notice or order.

(3) Where the Minister of Land, Infrastructure and Transport, a Mayor/Do Governor, or the head of a Si/Gun/Gu deems that corrective measures have been taken in accordance with the action plan submitted under paragraph (2) (limited to the action plan prepared under an order issued under paragraph (1) 1 (a)), he/she shall cancel the order for suspension of construction works.

Article 18-3 (Specialized Institutions Performing Affairs Related to Inspections of Violations by Proxy)

(1) "Specialized institutions prescribed by Presidential Decree" in Article 24-2 (4) of the Act, means the following institutions:

1. The Korea Institute of Civil Engineering and Building Technology established under Article 8 of the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes, Etc.;
 2. The Korea Infrastructure Safety and Technology Corporation established under Article 25 of the Special Act on the Safety Control of Public Structures (hereinafter referred to as the "Korea Infrastructure Safety and Technology Corporation");
 3. The Korea Land and Housing Corporation established under the Korea Land and Housing Corporation Act;
 4. Other institutions designated and publicly announced by the Minister of Land, Infrastructure, and Transport as deemed to be capable of performing the affairs related to inspections.
- (2) An employee of an institution that performs affairs related to the inspection of violations by proxy under Article 24-2 (4) of the Act, shall carry a document indicating his/her authority and show it to interested persons.

Article 19 (Supervision of Construction Works)

(1) Each project owner shall appoint a project supervisor pursuant to Article 25 (1) of the Act to supervise the relevant construction works, as follows: <Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 22525, Dec. 13, 2010; Presidential Decree No. 25358, May 22, 2014>

1. In any of the following cases: An architect:
 - (a) When constructing a building that requires a building permit under Article 11 of the Act (excluding buildings subject to reporting under Article 14 of the Act);
 - (b) When remodeling a building referred to in Article 6 (1) 6;
 2. When constructing a public-use building: A construction technology service provider registered under the Construction Technology Promotion Act (excluding where such provider is the contractor itself or an affiliate defined in Article 2 of the Monopoly Regulation and Fair Trade Act) or an architect (limited to where a construction project management engineer is assigned pursuant to Article 60 of the Enforcement Decree of the Construction Technology Promotion Act).
- (2) Where a project supervisor of a public-use building is appointed under paragraph (1), the standards for assignment of the supervisor and supervision fees shall be governed by the Construction Technology Promotion Act. <Amended by Presidential Decree No. 25358, May 22, 2014>

(3) "When the progress of the project reaches the stage prescribed by Presidential Decree" in Article 25 (5) of the Act, means where the construction (in cases of constructing at least two buildings on one site, referring to the construction of each building) reaches any of the following stages: <Amended by Presidential Decree No. 25786, Nov. 28, 2014; Presidential Decree No. 27175, May 17, 2016>

1. Where the relevant building has a reinforced concrete structure, steel-framed reinforced concrete structure, masonry structure, or reinforced concrete block structure, when its construction reaches any of the following stages:

- (a) When the arrangement of reinforcing bars for foundation works is completed;
- (b) When the arrangement of roof slab bars is completed;
- (c) When the arrangement of upper slab bars is completed at every fifth floor above the ground;

2. Where the relevant building has a steel-framed structure, when its construction reaches any of the following stages:

- (a) When the arrangement of reinforcing bars for foundation works is completed;
- (b) When the assembly of the steel frames for the roof is completed;
- (c) When the assembly of main structural parts is completed at every third floor above the ground or at every 20-meter-height;

3. Where the relevant building has a structure, other than those referred to in subparagraph 1 or 2, when the installation of molds or cornerstones for foundation works is completed.

(4) "Project for the use or of the scale prescribed by Presidential Decree" in Article 25 (4) of the Act, means construction works for a building with a total floor area of at least 5,000 square meters.

(5) Each project supervisor shall perform supervisory duties at a construction site occasionally or when necessary; and when supervising the following construction works, he/she shall have at least one assistant architect in the field of construction and at least one assistant architect in the field of civil engineering, electricity, or machinery among assistant architects (including those belonging to professional engineer offices established under Article 6 of the Professional Engineers Act, or specialized construction supervising firms, etc., provided for in the subparagraphs of Article 23 (8) of the Certified Architects Act, who have acquired technical qualifications in the relevant field under the National Technical Qualifications Act, or are qualified to perform construction project management under Article 4 of the Enforcement Decree of the Construction Technology Promotion Act) defined in subparagraph 2 of Article 2 of the Certified Architects Act conduct supervisory duties at respective construction sites during the entire period of construction and during the period of construction of the relevant field, respectively. In such cases, the assistant architect shall have work experience in the design, execution of construction, testing, inspection, construction supervision, supervisory duties, etc., of construction works in the relevant field for at least two years: <Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 22525, Dec. 13, 2010; Presidential Decree No. 22526, Dec. 13, 2010; Presidential Decree No. 25358, May 22, 2014; Presidential Decree No. 26542, Sep. 22, 2015>

1. Construction works for a building with a total floor area of at least 5,000 square meters: Provided, That excluded herefrom shall be construction works of stables or crop cultivation sheds;
2. Construction works for a building with five consecutive floors (including underground floors) and a total floor area of at least 3,000 square meters;
3. Construction works for apartment buildings.

(6) Supervisory duties to be performed by project supervisors, shall be as follows: *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

1. Verification as to whether the contractor is performing construction works in compliance with architectural plans and drawings;
2. Verification as to whether the building materials used by the contractor comply with the standards provided for in relevant statutes;
3. Other matters determined by Ordinance of the Ministry of Land, Infrastructure and Transport concerning the supervision of construction works.

(7) Each project supervisor who assigns an assistant architect to perform the supervisory duties at a construction site under paragraph (5), shall submit a status report on the posting of assistant architects to the permitting authority within the period classified follow, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: *<Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25786, Nov. 28, 2014>*

1. Where the project supervisor assigns an assistant architect for the first time: Within seven days from the scheduled date for commencement of construction works;
2. Where the project supervisor replaces an assistant architect: Within seven days from the date of such replacement;
3. Where the project supervisor withdraws an assistant architect: Seven days from the date of withdrawal.

(8) In receipt of a status report on the posting of assistant architects from a project supervisor under paragraph (7), the permitting authority shall promptly forward it to the architects' association designated by the Minister of Land, Infrastructure and Transport among architects' associations established under the Certified Architects Act. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

(9) In receipt of a status report on the posting of assistant architects under paragraph (8), the architects' association shall retain it, and where it has discovered that an assistant architect is posted concurrently at least two construction sites, etc., it shall promptly inform the relevant Mayor/Do Governor of such fact, etc. *<Amended by Presidential Decree No. 24229, Dec. 12, 2012>*

Article 19-2 (Buildings, etc., for which Permitting Authority Designates Project Supervisors)

(1) "Buildings prescribed by Presidential Decree" in the main sentence of Article 25 (2) of the Act, means the following:

1. Buildings not falling under any subparagraph of Article 41 (1) of the Framework Act on the Construction Industry (excluding the detached houses referred to in subparagraph 1 (a) of attached

Table 1);

2. Any of the following buildings built for sale in units (applicable to buildings with less than 30 households):

- (a) Apartment houses;
- (b) Tenement houses;
- (c) Multi-household houses;

3. A building referred to in subparagraph 1 and any of the buildings referred to in subparagraph 2 are annexed into one building.

(2) A Mayor/Do Governor shall prepare and manage a list of certified architects who can be designated as project supervisors under Article 25 (2) of the Act through a recruitment notice (applicable only to the certified architects who have filed reports under Article 23 (1) of the Certified Architects Act or the proviso to paragraph (8) of the same Article or certified architects belonging to any architectural firm under paragraph (2) of the same Article). In such cases, the Mayor/Do Governor shall pre-consult with the head of the competent Si/Gun/Gu.

(3) The project owner of a building that falls under any subparagraph of paragraph (1), shall file an application for the designation of a project supervisor with the permitting authority, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, before filing a report on the commencement of construction works under Article 21 of the Act.

(4) The permitting authority shall designate a project supervisor selected from among those on the list prepared under paragraph (2).

(5) Except as otherwise expressly provided for in paragraphs (3) and (4), detailed matters concerning the recruitment notice of project supervisors, methods of preparing the list, methods of designating project supervisors, and other relevant matters, shall be prescribed by ordinance of a City/Do.

Article 20 (Agents for On-Site Surveys, Inspections, and Verifications)

(1) The permitting authority may require an architect to conduct on-site surveys, inspections, and verifications related to building permits, building reports, approval for use, and approval for temporary use of the buildings determined by an ordinance on construction pursuant to Article 27 (1) of the Act. In such cases, the permitting authority shall appoint an architect to conduct on-site surveys, inspections, and verifications related to approval for use and approval for temporary use of buildings as an agent, in compliance with the following requirements: *<Amended by Presidential Decree No. 25786, Nov. 28, 2014>*

- 1. The architect must be neither the architect nor the project supervisor of the relevant building;
- 2. The permitting authority shall appoint the architect directly, without receiving any recommendation from the project owner.

(2) The scope of duties to be performed by agents under paragraph (1), procedures for performing duties as agents, and other necessary matters, shall be prescribed by an ordinance on construction.

Article 21 (Prevention of Harms at Construction Site)

Matters concerning the prevention of harms and dangers associated with the construction or demolition of a building shall comply with the provisions of statutes pertaining to industrial safety and health.

Article 22 (Special Exception to Buildings for Public Use)

(1) Where the State or a local government intends to construct a building under Article 29 of the Act, the head of an administrative agency executing the relevant construction works or a person entrusted with the execution of such works shall submit (including submission in electronic format) architectural plans and drawings on such construction works and relevant documents determined by Ordinance of the Ministry of Land, Infrastructure and Transport to the permitting authority before the commencement of the relevant construction works: Provided, That the submission of architectural plans and drawings may be omitted a building important for national security or treated as national confidential information is constructed.

<Amended by Presidential Decree No. 24443, Mar. 23, 2013>

(2) After examining architectural plans and drawings and relevant documents submitted under the main sentence of paragraph (1), the permitting authority shall give notice (including notice in electronic format where the head of the relevant administrative agency or the entrusted person wishes or architectural plans and drawings, etc., under paragraph (1) have been submitted in electronic format) of the result of such examination to the head of the relevant administrative agency or the entrusted person.

(3) The State or a local government shall giving notice to the permitting authority of the completion of the construction of a building under the proviso to Article 29 (3) of the Act, accompanied by relevant document determined by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

(4) "Facilities prescribed by Presidential Decree, such as convenience facilities for residents" in the former part of Article 29 (4) of the Act, means the following: *<Newly Inserted by Presidential Decree No. 27365, Jul. 19, 2016>*

1. Class I neighborhood living facilities;
2. Class II neighborhood living facilities (excluding firearm stores, morticians, communal living facilities, manufacturing stores, public pubs, massage parlors, and singing rooms);
3. Cultural and assembly facilities (limited to performance halls and exhibition halls);
4. Medical facilities;
5. Education and research facilities;
6. Facilities for older persons and children;
7. Sports facilities;
8. Business facilities (excluding officetels).

Article 22-2 (Computerization, etc. of Business of Building Permission, etc.)

(1) A person who intends to use the data which under the main sentence of Article 32 (2) of the Act with the exception of each subparagraph, have been processed through the electronic data processing system under paragraph (1) of the same Article (hereinafter referred to as "computerized data") shall submit an application stating the following matters to the head of the relevant central administrative agency in order

to receive an examination by the head of the relevant central administrative agency:

1. The purpose of and grounds for the use of the computerized data;
2. The scope and contents of the computerized data;
3. The method to be provided with the computerized data;
4. The method of keeping the computerized data, safety control measures, etc.

(2) A person who intends to use computerized data under paragraph (1) shall apply within the minimum scope satisfying the purpose of the use of the computerized data.

(3) The head of the relevant central administrative agency who has received an application under paragraph (1) shall, after examining the matters in each of the following subparagraphs, inform the applicant of the result of the examination within 15 days from the date on which he/she received such application:

1. Feasibility, appropriateness and public nature of the matters in each subparagraph of paragraph (1) ;
2. Whether or not the standards for protection of personal information under Article 32 (3) of the Act are satisfied;
3. Whether or not a measure for the prevention of use of computerized data for purposes beyond the purpose of their use has been formulated.

(4) A person who intends to obtain approval for the use of computerized data under Article 32 (2) of the Act shall submit to the Minister of Land, Infrastructure and Transport, Mayor/Do Governor, or the head of a Si/Gun/Gu an application for approval for the use of computerized data on construction administration, which is prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, attaching thereto the result of examination under paragraph (3) : Provided, That in cases where the head of a central administrative agency or the head of a local government intends to use computerized data, he/she may apply for such approval with documents stating the grounds for and purpose of the use of computerized data, safety control measures, etc. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

(5) "Guidelines for the protection of personal information of project owners and other parties prescribed by Presidential Decree" in the former part of Article 32 (3) of the Act means the standards in each of the following subparagraphs:

1. The requested computerized data are not to be information by which a specific individual is recognizable by such matters as name and resident registration number which are included in the data (including information by which a specific individual is easily recognizable through combining it with other information even though it is not recognizable only with the information concerned), or other information that are feared to disturb the private life of an individual: Provided, That in cases where there exists the consent of the individual concerned or grounds in other Acts, the use thereof may be allowed;
2. In cases where computerized data containing personal information are used under the proviso to subparagraph 1, safety control measures are to be prepared against the use of the computerized data for purposes, other than their approved purposes, leakage, loss, theft, etc.

(6) The Minister of Land, Infrastructure and Transport, Mayor/Do Governor, or head of a Si/Gun/Gu shall, when he/she approved the use of computerized data under Article 32 (3) of the Act, record and manage the details of the approval. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

Article 22-3 (Computerized Data Users subject to Guidance and Supervision, etc.)

(1) Persons subject to guidance for and supervision of the matters concerning the keeping or management of computerized data among persons using computerized data under Article 33 (1) of the Act shall be those using computerized data (including computerized data provided under other statutes) as classified in each of the following subparagraphs: Provided, That the State and local governments shall be excluded: <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

1. The Minister of Land, Infrastructure and Transport: Persons who use not less than 500,000 cases of computerized data on a national basis yearly;
2. Mayors/Do Governors: Persons who use not less than 100,000 cases of computerized data on a City/Do basis yearly;
3. The head of a Si/Gun/Gu: Persons who use not less than 50,000 cases of computerized data on a Si/Gun/Gu basis yearly.

(2) The Minister of Land, Infrastructure and Transport, Mayor/Do Governor or head of a Si/Gun/Gu may, if necessary for guidance and supervision under Article 33 (1) of the Act, request a person subject to guidance and supervision under paragraph (1) to submit the data in each of the following subparagraphs: <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

1. Data on the actual status of use of computerized data;
2. Data on safety control measures following the use of computerized data.

(3) A person who has been requested to submit data under paragraph (2) shall submit the relevant data within 15 days unless there exists any justifiable ground which makes him/her unable to do so.

(4) The Minister of Land, Infrastructure and Transport, Mayor/Do Governor, or head of a Si/Gun/Gu shall, when intending to conduct an on-site investigation of the actual status of use of computerized data under Article 33 (1) of the Act, notify the person subject to investigation of the purpose and details of investigation, identity of investigators, date of investigation, etc. by not later than three days before the investigation. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

(5) The Minister of Land, Infrastructure and Transport, Mayor/Do Governor, or head of a Si/Gun/Gu shall notify the person subject to investigation of the result of the on-site investigation under paragraph (4), and may request for corrections when necessary as a result of the investigation. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

Article 22-4 (Integrated Civil Service Center for Building Projects)

(1) Every civil service center established under the jurisdiction of each Metropolitan Autonomous City, Special Self-Governing Province, or Si/Gun/Gu pursuant to Article 34 of the Act, shall perform the following: <Amended by Presidential Decree No. 25652, Oct. 14, 2014>

1. Affairs concerning approval for use under Article 22 of the Act;
 2. Affairs concerning building permits, approval for use, and approval for temporary use of buildings regarding which an architect conducts on-site surveys, inspections, and verifications, as an agent under Article 27 (1) of the Act;
 3. Affairs concerning the preparation and management of the building register;
 4. Affairs concerning the handling of complex civil petitions;
 5. Consulting on building permits, building reports, or change of uses of buildings;
 6. Consulting on disputes arising between construction participants;
 7. Other affairs deemed necessary for the benefits of residents by the Metropolitan Autonomous City Mayor, Special Self-Governing Province Governor, or the head of a Si/ Gun/Gu.
- (2) Civil service centers referred to in paragraph (1) shall be established at a place readily accessible by civil petitioners, and the organization and functions of such center shall be determined by a municipal rule of each Metropolitan Autonomous City Mayor, Special Self-Governing Province, or Si/Gun/Gu. *<Amended by Presidential Decree No. 25652, Oct. 14, 2014>*

Article 23 (Maintenance and Management of Buildings)

- (1) The owner or manager of each building shall maintain and manage the building, site, and building equipment in compliance with Article 35 (1) of the Act.
- (2) The owner or manager of each building of unique structures or each high-rise building shall prepare a maintenance and management plan that includes matters for snow-removal, gutter cleaning, etc., of the building, in order to maintain and manage such building pursuant to paragraph (1). *<Newly Inserted by Presidential Decree No. 25786, Nov. 28, 2014>*

Article 23-2 (Conducting Regular and Occasional Inspections)

- (1) The owner or manager of any of the following buildings shall conduct a regular inspection under Article 35 (2) of the Act once every two years from the tenth anniversary from the approval date of the use of the relevant building (referring to the date an occasional inspection has been completed, if the occasional inspection has been conducted under paragraph (5) on the items and in compliance with the standards applicable to the regular inspection; hereafter referred to as "base date" in this Article and subparagraph 6 of Article 120): Provided, That he/she may omit the regular inspection to be conducted at the relevant cycle, where a safety inspection has been conducted under subparagraph 2 of Article 43-3 of the Housing Act: *<Amended by Presidential Decree No. 24874, Nov. 20, 2013; Presidential Decree No. 25050, Dec. 30, 2013; Presidential Decree No. 26542, Sep. 22, 2015; Presidential Decree No. 27175, May 17, 2016>*

1. A public-use building;
2. A condominium building subject to the Act on Ownership and Management of Condominium Buildings, the total floor area of which is at least 3,000 square meters: Provided, That this shall not apply to multi-family housing managed by a managing body, etc., prescribed in Article 43 of the Housing Act;

3. A building used for publicly used businesses defined in Article 2 (1) 1 of the Special Act on the Safety Control of Publicly Used Establishments, determined by an ordinance on construction of the relevant local government;

4. A building of unique structures among quasi-public-use buildings.

(2) The Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall notify the owner or manager of each building subject to regular inspection under paragraph (1) (hereinafter referred to as "regular inspection") that the building must undergo a regular inspection, and of the procedures for conducting the regular inspection at least three months prior to the second anniversary of the base date. *<Amended by Presidential Decree No. 25652, Oct. 14, 2014>*

(3) The notification under paragraph (2) may be given by means of a document, facsimile, electronic mail, text message to a cellular phone, etc.

(4) Where it is found, through a regular inspection, that a building has no violation and is acknowledged as excellent based on the detailed standards for maintenance and management of buildings referred to in Article 23-6 (1) as a result of inspecting items prescribed in Article 23-3 (1) 2 through 4, and 6, the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may exempt the relevant building from the following regular inspection only on one occasion. *<Amended by Presidential Decree No. 25652, Oct. 14, 2014>*

(5) Pursuant to Article 35 (2) of the Act, the owner or manager of each building referred to in any subparagraph of paragraph (1) shall conduct an occasional inspection, as prescribed by an ordinance on construction of the relevant local government, where necessary to guarantee the safety of the relevant building from a disaster or calamity, such as a fire and inundation. *<Amended by Presidential Decree No. 24874, Nov. 20, 2013>*

(6) The owner or manager of each building that intends to conduct a regular or occasional inspection under paragraph (5) (hereinafter referred to as "occasional inspection") shall require any of the following persons (hereinafter referred to as "maintenance and management inspector") to conduct such regular or occasional inspection: *<Amended by Presidential Decree No. 25358, May 22, 2014>*

1. A person who has reported the establishment of an architectural firm under Article 23 (1) of the Certified Architects Act;

2. A construction technology service provider registered under Article 26 (1) of the Construction Technology Promotion Act;

3. A specialized safety diagnosis institution in the field of construction, registered under Article 9 (1) of the Special Act on the Safety Control of Public Structures.

Article 23-3 (Matters subject to Regular and Occasional Inspections)

(1) Matters subject to regular and occasional inspections shall be as follows: Provided, That the inspection of structural safety prescribed in subparagraph 3, shall be omitted in cases of first-class public structures or second-class public structures defined in subparagraph 2 of Article 2 of the Special Act on the Safety Control of Public Structures: *<Amended by Presidential Decree No. 24391, Feb. 20, 2013; Presidential Decree*

No. 25786, Nov. 28, 2014>

1. Site: Whether it complies with Articles 40, 42 through 44, and 47 of the Act;
 2. Height and shape: Whether they complies with Articles 55, 56, 58, 60 and 61 of the Act;
 3. Structural safety: Whether it complies with Article 48 of the Act;
 4. Fire safety: Whether it complies with Articles 49, 50, 50-2, 51, 52, 52-2, and 53 of the Act;
 5. Construction facilities: Whether they complies with Articles 62 through 64 of the Act;
 6. Energy management, eco-friendly management, etc.: Whether they complies with 65-2 of the Act and Articles 15 (1), 16 and 17 of the Act on Supporting Green Building Construction.
- (2) Every maintenance and management inspector shall provide his/her opinion on measures for reinforcing safety of buildings, energy-saving measures, etc. in addition to the items prescribed in the subparagraphs of paragraph (1), when he/she conducts a regular or occasional inspection.

Article 23-4 (Provision of Information related to Building Inspections)

If necessary for conducting a regular or occasional inspection, the owner or manager of a building may request the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu to provide related information, including architectural plans and drawings of the building. In such cases, the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of the Si/Gun/Gu shall provide such information, except in extenuating circumstances. <Amended by Presidential Decree No. 25652, Oct. 14, 2014>

Article 23-5 (Reporting on Findings of Building Inspections)

- (1) The owner or manager of each building who has conducted a regular or occasional inspection shall report the findings thereof to the competent Metropolitan Autonomous City Mayor, Special Self-Governing Province Governor, or the head of the competent Si/Gun/Gu within 30 days after completing the regular or occasional inspection. <Amended by Presidential Decree No. 25652, Oct. 14, 2014>
- (2) Deleted. <by Presidential Decree No. 24874, Nov. 20, 2013>

Article 23-6 (Detailed Standards, etc. for Maintenance and Management)

(1) The Minister of Land, Infrastructure and Transport shall determine and publicly announce detailed standards for the maintenance and management of buildings and the implementation of regular and occasional inspections, including the following matters: <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

1. Appointment of a maintenance and management inspector;
2. Standards for prices for regular and occasional inspections;
3. Method of inspection by items of regular and occasional inspections;
4. Scope of collection of, and method of reviewing, the materials related to inspection, such as architectural plans and drawings, necessary for regular and occasional inspections;
5. Other matters acknowledged by the Minister of Land, Infrastructure and Transport as necessary in connection with the maintenance and management of buildings.

(2) To ensure the fairness in contracts between the owners or managers of buildings and maintenance and management inspectors, the Minister of Land, Infrastructure and Transport may determine and disseminate standard forms of contracts for regular and occasional inspections. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

Article 23-7 (Safety Inspections of Small-Scale Deteriorated Buildings)

(1) "Buildings prescribed by Presidential Decree, such as small-scale obsolete buildings" in Article 35 (3) of the Act, means the buildings that meet both of the following conditions:

1. At least 20 years shall have passed since the approval for use was granted;
2. They shall be none of the buildings referred to in any subparagraph of Article 23-2 (1).

(2) In conducting ex officio a safety inspection under Article 35 (3) of the Act, the permitting authority shall notify the owner or manager of the relevant building of the fact that the building is subject to the safety inspection and the procedures for the safety inspection in advance. In such cases, such notification may be given by means of a document, facsimile, electronic mail, text message to a cellular phone, etc.

(3) The owner or manager of a building requested to conduct a safety inspection under Article 35 (3) of the Act, shall require a person who falls under any subparagraph of Article 23-2 (6) to conduct the safety inspection.

(4) The owner or manager of a building who has conducted a safety inspection under paragraph (3), shall report the result thereof to the permitting authority within 20 days from the completion date of the safety inspection.

Article 23-8 (Establishment and Operation of Housing Management Support Centers)

(1) Every housing management support center established by the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, and the head of a Si/Gun/Gu pursuant to Article 35-2 (2) of the Act to provide technical support and information on inspections, improvement, and repair of buildings, shall be comprised of subordinate public officials, and construction-related experts, such as architects, as prescribed by an ordinance on construction.

(2) Housing management support centers established under paragraph (1) shall perform such duties as providing technical support and information on the following:

1. Methods for improving energy efficiency and performance of buildings;
2. Methods for checking short circuit and water leakage;
3. Support for simple mending and repairs;
4. Legal counseling on maintenance and management of buildings;
5. Education and publicity about improvement and repair of buildings;
6. Other matters prescribed by an ordinance on construction regarding inspections, improvement, and repair of buildings.

(3) The Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, and the head of a Si/Gun/Gu shall post the matters referred to in the subparagraphs of paragraph (2) necessary for providing technical support and information on the inspection, improvement, and repair of buildings under

paragraph (1), on the web site of the relevant local government in order for all owners or managers of houses to efficiently maintain and manage buildings pursuant to Article 35 (2) of the Act.

Article 24 (Building Instructors)

(1) Building instructors referred to in Article 37 of the Act (hereinafter referred to as “building instructor”) shall be designated by the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu from among public officials working in the field of construction in the Metropolitan Autonomous City, Special Self-Governing Province, or Si/Gun/Gu and persons with abundant knowledge of construction, who have the qualifications prescribed by an ordinance on construction. *<Amended by Presidential Decree No. 23963, Jul. 19, 2012; Presidential Decree No. 25652, Oct. 14, 2014>*

(2) The duties of building instructors are as follows:

1. Guidance for buildings under construction after its building report has been filed, and verification as to whether construction is illegally conducted, instructions and control;
2. Verification as to whether the site, height and shape, structural safety, fire safety, building equipment, etc. of a building are properly maintained and managed in compliance with the provisions of the statutes, etc., instructions and control;
3. Control of buildings built or, the use of which has been changed, without obtaining permission or filing a report.

(3) Every building instructor who performs the duties under paragraph (2) shall carry a certificate indicating his/her authority and present it to relevant persons.

(4) Procedures for designating building instructors, standards for remuneration, and other necessary matters, shall be determined by an ordinance on construction.

Article 25 (Building Register)

"Circumstances prescribed by Presidential Decree" in Article 38 (1) 4 of the Act, means any of the following circumstances: *<Amended by Presidential Decree No. 23963, Jul. 19, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

1. Where an application for the initial registration on the building register or registration of alteration is filed under Articles 56 and 57 of the Act on Ownership and Management of Condominium Buildings;
2. Where the owner of a building constructed, maintained and managed in compliance with the provisions of the statutes, etc., before the Act enters into force files an application for transcription of the management ledger of the relevant building or other public books similar thereto into the building register under Article 38 of the Act;
3. Other circumstances determined by Ordinance of the Ministry of Land, Infrastructure and Transport, where it is necessary to alter the entered matters.

Article 26 Deleted. *<by Presidential Decree No. 16284, Apr. 30, 1999>*

Article 27 (Landscaping of Sites)

(1) Measures, such as landscaping, need not be taken for any of the following buildings, pursuant to the proviso to Article 42 (1) of the Act: <Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 22526, Dec. 13, 2010; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24229, Dec. 12, 2012; Presidential Decree No. 24443, Mar. 23, 2013>

1. A building constructed in a green area;
2. A factory constructed on a site that does not exceed 5,000 square meters;
3. A factory with a total floor area not exceeding 1,500 square meters;
4. A factory in an industrial complex defined in subparagraph 14 of Article 2 of the Industrial Cluster Development and Factory Establishment Act;
5. A building determined by an ordinance on construction, falling under cases where its site contains salt, or where it is not practical or irrational to take measures, such as landscaping, in consideration of the characteristics of its use;
6. A stable;
7. A temporary structure referred to in Article 20 (1) of the Act;
8. A logistics facility with a total floor area not exceeding 1,500 square meters (excluding those constructed in residential areas or commercial areas) determined by Ordinance of the Ministry of Land, Infrastructure and Transport;
9. A building in a natural environment conservation area, an agricultural and forestry area, or a management area (excluding the areas designated as district unit planning zones) designated under the National Land Planning and Utilization Act;
10. A building prescribed by an ordinance on construction among the following:
 - (a) Tourist facilities established in a tourist destination defined in subparagraph 6 of Article 2 of the Tourism Promotion Act or a tourist complex defined in subparagraph 7 of the same Article;
 - (b) Facilities for a specialized resort business defined in Article 2 (1) 3 (a) of the Enforcement Decree of the Tourism Promotion Act or facilities for a general resort complex business defined in Article 2 (1) 3 (b) of the same Enforcement Decree;
 - (c) Tourist facilities established in a tourism and resort type district-unit planning zone referred to in subparagraph 10 of Article 48 of the Enforcement Decree of the National Land Planning and Utilization Act;
 - (d) Golf courses referred to in attached Table 1 of the Enforcement Decree of the Installation and Utilization of Sports Facilities Act.

(2) The standards for measures, such as landscaping, under the proviso to Article 42 (1) of the Act, shall be as prescribed in each of the following: Provided, That where more relaxed standards than the standards prescribed in each of the following have been otherwise provided by an ordinance on construction, such relaxed criteria shall prevail: <Amended by Presidential Decree No. 21719, Sep. 9, 2009>

1. Factories (excluding factories referred to in paragraph (1) 2 through 4) and logistics facilities (excluding logistics facilities referred to in paragraph (1) 8 and logistics facilities constructed in

residential areas or commercial areas):

- (a) Where the total floor area exceeds 2,000 square meters: More than ten percent of the site area;
- (b) Where the total floor area exceeds 1,500 square meters but does not exceed 2,000 square meters: More than five percent of the site area;

2. Airport facilities defined in subparagraph 8 of Article 2 of the Aviation Act: More than ten percent of the site area (excluding the area used for aircraft take-off and landing facilities, such as runways, taxiways, moorings, and landing zones);

3. Station facilities which is part of the railroad defined in subparagraph 1 of Article 2 of the Railroad Construction Act: More than ten percent of the site area (excluding the area used for facilities for railroad operations, such as railroad tracks and platforms);

4. Other buildings built on a site, which exceeds 200 square meters but does not exceed 300 square meters: More than ten percent of the site area.

(3) Where the rooftop of a building is landscaped or other necessary measures are taken for the rooftop of a building in compliance with the standards publicly announced by the Minister of Land, Infrastructure and Transport under Article 42 (2) of the Act, an area equivalent to 2/3 of the landscaped area of the rooftop may be calculated as a site area subject to landscaping under Article 42 (1) of the Act. In such cases, the area to be calculated as an area subject to landscaping shall not exceed 50/100 of the area subject to landscaping under Article 42 (1) of the Act. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

Article 27-2 (Securing Open Space, etc., for Public Purposes)

(1) A public open area or space (hereafter referred to as “public open area, etc.” in this Article) shall be secured in the site of any of the following buildings pursuant to Article 43 (1) of the Act: <Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 24874, Nov. 20, 2013>

1. Cultural or assembly facilities, religious facilities, sales facilities (excluding distribution facilities for agricultural and fishery products established under the Act on Distribution and Price Stabilization of Agricultural and Fishery Products), transportation facilities (limited to passenger facilities), business facilities, or lodging facilities with a total floor area of at least 5,000 square meters for the relevant use;

2. Other public-use facilities, which are buildings determined by an ordinance on construction.

(2) The scale of a public open area, etc., shall be prescribed by an ordinance on construction, within ten percent of the area of the relevant site. In such cases, the scale of a landscaping area under Article 42 of the Act and the scale of an area for taking a measure for preserving buried cultural heritage at site under Article 14 of the Enforcement Decree of the Act on Protection and Inspection of Buried Cultural Heritage may be included in a public open area, etc. <Amended by Presidential Decree No. 25716, Nov. 11; Presidential Decree No. 26458, Aug. 3, 2015>

(3) The following matters shall be complied with when securing a public open area, etc., pursuant to paragraph (1) to make it available for public use. In such cases, the public open area may be established in a piloti structure: <Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 24443, Mar.

23, 2013>

1. Deleted; <by Presidential Decree No. 25652, Oct. 14, 2014>

2. Piling goods or establishing a facility in the public open area, etc., that can block access to the site shall be prohibited;

3. Facilities prescribed by an ordinance on constructions, such as benches or pergolas, shall be established for more convenient use in an environmentally friendly manner.

(4) Where a public open area, etc., is secured in a building referred to in paragraph (1) (including where a building referred to in paragraph (1) and another building not falling under paragraph (1), are annexed into one building), Articles 56 and 60 of the Act shall be relaxed according to the ratio of the scale of the public open area, etc., to the scale of the site within the following ratios, pursuant to Article 43 (2) of the Act: Provided, That where the ratios determined by an ordinance on construction within the following ratios, exceeds the relaxed ratio, such ratios determined by an ordinance on construction shall apply:

<Amended by Presidential Decree No. 25716, Nov. 11, 2014>

1. The floor area ratio provided for in Article 56 of the Act shall not exceed 1.2 times the floor area ratio applicable to the relevant area;

2. The height limit set under Article 60 of the Act shall not exceed 1.2 times the height limit applicable to the relevant building.

(5) Paragraph (4) shall apply mutatis mutandis where a public open area, etc., which complies with paragraphs (2) and (3) is secured in the site of a building (excluding multi-family housing subject to approval of the business plan under Article 16 (1) of the Housing Act) unnecessary to secure a public open area, etc., therein. <Amended by Presidential Decree No. 25716, Nov. 11, 2014>

(6) Cultural or promotional events for residents may be held in a public open area, etc., for up to 60 days annually, as prescribed by an ordinance on construction: Provided, That it is prohibited to engage in any activity obstructing the public use of the relevant public open area, etc., such as fencing. <Newly Inserted by Presidential Decree No. 21590, Jun. 30, 2009>

Article 28 (Relationship between Site and Road)

(1) "Vacant area prescribed by Presidential Decree" in Article 44 (1) 2 of the Act, means a plaza, park, amusement park, and other open areas recognized by the permitting authority, in which construction is prohibited under the relevant statutes and no obstruction to the traffic of the general public exists.

(2) The site of a building (excluding a stable, crop cultivation shed, or other similar building in the scale prescribed by an ordinance on construction) with a total floor area exceeding 2,000 square meters (in cases of factories, 3,000 square meters) shall face at least four meters a road, which is at least six meters wide under Article 44 (2) of the Act. <Amended by Presidential Decree No. 21590, Jun. 30, 2009; Presidential Decree No. 21629, Jul. 16, 2009>

Articles 29 and 30 Deleted. <by Presidential Decree No. 16284, Apr. 30, 1999>

Article 31 (Building Lines)

(2) Pursuant to Article 46 (2) of the Act, the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may separately designate building lines within four meters in urban areas designated under Article 36 (1) 1 of the National Land Planning and Utilization Act. *<Amended by Presidential Decree No. 25652, Oct. 14, 2014>*

(3) When the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu intends to designate the building lines under paragraph (2), he/she shall publicly announce the details thereof in the gazette of the relevant local government, daily newspapers, web-sites, etc. for at least 30 days in advance, and a person who has opinions on the details of the public announcement may submit (including submission by electronic documents) his/her opinions to the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of the Si/Gun/Gu within the period for such public announcement. *<Amended by Presidential Decree No. 25652, Oct. 14, 2014>*

Article 32 (Verification of Structural Safety)

(1) To construct or substantially repair a building under Article 11 (1) of the Act, the architect of the building shall verify its structural safety in accordance with the structural standards, etc., prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, pursuant to Article 48 (2): *<Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24568, May 31, 2013; Presidential Decree No. 25786, Nov. 28, 2014>*

(2) The project owner of any of the following buildings among buildings, the structural safety of which has been verified pursuant to paragraph (1), shall receive the documents verifying the structural safety of the relevant building from the architect of such building, and shall submit such documents to the permitting authority when filing a report on the commencement of construction works under Article 21 of the Act: *<Amended by Presidential Decree No. 25786, Nov. 28, 2014; Presidential Decree No. 26542, Sep. 22, 2015>*

1. A building with at least 3 floors (two floors if the building is located in any area prescribed by an ordinance on construction, in which the structural safety of buildings shall be ensured due to the soft ground);
2. A building with a total floor area of at least 500 square meters: Provided, That excluded herefrom shall be warehouses, cattle sheds, crop cultivation sheds, and buildings constructed in compliance with standard architectural plans and drawings;
3. A building at least 13 meters tall;
4. A building, the eaves of which are at least nine meters tall;
5. A building, the distance between pillars of which is at least ten meters;
6. A building within earthquake areas prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport;
7. A building prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, worth preserving as national cultural heritage;

8. A building referred to in subparagraph 18 (a) or (c) of Article 2.

Article 33 Deleted. <by Presidential Decree No. 16284, Apr. 30, 1999>

Article 34 (Installation of Direct Stairs)

(1) On each floor of a building, direct stairs leading to the shelter floor or the ground floor (including slope ways; hereinafter the same shall apply) other than the shelter floor (referring to a floor having a doorway leading directly to the ground floor and the shelter safety zone of a skyscraper under paragraphs (3) and (4); hereinafter the same shall apply) shall be installed in the way that the walking distance from each part of the living room to the stairs (referring to the stair nearest to the living room) does not exceed 30 meters: Provided, That in cases of a building main structural part of which (excluding a performance hall, assembly hall, auditorium and exhibition hall which are installed on underground floors and which have a total floor area exceeding 300 square meters) is made of a fireproof structure or noncombustible materials, the walking distance shall not exceed 50 meters (or 40 meters in cases of multi-family housing with at least 16 floors), and in cases of a factory prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, which is equipped with automatic fire extinguishers, such as sprinklers, in an automated production facility, the walking distance shall be not exceed 75 meters (100 meters in cases of unmanned factories). <Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 22052, Feb. 18, 2010; Presidential Decree No. 23469, Dec. 30, 2011; Presidential Decree No. 24443, Mar. 23, 2013>

(2) In a building in which any floor, other than the shelter floor, is for a use and in a scale falling under any of the following, two or more direct staircases leading to the shelter floor or to the ground floor shall be installed pursuant to Article 49 (1) of the Act, in compliance with the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: <Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25273, Mar. 24, 2014; Presidential Decree No. 26542, Sep. 22, 2015>

1. A floor used for performance halls or religious assembly facilities among Class II neighborhood living facilities, or cultural and assembly facilities (excluding exhibition halls, and zoological and botanical gardens), or religious facilities or bar business among amusement facilities, or funeral parlors, on which the total floor area used for relevant purposes is at least 200 square meters (300 square meters in cases of performance halls and religious assembly facilities among Class II neighborhood living facilities);

2. A third or upper floor used for multi-user houses or multi-unit houses among detached houses, neuropsychiatric clinics (limited to those having patent rooms) among Class I neighborhood living facilities, Internet computer game facilities (applicable only where the total floor area used for the relevant purpose is at least 300 square meters) or private teaching institutes or reading rooms, sales facilities, and transportation facilities (limited to passenger facilities) among Class II neighborhood living facilities, medical facilities (excluding dental clinics having no inpatient rooms), private teaching institutes among education and research facilities, children-related facilities, welfare facilities for older persons, and residential homes for persons with disabilities (referring to the facilities prescribed by

Ordinance of the Ministry of Land, Infrastructure and Transport among residential homes for persons with disabilities referred to in Article 58 (1) 1 of the Act on Welfare of Persons with Disabilities; hereinafter the same shall apply), medical rehabilitation facilities for persons with disabilities referred to in Article 58 (1) 4 of the Act on Welfare of Persons with Disabilities (hereinafter referred to as "medical rehabilitation facilities for persons with disabilities") among facilities for older persons and children, or youth hostels among training facilities, or lodging facilities, on which the total floor area of the living room used for relevant purposes is at least 200 square meters;

3. A floor used for multi-family housing (excluding those which have four household units on each floor) or officetels among business facilities, on which the total floor area of the living room used for relevant purposes is at least 300 square meters;

4. A third or upper floor not used for the purposes prescribed in subparagraphs 1 through 3, on which the total floor area of the living room is at least 400 square meters;

5. An underground floor on which the total floor area of the living room is at least 200 square meters.

(3) In each skyscraper, a shelter safety zone (referring to a shelter safety zone established on the middle floor of a building for the purpose of escape or safety; hereinafter the same shall apply) directly connected to the direct staircase leading to the shelter floor or the ground floor shall be established on a maximum of 30 floors each from the ground floor. <Newly Inserted by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 23469, Dec. 30, 2011>

(4) In each quasi-skyscrapers, at least one shelter safety zone directly connected to the direct staircase leading to the shelter floor or the ground floor shall be established on a floor which falls within five floors above and below the floor corresponding to a half of total number of floors of the building: Provided, That this shall not apply where direct staircases leading to the shelter floor or the ground floor are to be established in compliance with the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Newly Inserted by Presidential Decree No. 23469, Dec. 30, 2011; Presidential Decree No. 24443, Mar. 23, 2013>

(5) The size and criteria for the establishment of shelter safety zones under paragraphs (3) and (4) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Newly Inserted by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 23469, Dec. 30, 2011; Presidential Decree No. 24443, Mar. 23, 2013>

Article 35 (Installation of Fire Escape Stairs)

(1) Direct stairs installed on the fifth or upper floor or the second or lower underground floor pursuant to Article 49 (1) of the Act, shall be installed as fire escape stairs or special escape stairs in accordance with the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That the same shall not apply where main structural parts are made of a fireproof structure or noncombustible materials and either of the following is applicable: <Amended by Presidential Decree No. 21098, Oct. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. Where the total floor area of the fifth or upper floor does not exceed 200 square meters;
 2. Where a fire zone is installed for every 200 or fewer square meters of floor area of the fifth or upper floor.
- (2) Notwithstanding paragraph (1), direct stairs leading to the shelter floor or to the ground from the 11th (16th, in cases of multi-family housing) or upper floors (excluding floors with a floor area of less than 400 square meters) or from the third or lower underground floors (excluding floors with a floor area of less than 400 square meters) of a building (excluding side corridor-type multi-family housing) shall be installed as special escape stairs. *<Amended by Presidential Decree No. 21098, Oct. 29, 2008>*
- (3) At least one direct staircases installed on the floor used for sales facilities under paragraph (1) shall be special escape stairs. *<Amended by Presidential Decree No. 21098, Oct. 29, 2008>*
- (4) Deleted. *<by Presidential Decree No. 14891, Dec. 30, 1995>*
- (5) On the fifth or upper floor used for exhibition halls, or zoological or botanical gardens among cultural and assembly facilities, sales facilities, transportation facilities (limited to passenger facilities), sports facilities, amusement facilities, tourist resting facilities (limited to those used by the general public), or training facilities in living zones among training facilities, on which the total floor area used for relevant purposes exceeds 2,000 square meters, one escape staircase or special escape staircase (limited to fire escape stairs or special escape stairs out of use on the fourth or lower floor), other than direct stairs installed under Article 34, shall be installed for every excess 2,000 square meters. *<Amended by Presidential Decree No. 21098, Oct. 29, 2008; Presidential Decree No. 21629, Jul. 16, 2009>*
- (6) Deleted. *<by Presidential Decree No. 16284, Apr. 30, 1999>*

Article 36 (Installation of Outdoor Escape Stairs)

On the third floor or upper floor (excluding shelter floors) of a building, which is used for any of the following purposes, outdoor escape stairs leading to the ground from the floor concerned, other than direct stairs under Article 34, shall be separately installed: *<Amended by Presidential Decree No. 25273, Mar. 24, 2014>*

1. It is to be a floor used for a performance hall among performance halls (applicable only where the total floor area used for the relevant purpose is at least 300 square meters) among Class II neighborhood living facilities, performance hall among cultural and assembly facilities, or a bar business among amusement facilities, on which the total floor area of the living room is at least 300 square meters;
2. It is to be a floor used for an assembly hall among cultural and assembly facilities, on which the total floor area of the living room is at least 1,000 square meters.

Article 37 (Installation of Open Space between Underground Floor and Shelter Floor)

In cases of installing a performance hall, assembly hall, auditorium, or exhibition hall which has a total floor area of not less than 3,000 square meters on underground floor, an outside space with an open ceiling shall be installed so as to make those in each room able to escape from each underground floor to the outside of the building and evacuate to the shelter floor via outside stairs or slope ways.

Article 38 (Installation of Exit from Auditorium, etc.)

Under Article 49 (1) of the Act, exits from the auditorium or assembly room shall be installed in any of the following buildings according to the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: <Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25273, Mar. 24, 2014>

1. Performance halls and religious assembly facilities (applicable only where the total floor area used for the relevant purpose is at least 300 square meters, respectively) among Class II neighborhood living facilities;
2. Cultural and assembly facilities (excluding exhibition halls, and zoological and botanical gardens);
3. Religious facilities;
4. Amusement facilities;
5. Funeral parlors.

Article 39 (Installation of Exit to Outside of Buildings)

(1) Under Article 49 (1) of the Act, exits leading from the inside of a building to the outside shall be installed in a building falling under any of the following subparagraphs according to the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: <Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25273, Mar. 24, 2014>

1. Performance halls, religious assembly facilities, and Internet computer game providing facilities (applicable only where the total floor area used for the relevant purpose is at least 300 square meters, respectively) among Class II neighborhood living facilities;
2. Cultural and assembly facilities (excluding exhibition halls, and zoological and botanical gardens);
3. Religious facilities;
4. Sales facilities;
5. Office buildings of the State or a local government among business facilities;
6. Amusement facilities;
7. Warehouse facilities, the total floor area of which is at least 5,000 square meters;
8. Schools among education and research facilities;
9. Funeral parlors;
10. Buildings in which elevators are to be installed.

(2) A revolving door to be installed at the entrance of a building under Article 49 (1) of the Act shall be in conformity with the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

Article 40 (Installation of Roof Plaza, etc.)

(1) A rail 1.2 meters high or more shall be installed around a roof plaza, or balcony on the second or upper floor or others similar thereto: Provided, That the same shall not apply to the cases of structures not allowing access to such balcony, etc.

(2) Where the fifth or upper floor is used for performance halls, religious assembly facilities, and Internet computer game providing facilities (applicable only where the total floor area used for the relevant purpose is at least 300 square meters, respectively) among Class II neighborhood living facilities, cultural and assembly facilities (excluding exhibition halls, and zoological and botanical gardens), religious facilities, sales facilities, bar business among amusement facilities, or funeral parlors, a plaza which may be used for the purpose of escape shall be installed on the roof. *<Amended by Presidential Decree No. 25273, Mar. 24, 2014>*

(3) On the roof of a building which has 11 or more floors and on which the total floor area of the 11th and upper floors is not less than 10,000 square meters, the space as classified in the following shall be secured: *<Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 23469, Dec. 30, 2011>*

1. Where the roof of the building is a flat type: A space for installation of a heliport or for saving human lives, etc. by a helicopter;

2. Where the roof of the building is a sloping type: A shelter safety zone installed beneath the sloping roof.

(4) The standards for securing the space for installation of a heliport or for saving human lives, etc. by a helicopter and for installation of the shelter safety zone beneath a sloping roof under paragraph (3) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Newly Inserted by Presidential Decree No. 23469, Dec. 30, 2011; Presidential Decree No. 24443, Mar. 23, 2013>*

Article 41 (Installation of Passage Necessary for Escape and Firefighting within Sites)

(1) Within the site of a building, a passage leading to a road or an open space (referring to a park, plaza and others similar thereto, which do not hinder access to the relevant site for the purpose of escape and firefighting; hereafter the same shall apply in this Article) from the main entrance leading to the outside of the building, and escape stairs leading to the ground floor and special escape stairs shall be installed in accordance with each of the following criteria: *<Amended by Presidential Decree No. 22526, Dec. 13, 2010; Presidential Decree No. 26542, Sep. 22, 2015; Presidential Decree No. 27175, May 17, 2016>*

1. The width of the passage shall be secured in compliance with the standards classified as follows:

(a) Detached houses: The effective width shall be at least 0.9 meter;

(b) Cultural and assembly facilities, religious facilities, medical facilities, amusement facilities, or funeral parlors which have a total floor area of at least 500 square meters: The effective width shall be at least three meters;

(c) Buildings used for other purposes: The effective width shall be at least 1.5 meters;

2. Where the length of the passage inside a piloti is at least two meters, passage-protecting facilities, such as stakes for preventing entry of motor vehicles, shall be put up or different levels of steps shall be installed to prevent any hindrance to escape and firefighting.

(2) Notwithstanding paragraph (1), within a site where a public-use building, quasi-public-use building, and building with at least 11 floors is constructed, passages through which all the public-use building, quasi-public-use building, and building with at least 11 floors therein are accessible by fire engines under

Article 21 (hereinafter referred to as "fire engines") of the Framework Act on Fire Services shall be installed: Provided, That this shall not apply where all the public-use building, quasi-public-use building, and building with at least 11 floors are constructed directly adjacent to roads or empty spaces where fire engines can get access, enabling the fire engines to engage in fire-fighting activities directly from such roads or empty spaces. <Newly Inserted by Presidential Decree No. 22526, Dec. 13, 2010; Presidential Decree No. 23469, Dec. 30, 2011; Presidential Decree No. 26542, Sep. 22, 2015>

Articles 42 and 43 Deleted. <by Presidential Decree No. 16284, Apr. 30, 1999>

Article 44 (Applicability to Escape Provisions)

In cases where a building is partitioned with fireproof-structured floors or walls without windows, doorways or other openings (hereinafter referred to as "windows, etc."), each partitioned part shall be deemed an independent building for the purposes of Articles 34 through 41.

Article 45 Deleted. <by Presidential Decree No. 16284, Apr. 30, 1999>

Article 46 (Installation, etc., of Fireproof Partitions)

(1) A building with a total floor exceeding 1,000 square meters, the main structural part of which is fireproof or made of noncombustible materials under Article 49 (2) of the Act, shall be partitioned with fireproof-structured floors and walls, and Type A fireproof doors referred to in Article 64 (including automatic fire shutters that comply with the standards determined by the Minister of Land, Infrastructure and Transport; hereafter the same shall apply in this Article) in compliance with the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport (hereinafter referred to as "fireproof partition"): Provided, That nuclear reactors and related facilities defined in Article 2 of the Nuclear Safety Act shall comply with the provisions of the Nuclear Safety Act. <Amended by Presidential Decree No. 23248, Oct. 25, 2011; Presidential Decree No. 24443, Mar. 23, 2013>

(2) Paragraph (1) need not apply to the parts of any of the following buildings, or the application thereof may be relaxed to the extent not impeding their use: <Amended by Presidential Decree No. 22052, Feb. 18, 2010>

1. An essential part of a living room used for cultural and assembly facilities (excluding zoological and botanical gardens), religious facilities, sports facilities, or funeral parlors for the security of sight lines and activity space;
2. An essential part for the installation of stationary large machinery necessary for manufacturing, processing, storage, transportation, etc., of goods: Provided, That in cases of the underground floor, it shall be limited to where the passage of pedestrians and the entry and exit of cars are allowed, as the whole area of one side (referring to the side comprising of at least 1/4 of the area of outer walls from the surface side of the underground floor to the side below the surface of the ground floor) of the outer wall of the underground floor is open to outside areas;
3. Part of the staircase and corridor, or the part of the elevator shaft (including the lobby for boarding and alighting from the elevator), which are fireproof-partitioned from other parts of the building;

4. Part of the top floor or shelter floor of a building, which are used for a large conference hall, lecture hall, sky-lounge, lobby, or shelter safety zone, and essential for such purposes;
 5. The floor between household units on two different floors in duplex multi-family housing;
 6. A parking lot, the main structural part of which is fireproof or made of noncombustible materials;
 7. Buildings used for detached houses, animal or plant-related facilities, or military facilities among correctional and military facilities (limited to facilities used for assemblies, sports, warehouses, etc.).
- (3) Where part of a building constitutes a building referred to in Article 50 (1) of the Act, such part shall be fireproof-partitioned from other parts.
- (4) In cases of apartments among multi-family housing, in which each household unit on the fourth or upper floor has no access to at least two direct staircases, at least one shelter space satisfying the following requirements shall be installed in the balcony, jointly with the neighboring household units, or by each household unit. In such cases, the shelter space installed jointly with the neighboring household units, shall be preferentially installed in a place accessible to at least two direct staircases through the neighboring household units: *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*
1. The shelter space shall have contact with the air outside;
 2. The shelter space shall be fireproof-partitioned from other indoor parts;
 3. The floor area of the shelter space shall be at least three square meters if installed jointly with the neighboring household units, and at least two square meters if installed by each household unit;
 4. The shelter space shall comply with the criteria prescribed by the Minister of Land, Infrastructure and Transport.
- (5) Notwithstanding paragraph (4), a shelter space need not be installed if any of the following structures or facilities is installed in the balcony on the fourth or upper floor of an apartment building: *<Amended by Presidential Decree No. 22052, Feb. 18, 2010; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25578, Aug. 27, 2014>*
1. Where the party wall installed to separate from the neighboring household units is an easily demolishable light-weight structure;
 2. Where an emergency exit has been installed on the party wall;
 3. Where a top-down emergency exit prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport has been installed on the surface of the balcony;
 4. Where there has been any structure or facility publicly announced by the Minister of Land, Infrastructure and Land, recognizing as having at least the same performance as that of the shelter space referred to in paragraph (4), following deliberation thereon by the central building committee.
- (6) Any of the following facilities shall be installed at each floor, other than the shelter floors of intermediate care hospitals, psychiatric hospitals, sanatoriums for older persons referred to in Article 34 (1) 1 of the Welfare of Older Persons Act (hereinafter referred to as "sanatoriums for older persons"), residential homes for persons with disabilities, and medical rehabilitation facilities for persons with disabilities: *<Newly Inserted by Presidential Decree No. 26542, Sep. 22, 2015>*

1. A separate, fireproof-partitioned shelter safety zone on each floor;
2. A balcony for escape, which is open to air outside, and directly connected to the living room;
3. A structure in the form of a pedestrian overpass, installed to allow people to escape to the ground surface outside the building or horizontally to an adjacent building without using a staircase.

Article 47 (Restrictions on Uses Impeding Fire Prevention)

(1) Pursuant to Article 49 (2) of the Act, medical facilities, facilities for older persons and children (limited to children-related facilities and welfare facilities for older persons), multi-family housing, funeral parlors or Class I neighborhood living facilities (applicable only to postpartum care centers) shall not be installed in a building where amusement facilities, storage and treatment facilities for hazardous substances, factories or motor vehicle-related facilities (limited to repair shops) are installed: Provided, That the same shall not apply to the following cases, as determined by Ordinance of the Ministry of Land, Infrastructure and Transport: *<Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 26909, Jan. 19, 2016; Presidential Decree No. 27365, Jul. 19, 2016>*

1. Where multi-family housing (limited to a dormitory) and a factory are located in the same building;
2. Where an urban environment improvement project is implemented in a central commercial area, general commercial area, or neighboring commercial area designated under the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents;
3. Where multi-family housing and a recreational facility are located in the same skyscraper: Provided, That the doorway, stairs, and elevator of a house shall be structured detached to facilities, other than the house, for the purposes of protecting privacy, securing living security, such as crime prevention and fire fighting, and protecting living environments from noise, offensive odor, etc.;
4. Where a knowledge industry center defined in subparagraph 13 of Article 2 of the Industrial Cluster Development and Factory Establishment Act and a workplace child-care center referred to in subparagraph 4 of Article 10 of the Infant Care Act are located in the same building.

(2) Pursuant to Article 49 (2) of the Act, a facility used for any of the following purposes shall not be installed together in the same building: *<Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 22351, Aug. 17, 2010; Presidential Decree No. 24229, Dec. 12, 2012; Presidential Decree No. 25273, Mar. 24, 2014>*

1. Children-related facilities or welfare facilities for older persons among facilities for older persons and children, and wholesale markets or retail markets among sales facilities;
2. Detached houses (limited to multi-user houses and multi-unit houses), multi-family housing, midwifery clinics or postpartum care centers among Class I neighborhood living facilities, and communal living facilities among Class II neighborhood living facilities.

Article 48 (Installation of Stairs, Corridors and Doorway)

(1) Under Article 49 (2) of the Act, stairs and corridors to be installed in a building with a total floor area of not less than 200 square meters shall be installed in conformity with the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 24443,*

Mar. 23, 2013>

(2) Under Article 49 (2) of the Act, doorways of a building falling under any subparagraph of Article 39 (1) shall be installed in conformity with the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

Article 49 Deleted. <by Presidential Decree No. 14891, Dec. 30, 1995>

Article 50 (Installation of Ceiling of Living Room)

Under Article 49 (2) of the Act, the ceiling (referring to beams or the bottom side of the floor board of the immediate upper floor and others similar thereto where no ceiling exists) of a living room of a building used for purposes, other than factories, warehouse facilities, storage and treatment facilities for hazardous substances, animal and plant-related facilities, resource recycling facilities, or graveyard-related facilities, shall be installed in conformity with the standards determined by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25273, Mar. 24, 2014>

Article 51 (Lighting, etc., of Living Room)

(1) Pursuant to Article 49 (2) of the Act, the living rooms of detached houses and multi-family housing, classrooms of schools among education and research facilities, inpatient rooms of medical facilities, or guest rooms of lodging facilities shall be installed with windows, etc., or equipment for lighting and ventilation in compliance with the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

(2) Pursuant to Article 49 (2) of the Act, the living rooms of the following buildings (excluding living rooms on shelter floors) shall be installed with smoke exhaust facilities in compliance with the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: <Amended by Presidential Decree No. 26542, Sep. 22, 2015>

1. Buildings of at least six floors each, which are used for any of the following uses:

- (a) Performance halls, religious assembly facilities, Internet computer game facilities, or communal living facilities (applicable only where the total floor area used for the performance halls, religious assembly facilities, or Internet computer game facilities is at least 300 square meters, respectively) among Class II neighborhood living facilities;
- (b) Cultural and assembly facilities;
- (c) Religious facilities;
- (d) Sales facilities;
- (e) Transportation facilities;
- (f) Medical facilities (excluding intermediate care hospitals, and psychiatric hospitals);
- (g) Research institutes among education and research facilities;
- (h) Children-related facilities and welfare facilities for older persons among facilities for older persons and children (excluding sanatoriums for older persons);

(i) Youth hostels among training facilities;

(j) Sports facilities;

(k) Business facilities;

(l) Lodging facilities;

(m) Amusement facilities;

(n) Tourist resting facilities;

(o) Funeral parlors;

2. Buildings used for any of the following uses:

(a) Intermediate care hospitals or psychiatric hospitals among medical facilities;

(b) Sanatoriums for older persons, residential homes for persons with disabilities, and medical rehabilitation facilities for persons with disabilities among facilities for older persons and children.

(3) Pursuant to Article 49 (2) of the Act, a safety facility designed to prevent falling accidents shall be installed in compliance with the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport where installing a window that can be opened or closed less than 1.2 meters high over the surface of the living room in an officetel. *<Newly Inserted by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 24443, Mar. 23, 2013>*

(4) At each building not exceeding 11 floors, a place through which fire fighters may enter, shall be designated and indicated with a mark recognizable day and night from outside in compliance with the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, pursuant to Article 49 (2) of the Act. *<Newly Inserted by Presidential Decree No. 23469, Dec. 30, 2011; Presidential Decree No. 24443, Mar. 23, 2013>*

Article 52 (Moisture-Proofing of Living Rooms, etc.)

Under Article 49 (2) of the Act, the floors of living rooms, bathrooms or kitchens falling under any of the following subparagraphs shall be protected against moisture according to the standards determined by Ordinance of the Ministry of Land, Infrastructure and Transport: *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

1. Living rooms on the lowermost floor of a building (limited to cases where the floor is made of wood);
2. Bathrooms of public baths, and kitchens of resting restaurants and confectioneries among Class I neighborhood living facilities;
3. Kitchens of general restaurants, resting restaurants and confectioneries, and bathrooms of lodging facilities among Class II neighborhood living facilities.

Article 53 (Installation of Partition Walls, etc.)

(1) Partition walls shall be installed in any of the following buildings in compliance with the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, pursuant to Article 49 (3) of the Act: *<Amended by Presidential Decree No. 22351, Aug. 1, 2010; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25273, Mar. 24, 2014; Presidential Decree No. 25786, Nov. 28, 2014; Presidential*

Decree No. 26542, Sep. 22, 2015>

1. Partition walls (excluding balconies not used for a living room or bedroom pursuant to the latter part of subparagraph 14 of Article 2) between the units of multi-unit houses among detached houses, or between household units in multi-family housing (excluding dormitories);
2. Partition walls between bedrooms of a dormitory among multi-family housing, between inpatient rooms of medical facilities, between classrooms of schools among education and research facilities, or between guest rooms of lodging facilities;
3. Partition walls between rooms of communal living facilities among Class II neighborhood living facilities;
4. Partition walls between units of a rest home under Article 32 (1) 3 of the Welfare of Older Persons Act (hereinafter referred to as “rest home”), among facilities for older persons or children;
5. Partition walls between rooms of a sanatorium for older persons among facilities for older persons and children.

(2) The floor (excluding the floor of a toilet) of any of the following buildings shall be installed in compliance with the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, pursuant to Article 49 (3) of the Act: *<Newly Inserted by Presidential Decree No. 25786, Nov. 28, 2014>*

1. Multi-unit houses among detached houses;
2. Multi-family housing (excluding houses subject to approval of the housing construction project plan under Article 16 of the Housing Act);
3. Officetels among business facilities;
4. Communal living facilities among Class II neighborhood living facilities;
5. Communal living facilities among lodging facilities.

Article 54 (Chimneys Installed in Buildings)

Chimneys of a building shall be installed in conformity with the standards determined by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

Article 55 (Screening Facility of Windows, etc.)

In cases where windows, etc. are installed within two meters from the borderline of the adjacent site in a beeline, through which the interior of a neighboring house is seen, screening facilities shall be installed.

Article 56 (Fireproof Structures of Buildings)

(1) Main structural parts of any of the following buildings (limited to underground floors in cases of a building not exceeding two floors and falling under subparagraph 5) shall be of a fireproof structure pursuant to Article 50 (1) of the Act: Provided, That the same shall not apply to one-storied accessory buildings with a total floor area not exceeding 50 square meters which have fireproof outer walls and fireproof bottom part of the eaves, and stage floors: *<Amended by Presidential Decree No. 21590, Jun. 30, 2009; Presidential Decree No. 22052, Feb. 18, 2010; Presidential Decree No. 22351, Aug. 17, 2010; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25273, Mar. 24, 2014>*

1. A building used for performance halls or religious assembly facilities (applicable only where the total floor area used for the relevant purpose is at least 300 square meters, respectively) among Class II neighborhood living facilities, cultural and assembly facilities (excluding exhibition halls, and zoological and botanical gardens), religious facilities, or bar business among amusement facilities or funeral parlors, in which the total floor area of auditorium or assembly rooms exceeds 200 square meters (in cases of outdoor auditorium, 1,000 square meters);

2. A building used for exhibition halls or zoological and botanical gardens among cultural and assembly facilities, sales facilities, transportation facilities, gymnasiums or auditoriums established in education and research facilities or training facilities, gymnasiums and playgrounds among sports facilities, amusement facilities (excluding those used for bar business), warehouse facilities, storage and treatment facilities for hazardous substances, motor vehicle-related facilities, broadcasting stations, telegraph and telephone stations and movie studios among broadcasting and communication facilities, facilities for cremation among graveyard-related facilities, or tourist resting facilities, in which the total floor area used for such purpose exceeds 500 square meters;

3. A building used for a factory in which the total floor area used for such purpose exceeds 2,000 square meters: Provided, That factories with low fire hazards and determined by Ordinance of the Ministry of Land, Infrastructure and Transport shall be excluded;

4. A building, the second floor of which is used for a multi-user house or multi-unit house among detached houses, multi-family housing, Class I neighborhood living facilities (limited to facilities used for medical purposes), communal living facilities among Class II neighborhood living facilities, medical facilities, children-related facilities and welfare facilities for older persons among facilities for older persons and children, youth hostels among training facilities, officetels among business facilities, lodging facilities or funeral parlors, and in which the total floor area used for such purpose exceeds 400 square meters;

5. A building with at least three floors and underground floors: Provided, That buildings used for detached houses (excluding multi-user houses and multi-unit houses), animal and plant-related facilities, power generating facilities (excluding facilities used for subsidiary uses of the power plant), correctional facilities and reformatories, or graveyard-related facilities (excluding facilities for cremation) and any extension of not exceeding a gross area of 50 square meters used for a control room among factories related to the steel industry shall be excluded.

(2) In cases of buildings which are not used for the purposes referred to in paragraph (1) 1 and 2 and the roof truss of which is made of noncombustible materials, the roof truss thereof need not be of a fireproof structure.

Article 57 (Firewall, etc. of Large Building)

(1) A building with a total floor area of 1,000 or more square meters shall be partitioned by firewalls under Article 50 (2) of the Act on the condition that the total floor area of partitions shall be less than 1,000 square meters: Provided, That the same shall not apply to the buildings of which main structural part is of

a fireproof structure or noncombustible materials, buildings falling under the proviso to Article 56 (1) 5, or warehouse facilities which cannot be partitioned by firewalls due to the structure of internal facilities.

(2) Necessary matters concerning the structure of firewalls under paragraph (1) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

(3) A wooden building with a total floor area of not less than 1,000 square meters shall be built of a fireproof structure or noncombustible materials, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

Article 58 (Buildings in Fire Prevention Zones)

Buildings of which main structural part and outer walls are allowed not be necessarily made of a fireproof structure under Article 51 (1) of the Act shall be as follows:

1. One-storied accessory buildings with a total floor area of less than 30 square meters, the outer walls and underside of the eave of which are made of a fireproof structure or non-combustible materials;
2. Buildings which are used for wholesale markets and of which main structural part is made of non-combustible materials.

Articles 59 and 60 Deleted. *<by Presidential Decree No. 16284, Apr. 30, 1999>*

Article 61 (Finishing Materials for Buildings)

(1) "Building for the use and of the scale prescribed by Presidential Decree" in Article 52 (1) of the Act, means any of the following buildings: Provided, That excluded herefrom shall be a building, the main structural part of which is fireproof or made of noncombustible materials, and which is fireproof-partitioned for every 200 square meters of the floor area of the living room (referring to the floor area excluding the floor area in which sprinklers or similar automatic fire extinguishing equipment is installed; hereafter the same shall apply in this Article): *<Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 22052, Feb. 18, 2010; Presidential Decree No. 22526, Dec. 13, 2010; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25273, Mar. 24, 2014; Presidential Decree No. 25578, Aug. 27, 2014; Presidential Decree No. 25652, Oct. 14, 2014; Presidential Decree No. 26542, Sep. 22, 2015>*

1. A multi-user house or multi-unit house among detached houses;
- 1-2. Multi-family housing;
2. A building used for performance halls, religious assembly facilities, Internet computer game facilities, private teaching institutes, reading rooms, billiard halls, communal living facilities among Class II neighborhood facilities;
3. A building used for storage and treatment facilities for hazardous substances (including facilities used for private heating, private generation, etc.), motor vehicle-related facilities, broadcasting stations and movie studios among broadcasting and communications facilities, or power generating facilities;
4. A building used for a factory: Provided, That excluded herefrom shall be a building with one floor and a total floor area not exceeding 1,000 square meters, which meets all of the following conditions:

- (a) The building shall be used as a factory determined by Ordinance of the Ministry of Land, Infrastructure and Transport, which has low fire risk;
 - (b) The building shall have exits determined by Ordinance of the Ministry of Land, Infrastructure and Transport, making evacuation possible during fire;
 - (c) The building shall be in compliance with the quality standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, if double-layered materials (referring to materials comprised of noncombustible materials and materials, other than noncombustible materials, with external doubled-sides (referring to materials comprised of steel plates, aluminum, concrete sheets, and similar materials) and core materials) are used for finishing materials for the interior;
5. A building in which the total floor area of the living rooms on the fifth and upper floors is at least 500 square meters;
6. A building used for cultural and assembly facilities, religious facilities, sales facilities, transportation facilities, medical facilities, schools (limited to elementary schools) or private teaching institutes among education and research facilities, facilities for older persons and children, training facilities, officetels among business facilities, lodging facilities, amusement facilities (excluding public pubs and entertainment bars), funeral parlors, or a publicly-used business defined in Article 2 of the Enforcement Decree of the Special Act on the Safety Control of Publicly Used Establishments (excluding public pub business and entertainment bar business);
7. A building, in which a total floor area used for a warehouse is at least 600 square meters (1,200 square meters, if automatic fire-fighting equipment, such as sprinklers or similar equipment, has been installed): Provided, That this shall not apply to buildings, the walls and roofs of which are constructed in compliance with the structural standards for prevention of fire spreading determined and publicly announced by the Minister of Land, Infrastructure and Transport.
- (2) "Buildings prescribed by Presidential Decree" in Article 52 (2) of the Act, means the following:
<Newly Inserted by Presidential Decree No. 22526, Dec. 13, 2010; Presidential Decree No. 23469, Dec. 30, 2011; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 26542, Sep. 22, 2015>
- 1. Any of the following buildings located within a commercial area (excluding neighborhood commercial areas):
 - (a) Buildings used for Class I neighborhood living facilities, Class II neighborhood living facilities, cultural and assembly facilities, religious facilities, sales facilities, medical facilities, education and research facilities, facilities for older persons and children, sports facilities, and amusement facilities, in which the total floor area used for such purposes is at least 2,000 square meters;
 - (b) Buildings located within six meters from any building used as a factory (excluding factories with low fire risk prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport);
 - 2. Buildings of not less than six floors or the height of which is least 22 meters.

Article 61-2 (Interior Construction)

“Buildings for the use and of the scale prescribed by Presidential Decree” in Article 52-2 (1) of the Act, means the following:

1. Public-use buildings;
2. Buildings referred to in Article 3 of the Act on Sale of Building Units.

Article 61-3 (Anti-Crime for Buildings)

“Buildings prescribed by Presidential Decree” in Article 53-2 (2) of the Act, means any of the following:

1. Apartment complexes with at least 500 household units, among multi-family housing;
2. Retail shops selling daily necessities, among Class I neighborhood living facilities;
3. Communal living facilities, among Class II neighborhood living facilities;
4. Cultural and assembly facilities (excluding zoological and botanical gardens);
5. Education and research facilities (excluding research institutions and libraries);
6. Facilities for older persons or children;
7. Training facilities;
8. Officetels, among business facilities;
9. Communal living facilities, among lodging facilities.

Article 61-4 (Quality Control, etc., of Double-Layered Materials)

(1) A person who supplies double-layered materials under Article 52-3 (1) of the Act (hereinafter referred to as “double-layered materials”), shall submit a quality control report on double-layered materials referred to in the same paragraph (hereinafter referred to as “quality control report on double-layered materials”) to the contractor; the contractor shall check whether the products supplied are identical to those included in the quality control report on double-layered materials submitted; and shall submit the quality control report on double-layered materials to the project supervisor.

(2) A project supervisor shall submit a quality control report on double-layered materials submitted under paragraph (1) to the project owner as prescribed in Article 25 (5) of the Act, accompanied by the report on the completion of construction supervision, and the project owner shall submit it to the permitting authority when he/she applies for approval for use of a building under Article 22 of the Act.

(3) “Buildings prescribed by Presidential Decree” in Article 52-3 (2) of the Act, means the buildings referred to in Article 61 (1).

Articles 62 and 63 Deleted. <by Presidential Decree No. 16284, Apr. 30, 1999>

Article 64 (Structure of Fire Door)

Fire doors shall be classified into Type A and Type B, and the standard thereof shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

Article 65 Deleted. <by Presidential Decree No. 16874, Jun. 27, 2000>

Articles 66 and 67 Deleted. <by Presidential Decree No. 16284, Apr. 30, 1999>

Article 68 Deleted. <by Presidential Decree No. 16874, Jun. 27, 2000>

Articles 69 through 72 Deleted. <by Presidential Decree No. 16284, Apr. 30, 1999>

Article 73 Deleted. <by Presidential Decree No. 16874, Jun. 27, 2000>

Articles 74 and 75 Deleted. <by Presidential Decree No. 16284, Apr. 30, 1999>

Article 76 Deleted. <by Presidential Decree No. 16874, Jun. 27, 2000>

Article 77 (Cases of Building Sites Extending Over Areas, Districts or Zones)

In cases where a site extends over an area, district or zone under Article 54 (1) of the Act, a person who intends to have the provisions pertaining to the buildings, sites, etc. in the area, district or zone to which a majority of the site concerned belongs applied to the entire site concerned shall submit (including submission by means of electronic documents) to the permitting authority the area of the site concerned under the categories of areas, districts or zones and matters concerning the area, district or zone he/she intends to have the aforementioned provisions applied to the entire site concerned.

Articles 78 and 79 Deleted. <by Presidential Decree No. 17816, Dec. 26, 2002>

Article 80 (Restrictions on Partition of Sites on which Buildings are Located)

"Limit prescribed by Presidential Decree" in Article 57 (1) of the Act means a scope in any of the following subparagraphs or above:

1. Residential area: 60 square meters;
2. Commercial area: 150 square meters;
3. Industrial area: 150 square meters;
4. Green area: 200 square meters;
5. Areas not falling under subparagraphs 1 through 4: 60 square meters.

Article 80-2 (Vacant Lot within Building Site)

Pursuant to Article 58 of the Act, the standards for the distance to be maintained from the building line (referring to the building line set under Article 46 (1) of the Act; hereinafter the same shall apply) or the boundary of adjoining sites (referring to the boundary of the opposite side if a park, railroad, river, plaza, public open space, green area, or other open space in which no construction is permitted, exists between sites) to each part of a building shall be as provided for in attached Table 2. <Amended by Presidential Decree No. 25652, Oct. 14, 2014>

Article 81 (Construction of Double Walls and Connecting Corridors)

(1) "Area prescribed by Presidential Decree" in Article 59 (1) 1 of the Act, means any of the following areas: <Amended by Presidential Decree No. 21098, Oct. 29, 2008; Presidential Decree No. 24229, Dec. 12, 2012; Presidential Decree No. 25652, Oct. 14, 2014; Presidential Decree No. 26542, Sep. 22, 2015>

1. A commercial area (in cases of public-use buildings or multi-family housing, limited to those fitted with sprinklers or other similar automatic fire extinguishing systems);
2. A residential area (limited to where the building owner and the site owner has agreed on the construction of double walls);
3. A zone determined by the permitting authority by an ordinance on construction for preserving and promoting the cityscape and Hanoks;

4. A construction agreement zone.

(2) Deleted. <by Presidential Decree No. 19466, May 8, 2006>

(3) Double walls referred to in Article 59 (1) 1 of the Act, shall comply with the following standards:
<Amended by Presidential Decree No. 21098, Oct. 29, 2008; Presidential Decree No. 25652, Oct. 14, 2014>

1. The main structure shall be fire-resistant;
2. Finishing materials shall be noncombustible.

(4) Where double walls are erected in the areas (excluding construction agreement zones) referred to in paragraph (1), matters necessary for the uses of buildings subject to double wall construction, number of buildings built of double walls, number of floors of buildings built of double walls, etc., shall be determined by an ordinance on construction. <Amended by Presidential Decree No. 21098, Oct. 29, 2008; Presidential Decree No. 25652, Oct. 14, 2014>

(5) "Standards prescribed by Presidential Decree" in Article 59 (1) 2 of the Act, means the following:
<Amended by Presidential Decree No. 21098, Oct. 29, 2008>

1. The main structure shall be fire-resistant;
2. Finishing materials shall be noncombustible;
3. Windows in a size equivalent to at least 1/10 of the wall area shall be installed in an enclosed structure: Provided, That the same shall not apply where ventilation facilities are installed on the underground floor;
4. Neither the width nor height shall exceed five meters, respectively: Provided, That if the permitting authority deems it necessary for ensuring smooth passage, considering the use, scale, etc., of the building, the application of the standards may be relaxed following deliberation by a local building committee;
5. Fire shutters or doors shall be installed in parts connecting a building to its corridor or passage;
6. The total area of the site where a connecting corridor is installed, shall not exceed the maximum scale of development activities conducted under Article 55 of the Enforcement Decree of the National Land Planning and Utilization Act: Provided, That the same shall not apply within district-unit planning zones.

(6) The safety of corridors or connecting passages referred to in Article 59 (1) 2 of the Act shall be verified by an architect or a building structural engineer. <Amended by Presidential Decree No. 21098, Oct. 29, 2008; Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 27175, May 17, 2016; Presidential Decree No. 27365, Jul. 19, 2016>

Article 82 (Limits on Heights of Buildings)

(1) The permitting authority shall consider the following matters when designating and publicly announcing the heights of buildings within a specific block pursuant to Article 60 (1) of the Act: <Amended by Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25652, Oct. 14, 2014>

1. A land use plan, such as urban/Gun management planning;

2. Width of a road abutting the relevant block;
3. Capacity of arterial facilities, such as water supply and sewerage of the relevant block;
4. An urban scenery and landscape plan;
5. A future development plan of the relevant city.

(2) To designate the heights of buildings within a specific block under paragraph (1), the permitting authority shall submit the relevant case to the competent local building committee for deliberation: In such cases, procedures for hearing the opinions of residents shall be governed by Article 8 of the Framework Act on the Regulation of Land Use. *<Amended by Presidential Decree No. 22993, Jun. 29, 2011; Presidential Decree No. 25652, Oct. 14, 2014>*

(3) The permitting authority may vary the heights of buildings in the same block according to the uses and shapes of such buildings.

(4) Detailed standards for relaxing the limits on the heights of buildings pursuant to the proviso to Article 60 (1) of the Act, shall be determined by an ordinance on construction, in consideration of the matters referred to in the subparagraphs of paragraph (1). *<Amended by Presidential Decree No. 22052, Feb. 18, 2010; Presidential Decree No. 25652, Oct. 14, 2014>*

Articles 83 through 85 Deleted. *<by Presidential Decree No. 16284, Apr. 30, 1999>*

Article 86 (Limits on Heights of Buildings for Securing Sunshine, etc.)

(1) Where a building is constructed in an exclusive residential area or a general residential area, each part of the building shall be constructed by maintaining at least the distance determined by an ordinance on construction within the following applicable distance, from the boundary of the adjoining site in due north under Article 61 (1) of the Act: *<Amended by Presidential Decree No. 26384, Jul. 6, 2015>*

1. Parts not exceeding nine meters tall: At least 1.5 meters from the boundary of the adjoining site;
2. Parts exceeding nine meters tall: At least 1/2 of the height of each part of the building from the boundary of the adjoining site.

(2) Paragraph (1) shall not apply to any of the following cases: *<Newly Inserted by Presidential Decree No. 26384, Jul. 6, 2015; Presidential Decree No. 27175, May 17, 2016; Presidential Decree No. 27365, Jul. 19, 2016>*

1. Where buildings are constructed on both sites in any of the following zones, and the sites abut on a road, which is at least 20 meters wide (including a road for the exclusive use of motor vehicles, pedestrians, or bicycles; and where the road abuts on any public open space, a green belt, a plaza, or any other urban or Gun planning facility which does not degrade the aesthetics of the buildings, including such facilities):

- (a) A district-unit planning zone designated under Article 51 of the National Land Planning and Utilization Act, a scenic district referred to in Article 37 (1) 1 of the same Act, and an aesthetic district referred to in subparagraph 2 of the same paragraph;
- (b) A focused landscape management area referred to in Article 9 (1) 4 of the Landscape Act;
- (c) A special street zone designated under Article 77-2 (1) of the Act;

(d) Other zones designated and publicly announced by the permitting authority to improve the cityscape;

2. Where buildings are constructed on both sites within a construction agreement zone (applicable only to where a construction agreement concluded under Article 77-4 (1) of the Act stipulates that buildings shall be constructed a specific distance apart);

3. Where the adjoining site in due north to the site on which buildings stand belongs to a specific-use area, other than an exclusive residential area or a general residential area.

(3) Multi-family housing shall satisfy the following criteria pursuant to Article 61 (2) of the Act: Provided, That subparagraph 1 shall not apply to any multi-household house with a horizontal distance determined by an ordinance on construction, within at least one meter from the wall on which windows, etc., for sunlighting are installed, to the boundary of the adjoining site in the perpendicular direction: *<Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 24568, May 31, 2013>*

1. The height of each part of a building (excluding dormitories) shall not exceed two times (four times in cases of a building within a neighboring commercial area or semi-residential area) the distance from the wall of the relevant part, on which windows, etc., for sunlighting are installed, to the boundary of the adjoining site in the perpendicular direction;

2. Where at least two buildings stand on the same site, facing each other (including where respective parts of one building face one another), at least the following distances shall be maintained between the respective parts of the buildings: Provided, That such distances shall allow that all household units in the site are able to secure sunlight for at least two consecutive hours during the period from 9 a.m. to 3 p.m. on the day of the winter solstice:

(a) At least the distance determined by an ordinance on construction within at least 0.5 times (0.25 times in cases of urban-type residential housing) the height of each part of buildings in the perpendicular direction from the wall on which windows, etc., for sunlighting are installed;

(b) Notwithstanding item (a), where among buildings facing each other, a building in the south (limited to where the direction of the axis of two buildings facing each other, is between southeast and southwest) is lower than the other and its main opening (referring to the opening of the part where the living room and main bedroom are located) faces south, at least the distance determined by an ordinance on construction within at least 0.4 times (0.2 times in cases of urban-type residential housing) the height of the respective parts of the higher building, and at least the distance determined by an ordinance on construction within at least 0.5 times (0.25 times in cases of urban-type residential housing) the height of each part of the lower building;

(c) Notwithstanding item (a), where a building faces its incidental facilities or welfare facilities, at least one time the height of each part in such incidental facilities or welfare facilities;

(d) Where the surface of a wall without a skylight window (referring to windows at least 0.5 square meters wide) and a side wall face each other, at least eight meters;

(e) Where a side wall faces another side wall (including where a balcony (including openings for entry) with a floor area of not more than three square meters and without a skylight window for sunlighting is installed on one of the side walls facing each other), at least four meters;

3. Subparagraph 2 (a) through (c) shall not apply where at least two buildings face each other across a road as defined in Article 2 (1) 11 of the Act in a housing complex referred to in Article 3 (1) 4, on condition that subparagraph 1 applies to such cases, deeming the centerline of the relevant road to be the boundary of the adjoining site.

(4) "Height prescribed by Presidential Decree" in Article 61 (3) of the Act, means the height determined and publicly announced by the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu within the height limits referred to in paragraph (1). *<Amended by Presidential Decree No. 25652, Oct. 14, 2014>*

(5) The Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall hear the opinions of relevant residents, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport before he/she announces the heights of buildings under paragraph (4): Provided, That the same shall not apply to areas provided in any of Article 61 (3) 1 through 6 of the Act, which have deliberated upon by the building committee. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25652, Oct. 14, 2014; Presidential Decree No. 27175, May 17, 2016>*

(6) For purposes of paragraphs (1) through (5), if any of the following facilities or sites exists between a site on which a building is to be constructed and another site, the boundary of the site on the opposite side (in cases of multi-family housing, the centerline of the boundary of the adjoining site and the boundary of the site on the opposite side) shall be deemed the boundary of the adjoining site: *<Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 25716, Nov. 11, 2014; Presidential Decree No. 27175, May 17, 2016>*

1. A park (excluding any park determined by the permitting authority, after deliberation by the local building committee, to secure sunshine thereon, among urban parks as defined in subparagraph 3 of Article 2 of Act on Urban Parks, Greenbelts, Etc.), a road, a railway, a river, a plaza, a public open area, a green belt, a retarding basin, a road for the exclusive use of motor vehicles, and an amusement park;

2. The following sites:

(a) A site up to two meters wide (referring to the shortest distance from the boundary of the site);

(b) A site not exceeding the limits on partition of sites provided in the subparagraphs of Article 80;

3. An open area in which construction is prohibited, other than a site referred to in subparagraph 1 or 2.

Article 86-2 Deleted. *<by Presidential Decree No. 19466, May 8, 2006>*

Article 87 (Principles of Installation of Building Equipment)

(1) Building equipment shall be installed not to hinder the safety, fire prevention, hygiene, and rational use of energy, information and communications of a building, and to facilitate easy maintenance and management of equipment by making the cross-sectional area and access holes for repairing piping pits and ducts to ensure ready maintenance and repair of the relevant equipment.

(2) Technical standards applicable to building equipment, such as water supply, drainage, air conditioning, heating, ventilation, and lightning arresters installed in a building, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, and the technical standards for building equipment related to rational energy use shall be determined upon consultation with the Minister of Trade, Industry and Energy. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

(3) Facilities and equipment to be installed in every building for persons with disabilities shall comply with detailed standard designs of convenience facilities prepared and distributed under Article 14 of the Act on Guarantee of Convenience Promotion of Persons with Disabilities, Older Persons, Pregnant Women and Nursing Mothers, Etc. <Amended by Presidential Decree No. 24229, Dec. 12, 2012>

(4) A master antenna, cable broadcasting reception equipment, satellite broadcasting reception equipment, FM radio reception equipment, or joint reception equipment for media broadcasts may be installed in buildings for the smooth reception of media broadcasts: Provided, That the joint reception equipment for media broadcasts shall be installed in the following buildings: <Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 24229, Dec. 12, 2012>

1. Multi-family housing;

2. A building with a total floor area of at least 5,000 square meters, used for a business facility or lodging facility.

(5) Standards for the installation of the broadcasting reception equipment referred to in paragraph (4) shall be determined and publicly announced by the Minister of Science, Information and Communications Technology and Future Planning. <Newly Inserted by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 24443, Mar. 23, 2013>

(6) An area available for installing electric equipment necessary for supplying electric power by an electric utility business operator as defined in subparagraph 2 of Article 2 of the Electric Utility Act shall be secured in the site of a building with a total floor area of at least 500 square meters, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Newly Inserted by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 24443, Mar. 23, 2013>

(7) Each local government may prescribe the following matters by its ordinance to prevent damage from sea breeze, salt, etc., such as early corrosion of materials and machinery equipment of a building, for an area in which such damage is likely to occur: <Newly Inserted by Presidential Decree No. 22052, Feb. 18, 2010>

1. Design standards for durability against sea breeze, salt, etc.;

2. Allowance standards for durability against sea breeze, salt, etc.;

3. Other matters necessary to prevent damage from sea breeze, salt, etc.

(8) Mailboxes installed in buildings shall meet the standards referred to in Article 37-2 of the Postal Service Act. <Newly Inserted by Presidential Decree No. 25652, Oct. 14, 2014>

Article 88 Deleted. <by Presidential Decree No. 14891, Dec. 30, 1995>

Article 89 (Installation of Passenger Elevators)

"Buildings prescribed by Presidential Decree" in the former part of Article 64 (1) of the Act means buildings with six floors where one or more direct staircases are installed for every floor area of 300 or fewer square meters of living rooms on each floor.

Article 90 (Installation of Emergency Elevators)

(1) Emergency elevators (including the platform and shaft of an emergency elevator; hereafter the same shall apply in this Article) shall, under Article 64 (2) of the Act, be installed in buildings of which height exceeds 31 meters in not less than the number according to the criteria in each of the following subparagraphs: Provided, That the same shall not apply to cases an elevator installed under Article 64 (1) of the Act is of the structure of an emergency elevator:

1. Buildings of which height exceeds 31 meters and of which largest floor area among the floor areas of each floor is not more than 1,500 square meters: Not less than one unit;
2. Buildings of which height exceeds 31 meters and of which largest floor area among the floor areas of each floor exceeds 1,500 square meters: One unit plus one unit for every not more than 3,000 square meters in excess of 1,500 square meters.

(2) When installing two or more emergency elevators under paragraph (1), they shall be installed at specific intervals not to impede firefighting at the time of a fire.

(3) Necessary matters concerning the structure, etc. of emergency elevators installed in buildings shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

Articles 91 and 91-2 Deleted. <by Presidential Decree No. 24391, Feb. 20, 2013>

Article 91-3 (Cooperation with Relevant Specialized Engineers)

(1) The architect of any of the following buildings shall seek cooperation from a building structural engineer in verifying the structural safety of the relevant building pursuant to Article 32 (1): <Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24568, May 31, 2013; Presidential Decree No. 25786, Nov. 28, 2014; Presidential Decree No. 26542, Sep. 22, 2015>

1. A building with at least six floors;
2. A building of unique structures;
3. A public-use building;
4. A quasi-public-use building;
5. A building prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, among buildings referred to in Article 32 (2) 6.

(2) Each person who installs building equipment in a building with a total floor area of at least 10,000 square meters (excluding warehouse facilities) or in a building prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport which consumes a large amount of energy, shall seek cooperation from the relevant specialized engineers, as prescribed by Ordinance of the Ministry of Land, Infrastructure and

Transport, according to the following classification: <Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 27175, May 17, 2016>

1. Electricity, elevators (limited to electricity), and lightning rods: Professional engineers in building electric equipment or professional engineers in electric power generation, transmission, and distribution, registered under the Professional Engineers Act;
2. Facilities for gas (excluding gas facilities referred to in subparagraph 3), water supply, water distribution, drainage, ventilation, heating, fire extinguishing, and smoke exhaust, filth-treating equipment, and elevators (limited to machinery): Professional engineers in building mechanical facilities or professional engineers in air-conditioning, refrigeration, and machinery, registered under the Professional Engineers Act;
3. Gas facilities installed by embedding or burying under the floor or inside walls, etc. within the scope and in accordance with the methods prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Professional gas engineers registered under the Professional Engineers Act.

(3) The architect and the project supervisor of a building which requires land excavation works in a depth of at least ten meters or construction of retaining walls, etc., at least five meters tall, shall seek cooperation from professional engineers in the field of civil engineering, or professional geological or geotechnical engineers in the field of national land development registered under the Professional Engineers Act about the land excavation works, etc., as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 22526, Dec. 13, 2010; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 27175, May 17, 2016>

(4) Every architect and project supervisor shall seek cooperation from the relevant specialized engineers, where deemed necessary for safety reasons, where required by the relevant statutes, or where requested by the project owner pursuant to the contract for architect's service or supervision contract.

(5) Every project supervisor of a building of unique structures or a high-rise building shall seek cooperation from a building structural engineer whenever the building reaches the construction stages provided for in each item of Article 19 (3) 1 and 2. <Amended by Presidential Decree No. 25786, Nov. 28, 2014; Presidential Decree No. 27175, May 17, 2016>

(6) Every relevant specialized engineer who has cooperated with an architect or a project supervisor under paragraphs (1) through (5), shall verify the construction site and affix his/her name and seal to the architectural plans and drawings, or progress supervision report and final supervision report prepared thereby, together with the architect or project supervisor. <Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 24568, May 31, 2013; Presidential Decree No. 25786, Nov. 28, 2014>

(7) Every building structural engineer who has cooperated with an architect in verifying structural safety under Article 32 (1), shall affix his/her name and seal to the structure-related documents, including the structural drawing of the building, together with the architect after verifying structural safety. <Newly Inserted by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 24568, May 31, 2013; Presidential Decree No. 25786, Nov. 28, 2014>

(8) "Period prescribed by Presidential Decree" in Article 67 (1) of the Act, means two years. <Newly Inserted by Presidential Decree No. 27365, Jul. 19, 2016>

Article 92 (Administration of Construction Monitoring)

(1) "Period prescribed by Presidential Decree" in Article 68-3 (1) of the Act, means three years.

(2) The Minister of Land, Infrastructure and Transport may designate an entity that has the following human resources and organization as a specialized institution to conduct construction monitoring under Article 68-3 (2) of the Act:

1. Human resources: At least five persons who have qualifications for engineers in the field of construction under the National Technical Qualifications Act;
2. Organization: An exclusive organization capable of conducting construction monitoring.

Articles 93 through 96 Deleted. <by Presidential Decree No. 16284, Apr. 30, 1999>

Article 97 Deleted. <by Presidential Decree No. 15476, Sep. 9, 1997>

Articles 98 through 103 Deleted. <by Presidential Decree No. 16284, Apr. 30, 1999>

Article 104 Deleted. <by Presidential Decree No. 14891, Dec. 30, 1995>

Article 105 (Designation of Special Building Zones)

(1) "Project zone prescribed by Presidential Decree" in Article 69 (1) 1 (b) of the Act, means any of the following: <Amended by Presidential Decree No. 21445, Apr. 21, 2009; Presidential Decree No. 21656, Jul. 30, 2009; Presidential Decree No. 24229, Dec. 12, 2012; Presidential Decree No. 25339, Apr. 29, 2014; Presidential Decree No. 25509, Jul. 28, 2014; Presidential Decree No. 25652, Oct. 14, 2014; Presidential Decree No. 26762, Dec. 28, 2015>

1. Project zone for the Administrative City designated under the Special Act on the Construction of Administrative City in Yeongi-Gongju Area for Follow-up Measures for New Administrative Capital;
2. Project zone for the innovation cities designated under the Special Act on the Construction and Support of Innovation Cities Following Relocation of Public Agencies;
3. Free economic zone designated under Article 4 of the Special Act on Designation and Management of Free Economic Zones;
4. Project zone for housing site development designated under the Housing Site Development Promotion Act;
5. Public housing zone as defined in subparagraph 2 of Article 2 of the Special Act on Public Housing;
6. Deleted; <by Presidential Decree No. 25652, Oct. 14, 2014>
7. Urban development zone designated under the Urban Development Act;
8. and 9. Deleted; <by Presidential Decree No. 25652, Oct. 14, 2014>
10. Project zone for constructing the National Center for Asian Culture under the Special Act on the Development of an Asian Cultural Hub City;
11. Special planning zone for creative development by means of design competition, etc. among district-unit planning zones designated under Article 51 of the National Land Planning and Utilization Act;

12. and 13. Deleted. <by Presidential Decree No. 25652, Oct. 14, 2014>

(2) "Project zone prescribed by Presidential Decree" in Article 69 (1) 2 (b) of the Act, means any of the following: <Newly Inserted by Presidential Decree No. 25652, Oct. 14, 2014>

1. Free economic zone designated under Article 4 of the Act on Designation and Management of Free Economic Zones;
2. Project zone for housing site development designated under the Housing Site Development Promotion Act;
3. Rearrangement zone designated under the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents;
4. Urban development zone designated under the Urban Development Act;
5. Renewal promotion zone designated under the Special Act on the Promotion of Urban Renewal;
6. Project zone for a free international city designated under the Special Act on the Establishment of Jeju Special Self-Governing Province and the Development of Free International City;
7. Special planning zone for creative development by means of design competition, etc., among district-unit planning zones designated under Article 51 of the National Land Planning and Utilization Act;
8. Tourist attraction, tourism complex, or special tourist zone designated under Articles 52 and 70 of the Tourism Promotion Act;
9. Cultural zone designated under Article 18 of the Local Culture Promotion Act.

(3) "City or area prescribed by Presidential Decree" in Article 69 (1) 2 (c) of the Act, means any of the following: <Amended by Presidential Decree No. 22526, Dec. 13, 2010; Presidential Decree No. 22993, Jun. 29, 2011; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25652, Oct. 14, 2014>

1. Deleted; <by Presidential Decree No. 25652, Oct. 14, 2014>

2. Area where buildings or spatial environments prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport are created to promote architectural culture;

2-2. Area that fully meets the following requirements, as it is necessary to promote the multiple use of land combining various functions, such as residence, commerce, and business, therein:

(a) It shall be within an urban district;

(b) It shall be necessary to lift restrictions on construction within a specific use area designated under Article 71 of the Enforcement Decree of the National Land Planning and Utilization Act;

3. Other cities or areas deemed necessary by a Mayor/Do Governor to be designated as a special building zone in order to create a cityscape, and to improve construction technologies and construction-related systems.

Article 106 (Buildings in Special Building Zones)

(1) "Public institutions prescribed by Presidential Decree" in subparagraph 2 of Article 70 of the Act, means the following public institutions: <Amended by Presidential Decree No. 21565, Jun. 26, 2009; Presidential Decree No. 21744, Sep. 21, 2009>

1. The Korea Land and Housing Corporation established under the Korea Land and Housing Corporation Act;
 2. The Korea Water Resources Corporation established under the Korea Water Resources Corporation Act;
 3. The Korea Expressway Corporation established under the Korea Expressway Corporation Act;
 4. Deleted; <by Presidential Decree No. 21744, Sep. 21, 2009>
 5. The Korea Railroad Corporation established under the Korea Railroad Corporation Act;
 6. The Korea Rail Network Authority established under the Korea Rail Network Authority Act;
 7. The Korea National Tourism Organization established under the Korea National Tourism Organization Act;
 8. The Korea Rural Community Corporation established under the Korea Rural Community Corporation and Farmland Management Fund Act.
- (2) "Buildings for the use and of the scale prescribed by Presidential Decree" in subparagraph 3 of Article 70 of the Act, means those listed in attached Table 3.

Article 107 (Procedures, etc., for Designation of Special Building Zones)

(1) The details of each urban/Gun management plan referred to in Article 71 (1) 4 of the Act shall be as follows: <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

1. Matters concerning specific-use areas, specific-use districts, and specific-use zones designated under Articles 36 through 38, 38-2, 39, and 40 of the National Land Planning and Utilization Act, and Articles 30 through 32 of the Enforcement Decree of the same Act;
2. Matters concerning the status of urban/Gun planning facilities determined and installed in accordance with the urban/Gun management plan prepared under Article 43 of the National Land Planning and Utilization Act, and matters concerning the new installment and modification of urban/Gun planning facilities;
3. Matters concerning the designation of district-unit planning zones, details of district unit plans, formulation and modification of district unit plans, etc., under Articles 50 through 52 of the National Land Planning and Utilization Act, and Articles 43 through 47 of the Enforcement Decree of the same Act.

(2) "Matters prescribed by Presidential Decree" in Article 71 (1) 7 of the Act, means the following: <Amended by Presidential Decree No. 22526, Dec. 13, 2010; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25652, Oct. 14, 2014>

1. Matters concerning urban/Gun planning facilities determined and installed in accordance with the urban/Gun management plan under Article 43 of the National Land Planning and Utilization Act in areas adjacent to special building zones;
2. Matters concerning the designation of district-unit planning zones in areas adjacent to special building zones and details of such district unit planning;

2-2. Matters concerning the reflection of standards for architectural design under Article 21 of the Framework Act on Building;

3. Where a private expert has been commissioned under Article 23 of the Framework Act on Building, matters thereabout;

4. Matters concerning the multiple use of land under Article 105 (3) 2-2 (limited to applications for designation of an area referred to in Article 105 (3) 2-2).

(3) Upon the designation of a special building zone or revision or cancellation of such designation pursuant to Article 71 (5) of the Act, the Minister of Land, Infrastructure and Transport, or a Mayor/Do Governor shall promptly publish the following matters in the Official Gazette (in the official bulletin in cases of a Mayor/Do Governor): *<Amended by Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25652, Oct. 14, 2014>*

1. Purposes of such designation, revision, or cancellation;

2. Location, scope, and area of the special building zone;

3. Major details about the scale, use, etc., of buildings in the special building zone;

4. Matters concerning the method of placing orders, such as building design, construction supervision, and execution of construction;

5. Matters concerning the new establishment of urban/Gun planning facilities, and the modification thereof, the formulation and amendment of district unit plans;

6. Other matters deemed necessary by the Minister of Land, Infrastructure and Transport, or the Mayor/Do Governor.

(4) Where an applicant for designation of a special building zone intends to apply for revising such designation of a special building zone under Article 71 (7) of the Act, as any of the following is applicable, it shall file an application for revised designation with the Minister of Land, Infrastructure and Transport, the competent Special Metropolitan City Mayor, Metropolitan City Mayor, or Do Governor with materials determined by Ordinance of the Ministry of Land, Infrastructure and Transport. In such cases, Article 71 (2) and (3) of the Act shall apply mutatis mutandis to the revised designation of special building zones: *<Amended by Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25652, Oct. 14, 2014>*

1. Where the area of a special building zone increases or decreases by at least 1/10 (1/20 where the area of a special building zone is less than 100,000 square meters);

2. Where the matters concerning the urban/Gun management plan of a special building zone are revised;

3. Where the method of placing orders, such as building design, construction supervision, and execution of construction, is revised;

4. Other cases determined by Ordinance of the Ministry of Land, Infrastructure and Transport, such as revising the purpose of designating the special building zone.

(5) Except as otherwise expressly provided for in paragraphs (1) through (4), further details necessary for designating special building zones shall be determined and publicly announced by the Minister of Land,

Infrastructure and Transport. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

Article 108 (Deliberation on Buildings in Special Building Zones, etc.)

(1) Cases subject to deliberation on revision by a local building committee under Article 72 (5) of the Act, shall be as follows: <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

1. Where permission for revision is required under Article 16 of the Act;
2. Where permission or reporting is required to make a change under Article 19 (2) of the Act;
3. Where the exterior design, shape or color of a building is to be changed;
4. Where matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport among those referred to in each subparagraph of Article 72 (1) of the Act are to be revised.

(2) Where an architect participates in the construction of a building under the former part of Article 72 (8) of the Act, the contractor and the project supervisor shall reflect the advice of the architect, unless a compelling reason not to do so exists.

(3) The duties of architects referred to in the latter part of Article 72 (8) of the Act, are as follows:

1. Monitoring under Article 72 (6) of the Act;
2. Advice on design change;
3. Advice for realizing the design ideas on the building design, cityscape, etc.;
4. Other duties entrusted by the ordering agency.

(4) The remuneration for the duties of architects prescribed in paragraph (3), shall be determined and published by the Minister of Land, Infrastructure and Transport within the standards for compensation for engineering projects under Article 31 of the Engineering Industry Promotion Act. <Amended by Presidential Decree No. 22626, Jan. 17, 2011; Presidential Decree No. 24443, Mar. 23, 2013>

(5) Except as otherwise expressly provided for in paragraphs (1) through (4), detailed matters concerning architects' participation in the construction of a building in a special building zone after deliberation on the building was completed and the building permission thereof has been granted, shall be determined and published by the Minister of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

Article 109 (Special Cases for Application of Relevant Statutes)

(1) "Provisions prescribed by Presidential Decree" in Article 73 (1) 2 of the Act means Articles 10, 13, 29, 35, 37, 50, and 52 of the Regulations on Standards, etc. of Housing Construction. <Amended by Presidential Decree No. 24621, Jun. 17, 2013>

(2) In cases where the permitting authority intends to relaxedly apply the standards or functions, etc. under Articles 9 and 11 of the Installation, Maintenance, and Safety Control of Fire-Fighting System Act under Article 73 (3) of the Act, it shall undergo the deliberation by a local fire-fighting technology deliberation committee under Article 30 (2) of the Fire-Fighting System Installation Business Act or consult with the head of a fire defense headquarter or the head of a fire station.

Article 110 Deleted. <by Presidential Decree No. 27365, Jul. 19, 2016>

Article 110-2 (Designation of Special Street Zones)

(1) “Streets prescribed by Presidential Decree” in Article 77-2 (1) of the Act, means:

1. A road adjacent to a site, the building line of which is set backed, which is prescribed by an ordinance on construction by the relevant permitting authority (referring to the Special Metropolitan City Mayor or a Metropolitan City Mayor if the permitting authority is a head of a Gu; hereafter the same shall apply in this Article);
2. A road in an area designated and publicly announced by the relevant permitting authority, as deemed necessary to promote remodeling therein;
3. A pedestrian-only road prescribed by an ordinance on construction by the permitting authority to improve a cityscape;
4. A road in a cultural zone designated under Article 18 of the Local Culture Promotion Act;
5. Other roads publicly announced by the Minister of Land, Infrastructure and Transport or prescribed by an ordinance on construction by the permitting authority to create a balanced cityscape.

(2) “Matters prescribed by Presidential Decree” in Article 77-2 (2) 4 of the Act, means:

1. Matters concerning the provisions of this Act or other relevant statutes not applicable to, or relaxed for, special street zones and the scope of such relaxed provisions;
2. Matters concerning shapes or colors of the roofs and external walls of buildings;
3. Matters concerning building arrangement, and locations of entrances to the sites, and landscaping;
4. Matters concerning the management of the building line setback spaces, public open spaces, etc.;
5. Other matters publicly announced by the Minister of Land, Infrastructure and Transport or prescribed by the permitting authority by an ordinance on construction, as deemed necessary to designate special street zones.

Article 110-3 (Conclusion of Construction Agreements)

“Persons prescribed by Presidential Decree, including the owners of land or buildings and persons with superficies” in Article 77-4 (1) of the Act, means the following persons:

1. Owners of land or buildings (including co-owners; hereafter the same shall apply in this paragraph);
2. Persons with superficies of land or buildings;
3. Other persons prescribed by an ordinance on construction, who have obtained consent from the owners of land or buildings, among persons who have interests in the said land or buildings.

(2) “Matters prescribed by Presidential Decree” in Article 77-4 (4) 2 of the Act, means the following:

1. Building lines;
2. Locations of the relevant building and building equipment;
3. Use, height, and number of floors of the relevant building;
4. Shapes of the roof and external walls of the relevant building;
5. Building-to-land ratio and floor area ratio;
6. Locations and shapes of appurtenant facilities, such as fences, front doors, landscaping, and parking lots;

7. Shapes of facilities attached to the relevant building, such as a shade or screen facilities;
8. Structures and shapes of double walls referred to in Article 59 (1) 1 of the Act;
9. Other matters prescribed by an ordinance on construction regarding locations, purposes and shapes of the relevant building and appurtenant facilities.

Article 110-4 (Period for Restriction on Annulment of Construction Agreements)

(1) "Period prescribed by Presidential Decree" in the proviso to Article 77-9 (1) of the Act, means 20 years from the filing date of the commencement report.

(2) Where all of the following requirements are met, the period referred to in paragraph (1) shall be deemed to have passed, notwithstanding paragraph (1):

1. A site partitioned into pieces under Article 57 (3) of the Act shall be made compliant with the standards prescribed in paragraphs (1) and (2) of the same Article;
2. Authorization for modification of a construction agreement shall be obtained with the content that it shall not be subject to the application of the special exception prescribed in Article 77-13 of the Act and the building permit shall be obtained in accordance therewith: Provided, That where approval for use has been obtained with the content to which the special exception prescribed in Article 77-13 of the Act has been applied, the authorization for modification of a construction agreement shall be obtained with the content that it shall not be subject to the application of the special exception, obtain the building permit in accordance therewith, and thereafter approval for use of the relevant building shall be obtained;
3. The project expenses received as a subsidy under Article 77-11 (2) of the Act shall be returned.

Article 110-5 (Activities to be Done Pursuant to Construction Agreements)

"Activity prescribed by Presidential Decree" in Article 77-10 (1) of the Act, means any activity related to the matters referred to in the subparagraphs of Article 110-3 (2).

Article 110-6 (Support for Construction Agreements)

A person who has the right to authorize construction agreements under Article 77-4 (1) 4 of the Act, may request a project plan containing the following matters from persons who have concluded a construction agreement pursuant to Article 77-4 (1) and (2) of the Act (hereinafter referred to as "parties to the agreement"), or the representative of a construction agreement operations committee established under Article 77-5 (1) of the Act (hereinafter referred to as "construction agreement operations committee"), when he/she intends to grant subsidies to cover expenses incurred in a residential environment improvement project in any construction agreement zone pursuant to Article 77-11 (2) of the Act:

1. Goals of the residential environment improvement project;
2. Names of the parties to the agreement or the representative of the construction agreement operations committee;
3. Details, and methods of implementation of the residential environment improvement project;
4. Expenses incurred in the residential environment improvement project;

5. Other matters prescribed by an ordinance on construction.

Article 110-7 (Special Exception to Construction Agreements)

(1) Pursuant to Article 77-13 (6) of the Act, Articles 42, 55, 56, 60, and 61 of the Act may be relaxed to apply them to a building to be constructed in a construction agreement zones, according to the following classification:

1. Landscaping area of a site prescribed in Article 42 of the Act: Limiting to a construction agreement zone where landscaping of sites is to be conducted en bloc adjoining a road, it may be relaxed within the limit of 20/100 of the standard landscaping area applicable to the relevant area;
2. Building-to-land ratio prescribed in Article 55 of the Act: It may be relaxed within the limit of 20/100 of the building-to-land ratio applicable to the relevant area. In such cases, the relaxed building-to-land ratio shall not exceed the maximum limits on the building-to-land ratios prescribed in Article 77 of the National Land Planning and Utilization Act;
3. Floor area ratio prescribed in Article 56 of the Act: It may be relaxed within the limit of 20/100 of the floor area ratio applicable to the relevant area. In such cases, the relaxed floor area ratio shall not exceed the maximum limits on the floor area ratios prescribed in Article 78 of the National Land Planning and Utilization Act;
4. Limits on heights prescribed in Article 60 of the Act: Limiting to a construction agreement zone adjoining a road at least six meters wide, it may be relaxed within the limit of 20/100 of the height standard applicable to the relevant building;
5. Limits on heights of buildings for securing sunshine, etc., prescribed in Article 61 of the Act: Limiting to multi-family housing to be constructed on both sites within a construction agreement zone, it may be relaxed within the limit of 20/100 of the standard prescribed in Article 86 (3) 1.

(2) Where the permitting authority intends to conduct consolidated deliberation of the building committee under Article 4 of the Act and the local urban planning committee under Article 113 of the National Land Planning and Utilization Act pursuant to the proviso to Article 77-13 (6) of the Act, it shall organize a consolidated deliberative committee (hereinafter referred to as "consolidated deliberative committee") in compliance with the following standards:

1. Members of the consolidated deliberative committee shall be appointed or commissioned by the Mayor/Do Governor or the head of the Si/Gun/Gu from among members of the building committee under Article 4 of the Act and the local urban planning committee under Article 113 of the National Land Planning and Utilization Act;
2. Number of members of the consolidated deliberative committee shall not exceed 15 persons;
3. Number of members of the building committee under Article 4 of the Act shall be at least 1/2 of the number of members of the consolidated deliberative committee;
3. The chairperson of the consolidated deliberative committee shall be appointed or commissioned by the Mayor/Do Governor or the head of the Si/Gun/Gu from among the members of the consolidated deliberative committee.

(3) The consolidated deliberative committee organized under paragraph (2) shall examine the following matters:

1. Status of land use of the relevant site, and the adequacy of the floor area ratio to be relaxed;
2. Effects of the floor area ratio relaxed by the construction agreement on the surrounding scenery and environment.

Article 111 (Areas Eligible for Combined Construction)

(1) "Two sites within the scope prescribed by Presidential Decree" in the main sentence of Article 77-14 (1) of the Act, means two sites that meet all of the following requirements:

1. Both of the two sites shall belong to the same area among the areas referred to in Article 77-14 (1) of the Act;
2. Both of the two sites shall be located within a district surrounded by roads that are at least 12 meters wide. In such cases, there shall be no smaller area surrounded by roads that are at least 12 meters wide within such district.

(2) "Areas prescribed by Presidential Decree" in Article 77-14 (1) 4 of the Act, means:

1. A construction agreement zone;
2. A special building zone;
3. A remodeling promotion zone;
4. An area for promotion of urban regeneration as defined in Article 2 (1) 5 of the Special Act on Promotion of and Support for Urban Regeneration;
5. An area for promotion of architectural assets designated under Article 17 (1) of the Act on Value Enhancement of Hanok and Other Architectural Assets.

Article 111-2 (Joint Deliberation of Building Committee and Urban Planning Committee)

Where the permitting authority intends to conduct a joint deliberation of the building committee and the urban planning committee pursuant to the proviso to Article 77-15 (3) of the Act, it shall organize a joint committee in compliance with the standards prescribed in subparagraphs of Article 110-7 (2).

Article 111-3 (Approval for Use of Buildings Related to Combined Construction)

"Measures prescribed by Presidential Decree" in Article 77-16 (2) of the Act, means any of the following measures:

1. Applying for an extension of the deadline for commencement of construction works under the proviso to Article 11 (7) of the Act: Provided, That the same shall be limited to where it is deemed that the delay in commencement of construction works is not attributable to the project owner and there will be no possibility to revoke the building permit due to the delay of the commencement of the construction works;
2. Determining urban and Gun planning facilities under the National Land Planning and Utilization Act.

Article 112 (Investigations into Methods and Results of Deliberation by Building Committee, Etc.)

(1) Where the Minister of Land, Infrastructure and Transport deems it necessary to investigate the methods or results of deliberation by a local building committee as prescribed in Article 78 (5) of the Act,

he/she may request related documents from a Mayor/Do Governor or the head of a Si/Gun/Gu or conduct an investigation by making a visit directly.

(2) Where a Mayor/Do Governor deems it necessary to investigate the methods or results of deliberation by a local building committee established by the head of a Si/Gun/Gu as prescribed in Article 78 (5) of the Act, he/she may request related documents from the head of the Si/Gun/Gu or conduct an investigation by making a visit directly.

(3) The Minister of Land, Infrastructure and Transport or a Mayor/Do Governor may hear opinions of the applicant for deliberation filed under Article 4-2 of the Act, construction participants, and others.

Article 113 (Measures for Illegal or Unreasonable Deliberation by Building Committee)

(1) Where the Minister of Land, Infrastructure and Transport or a Mayor/Do Governor deems that the method of deliberation by the building committee or the results thereof violate the Act, any order or disposition issued under the Act, or municipal ordinance (hereafter referred to as "building-related statutes, etc." in this Article) or are unreasonable, after conducting an investigation and hearing opinions under Article 112, he/she may issue a corrective order to the Mayor/Do Governor or the head of the Si/Gun/Gu, as classified below:

1. Where it has deliberated on a building not subject to deliberation or where the details of deliberation violate building-related statutes: Cancellation of the results of deliberation;
2. Where it is deemed that particularly excessive criteria have been applied or terms and conditions that are impracticable to implement have been suggested, in consideration of the status of deliberation and conditions for construction, although such is not a violation of building-related statutes: Adjustment of the results of deliberation or re-deliberation;
3. Where the deliberation process is deemed to have a problem: Re-deliberation;
4. Where deliberation has been conducted without giving notice of the deliberation to the construction participants, or where it is deemed that there has been an excessive request for drawings and documents beyond the scope prescribed by building-related statutes, etc.: Recommendation for the improvement of process and standards for deliberation.

(2) In receipt of a corrective order under paragraph (1), a Mayor/Do Governor or the head of a Si/Gun/Gu shall comply with the corrective order, unless a compelling reason not to do so exists. In such cases, the Mayor/Do Governor or the head of a Si/Gun/Gu subject to an order for re-deliberation under paragraph (1) 2 or 3 shall hold deliberation of the building committee within 15 days of the receipt of such order.

(3) Where a Mayor/Do Governor or the head of a Si/Gun/Gu is dissatisfied with a corrective order issued under paragraph (1), he/she may file an objection with the Minister of Land, Infrastructure and Transport or the Mayor/Do Governor, following deliberation by a local building committee comprised of the members who have participated in the relevant deliberation.

(4) In receipt of an objection filed under paragraph (3), the Minister of Land, Infrastructure and Transport or a Mayor/Do Governor shall conduct a reinvestigation under Article 112 and notify the Mayor/Do Governor or the head of the Si/Gun/Gu of the results thereof.

Article 114 (Permission for Use of, and Carrying on Business in, Non-Compliant Buildings)

"Cases prescribed by Presidential Decree" in the proviso to Article 79 (2) of the Act, means a stable with a total floor area not exceeding 400 square meters and a warehouse for agriculture, forestry, livestock, or fisheries with a total floor area not exceeding 400 square meters. <Amended by Presidential Decree No. 26909, Jan. 19, 2016>

Article 115 (Investigation and Maintenance of Non-Compliant Buildings)

(1) The Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall establish and implement a maintenance plan for taking corrective measures under Article 79 of the Act, after conducting an annual regular investigation into the status of buildings, etc., not compliant with statutes, etc., and shall report the findings thereof to the competent Mayor/Do Governor (excluding the Metropolitan Autonomous City Mayor, and the Special Self-Governing Province Governor). <Amended by Presidential Decree No. 25652, Oct. 14, 2014>

(2) The Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall prepare and keep a management ledger of non-compliant buildings, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, for the systematic post-management and maintenance of non-compliant buildings referred to in paragraph (1). <Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25652, Oct. 14, 2014>

(3) The management ledger of non-compliant buildings referred to in paragraph (2) shall be prepared and maintained electronically, unless there is a compelling reason to make such electronic preparation and maintenance impossible.

Article 115-2 (Imposition and Collection of Non-Performance Penalties)

(1) "Residential building prescribed by Presidential Decree" in the proviso to Article 80 (1) of the Act, means any of the following residential buildings: <Amended by Presidential Decree No. 23469, Dec. 30, 2011>

1. A building used without obtaining approval for use under Article 22 of the Act;
2. Where any of the matters concerning the landscaping of a site under Article 42 of the Act has been violated;
3. Where limits on the height of the relevant building under Article 60 of the Act have been violated;
4. Where limits on the height of the relevant building for securing sunshine, etc. under Article 61 of the Act have been violated;
5. Other cases determined by an ordinance on construction, where the Act, or any order or dispositions issued under the Act has been violated (excluding cases falling under subparagraphs 1-2, 4 through 9 and 13 in the column of non-compliant buildings of attached Table 15).

(2) Standards for the calculation of non-performance penalties under Article 80 (1) 2 of the Act shall be as specified in attached Table 15.

(3) Procedures for the imposition and collection of non-performance penalties shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

Article 115-3 (Flexible Operation of Non-Performance Penalties)

(1) "Rate prescribed by Presidential Decree" in Article 80 (1) 1 of the Act, means a rate classified below: Provided, That the following rates may be determined at a lower rate by an ordinance on construction, but the rates shall be at least 60/100 even if they are lowered:

1. Where a building is constructed in excess of the building-to-land ratio: 80/100;
2. Where a building is constructed in excess of the floor area ratio: 90/100;
3. Where a building is constructed without a building permit: 100/100;
4. Where a building is constructed without reporting: 70/100.

(2) "Cases prescribed by Presidential Decree, such as a violation for gain or a habitual violation" in Article 80 (2) of the Act, means any of the following cases: Provided, That excluded herefrom shall be cases where ownership is changed after the violation:

1. Where the use of a building is changed for gain, such as lease, in violation of Article 19 of the Act (limited to where the area of the non-compliant part exceeds 50 square meters);
2. Where a building is newly constructed or extended without a building permit or reporting, for gain, such as lease (limited to the area of the non-compliant part exceeds 50 square meters);
3. Where the number of households in a multi-household houses or the number of units in a multi-unit house is increased without permission or reporting, for gain, such as lease (limited to an increase of at least five households or five units);
4. Where the same person has violated this Act or an order or disposition issued under this Act at least twice during the recent three years;
5. Cases similar to those prescribed in subparagraphs 1 through 4, which are prescribed by an ordinance on construction.

Article 115-4 (Reductions of Non-Performance Penalties)

(1) "Cases prescribed by Presidential Decree" in Article 80-2 (1) 2 of the Act, means any of the following cases: Provided, That excluded herefrom shall be the cases referred to in the proviso to Article 80 (1) of the Act:

1. Where the ownership is changed after the violation;
2. Where exceptional circumstances are deemed existent, such as where it is practically difficult to correct the violation during the lease period due to the existence of a lessee (excluding where a lease contract was already concluded before the first corrective order has been issued under Article 79 (1) of the Act, but the lease contract is terminated or renewed);
3. Where the area of the non-compliant part does not exceed 30 square meters (limited to the buildings referred to in subparagraphs 1 through 4 of attached Table 1, and excluding condominium buildings subject to the Act on Ownership and Management of Condominium Buildings);
4. Where the area of the non-compliant part by a sectional owner of a condominium building subject to the Act on Ownership and Management of Condominium Buildings does not exceed 5 square meters (limited to buildings referred to in subparagraphs 2 through 4 of attached Table 1);

5. A violation existed as at the time approval for use is granted under Article 22 of the Act, but is confirmed after granting such approval for use;
 6. Where the non-compliant facility is a waste-generating facility (including disposal facilities), for the installation of which, a person intends to obtain a permit or permit for alteration, or to file a report or report on alteration pursuant to Article 11 of the Act on the Management and Use of Livestock Excreta within the period prescribed in the subparagraphs of Article 9 (1) of the Addenda to the partially amended Act on the Management and Use of Livestock Excreta (Act No. 12516) under Article 9 of the same Addenda;
 7. Other cases prescribed by an ordinance on construction in which non-performance penalties need to be reduced, considering the degree, cause of a violation, effects on the public, etc.
- (2) "Rate prescribed by Presidential Decree" in Article 80-2 (1) 2 of the Act, means the rate classified below:
1. In cases falling under paragraph (1) 1 through 6: 50/100;
 2. In cases falling under paragraph (1) 7: Rate prescribed by an ordinance on construction.
- (3) The reduction rate of non-performance penalties under Article 80-2 (2) of the Act, shall be as follows:
1. In cases of a residential building with a total floor area not exceeding 85 square meters: 80/100;
 2. In cases of a residential building with a total floor area exceeding 85 square meters: 60/100.

Article 115-5 (Corrective Orders for Existing Buildings)

"Criteria prescribed by Presidential Decree" in Article 81 (1) of the Act, means any of the following buildings:

1. A building determined to impede the installation of public facilities, such as roads, as a result of deliberation by a local building committee;
2. A building at risk of collapse or falling down, deemed by the permitting authority highly likely to harm the general public as a result of deliberation by a local building committee;
3. A building located in military operations areas and requested by the Minister of National Defense as they are necessary for national security.

Article 116 (Compensation for Loss)

(1) In paying reasonable compensation under Article 81 (3) of the Act, the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall compensate for a loss incurred by any disposition taken under Article 81 (1) of the Act based on the market price. *<Amended by Presidential Decree No. 25652, Oct. 14, 2014>*

(2) If no agreement is reached on the amount of compensation referred to in paragraph (1), the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall pay or deposit such amount of compensation, and inform the project owner thereof. In such cases, such information may be provided electronically if the project owner desires. *<Amended by Presidential Decree No. 25652, Oct. 14, 2014>*

(3) A person dissatisfied with the payment or deposit of compensation under paragraph (2) may apply (including electronic applications) for a ruling to the competent Local Land Tribunal within 20 days from the date he/she was paid the compensation or given notice of deposit of such compensation.

(4) Articles 6 through 8 of the Special Act on the Safety Control of Public Structures and Articles 10 through 12 of the same Act shall apply mutatis mutandis to the method of conducting inspections as to the structural safety of buildings designated by the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu under Article 81 (4) of the Act, as likely to cause hazards, method of giving notice of the finding of inspections, apportionment of costs, etc.

<Amended by Presidential Decree No. 25652, Oct. 14, 2014>

Article 116-2 (Notification on Demolition of Abandoned Houses)

Where the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu demolishes ex officio an abandoned house under Article 81-3 (1) of the Act, he/she shall give the owner of the abandoned house a written notice of demolition, stating the reasons for, and the scheduled date of, demolition by not later than seven days before the scheduled date of the demolition.

Article 116-3 (Payment of Compensation for Demolition)

The compensation payable under Article 81-3 (3) of the Act, shall be an amount appraised and assessed by an appraisal business operator under the Act on the Public Announcement of Values and Appraisal of Real Estate.

Article 117 (Delegation and Entrustment of Authority)

(1) The Minister of Land, Infrastructure and Transport shall delegate his/her authority to designate, change and revoke special building zones under Articles 69 and 71 (excluding Article 71 (4) of the Act) to a Mayor/Do Governor pursuant to Article 82 (1) of the Act. *<Newly Inserted by Presidential Decree No. 22526, Dec. 13, 2010; Presidential Decree No. 24443, Mar. 23, 2013>*

(2) Deleted. *<by Presidential Decree No. 16284, Apr. 30, 1999>*

(3) The authority that can be delegated to the head of a Gu (referring to the head of a Gu other than an autonomous Gu) or the head of a Dong/Eup/Myeon (limited to the head of the Dong/Eup/Myeon determined by the Minister of the Interior in consultation with the head of a Si/Gun/Gu pursuant to subparagraph 2 of the remarks in subparagraph 2 of attached Table 3 of the Regulations on Administrative Organizations of Local Governments and Standards, etc. for the Prescribed Number of Their Personnel) pursuant to Article 82 (3) of the Act, is as follows: *<Amended by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 26974, Feb. 11, 2016>*

1. Authority over the construction, substantial repair, and change of uses of buildings with up to six floors and a total floor area of up to 2,000 square meters;

2. Authority over extensions of existing buildings by not exceeding 3/10 of the total floor area of such existing buildings.

(4) The authority that can be delegated to the head of a Dong/Eup/Myeon pursuant to Article 82 (3) of the Act, is as follows: *<Newly Inserted by Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No.*

25652, Oct. 14, 2014>

1. Authority over building reports filed under Article 14 of the Act;
2. Authority over reporting on construction of temporary structures under Article 20 (3) of the Act;
3. Authority over approval for use under Article 22 of the Act (limited to buildings subject to reporting under Article 14 of the Act);
4. Authority over reporting on erection of retaining walls and other structures under Article 83 of the Act.

(5) "Institution or organization prescribed by Presidential Decree" in Article 82 (4) of the Act, means an institution or organization determined and publicly announced by the Minister of Land, Infrastructure and Transport, from among the following: <Amended by Presidential Decree No. 21098, Oct. 29, 2008; Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 24874, Nov. 20, 2013>

1. A public corporation referred to in Article 5 of the Act on the Management of Public Institutions;
2. A research institute established under the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutes, Etc. or the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes, Etc.

Article 118 (Application Mutatis Mutandis to Retaining Walls and Other Structures)

(1) Structures that shall be reported to the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu to erect (referring to erection of a structure separately from a building; hereafter the same shall apply in this Article) pursuant to Article 83 (1) of the Act, are: <Amended by Presidential Decree No. 25652, Oct. 14, 2014; Presidential Decree No. 26909, Jan. 19, 2016>

1. A chimney in a height exceeding six meters;
2. A decorative tower and commemorative tower in a height exceeding six meters, and similar;
3. An advertising tower and advertising board in a height exceeding four meters, and similar;
4. An elevated water tank in a height exceeding eight meters, or similar;
5. A retaining wall or wall in a height exceeding two meters;
6. An underground shelter with a floor area exceeding thirty square meters;
7. A steel tower in a height exceeding six meters for sports facilities, such as a golf range, communications tower in residential and commercial areas, and similar;
8. A mechanical parking lot or iron-framed fabricated parking lot (including those of which surface of the floor is not fabricated) in a height not exceeding eight meters (excluding the height of a rail installed for safety) and without exterior walls;
9. A manufacturing facility, storage facility (including cement silos), an amusement facility, and similar, prescribed by an ordinance on construction;
10. Heavy items prescribed by an ordinance on construction, which may inflict a serious impact on the structure of a building;

11. A generation unit using solar energy as defined in subparagraph 2 (a) of Article 2 of the Act on the Promotion of the Development, Use and Diffusion of New and Renewable Energy in a height exceeding five meters, and similar.

(2) Each person who intends to erect any structure referred to in the subparagraphs of paragraph (1) shall submit (including submission by electronic documents) a report on the erection of structures, and design documents determined by Ordinance of the Ministry of Land, Infrastructure and Transport to the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu. <Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25652, Oct. 14, 2014>

(3) Articles 14, 21 (3), 29, 35 (1), 40 (4), 41, 47, 48, 55, 58, 60, 61, 79, 81, 84, 85, and 87 of the Act and Article 76 of the National Land Planning and Utilization Act shall apply mutatis mutandis to structures referred to in the subparagraphs of paragraph (1) pursuant to Article 83 (3) of the Act: Provided, That Article 14 of the Act shall not apply mutatis mutandis to structures referred to in paragraph (1) 3, and permitted or reported under the Act on the Management of Outdoor Advertisements, etc. and Promotion of Outdoor Advertisement Industry; Article 58 of the Act shall not apply mutatis mutandis to structures referred to in paragraph (1) 5; Article 55 of the Act shall not apply mutatis mutandis to structures referred to in paragraph (1) 8; and Article 61 of the Act shall apply mutatis mutandis only to structures referred to in paragraph (1) 3 and 8. <Amended by Presidential Decree No. 22993, Jun. 29, 2011; Presidential Decree No. 25786, Nov. 28, 2014; Presidential Decree No. 27323, Jul. 6, 2016>

(4) When applying mutatis mutandis Article 48 of the Act pursuant to the main sentence of paragraph (3), details of, and methods for, verifying the structural safety of the relevant structure, and other necessary matters, shall be determined by Ordinance of the Ministry of Land, Infrastructure and Transport. <Newly Inserted by Presidential Decree No. 24874, Nov. 20, 2013>

(5) In receipt of a report on the erection of structures under paragraph (1), the Metropolitan Autonomous City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall enter the details thereof in the management ledger of structures, and maintain it, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24874, Nov. 20, 2013; Presidential Decree No. 25652, Oct. 14, 2014>

(6) The management ledger of structures referred to in paragraph (5) shall be prepared and maintained electronically, unless there is a compelling reason to make such electronic preparation and maintenance impossible. <Amended by Presidential Decree No. 24874, Nov. 20, 2013>

Article 119 (Methods of Calculating Area, etc.)

(1) Pursuant to Article 84 of the Act, the area, height, and number of floors of a building shall be calculated as follows: <Amended by Presidential Decree No. 21590, Jun. 30, 2009; Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 22052, Feb. 18, 2010; Presidential Decree No. 22829, Apr. 4, 2011; Presidential Decree No. 22993, Jun. 29, 2011; Presidential Decree No. 23356, Dec. 8, 2011; Presidential Decree No. 23469, Dec. 30, 2011; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24229, Dec. 12, 2012;

Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24874, Nov. 20, 2013; Presidential Decree No. 25786, Nov. 28, 2014; Presidential Decree No. 26210, Apr. 24, 2015; Presidential Decree No. 26909, Jan. 19, 2016; Presidential Decree No. 27365, Jul. 19, 2016>

1. Site area means the area of the horizontal projection plane of a site: Provided, That excluded herefrom shall be any of the following areas:

(a) Where a building line is determined on a site under the proviso to Article 46 (1) of the Act: The site area between the building line and a road;

(b) Where an urban/Gun planning facility, such as a road or park, exists on a site: The site (excluding sites for urban/Gun planning facilities, on which a building or structure is constructed under Article 47 (7) of the National Land Planning and Utilization Act) area included in such urban/Gun planning facility;

2. Building area means the area of the horizontal projection plane of the part enclosed by the centerline of an outer wall (where no exterior wall exist, referring to the exterior columns; hereafter the same shall apply in this subparagraph) of a building: Provided, That in any of the following cases, such building area shall be calculated according to the criteria prescribed by the relevant items:

(a) The building area of a building that has eaves, pent roofs, extended eaves, or similar, of which part is protruding from the centerline of the outer wall at least one meter horizontally shall be the area of the horizontal projection plane of the part enclosed by the line set back horizontally according to the following classifications, from the edge of such part:

(b) The building area of the following buildings shall be calculated, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport:

(c) The following shall be excluded from the building area:

3. Floor area means the area of the horizontal projection plane of each floor of a building or part of the building enclosed by the centerlines of walls, columns, or other similar partitions: Provided, That in any of the following cases, such floor area shall be calculated according to the criteria prescribed by the relevant items:

(a) In cases of a building not partitioned by walls or columns, it means the area of the horizontal projection plane enclosed by the line set back one meter horizontally, from the edge part of the roof thereof;

(b) In cases of the floor of the balcony of a building, such as the balcony of a house, or similar (hereinafter referred to as "balcony, etc."), regardless of the installation of rails, etc., the area of the balcony, etc. (referring to the area from the centerline of an outer wall to the edge part of the balcony, etc.) computed by subtracting from the area of the balcony, etc., the value computed by multiplying the length abutting the longest outer wall which the balcony, etc., abuts by 1.5 meters, shall be included in the floor area;

(c) In cases of the parts of pilotis or other similar structures (limited to those in which at least 1/2 of the wall area forms a space from the surface of the relevant floor to the lower surface of the upper

floor), if such parts are used exclusively for the traffic of the general public or for vehicles or car parking, and if such parts are multi-family housing, such parts, shall be excluded from the floor area;

(d) An elevator tower (including an elevator platform for access to a rooftop), stairs tower, decoration tower, garret (limited to those with a height not exceeding 1.5 meters (1.8 meters in cases of a slope roof)), chimney, dust shoot, facility duct and others similar, which are installed in the outside or inside of a building, water tank, oil tank, cooling tower, septic tank, gas governor apparatus, and structures for installing others similar, which are installed on the roof, outdoors or underground, and structures for installing only conveyor belts for moving goods between buildings, shall be excluded from the floor area;

(e) A machine room, switchboard room, children's playing ground, landscape facility, and box used to collect domestic waste, which are installed on the ground floor of multi-family housing, shall be excluded from the floor area;

(f) An outdoor escape staircase up to 1.5 meters wide (limited to where the floor area ratio provided for in Article 56 of the Act is breached because outdoor escape staircases are installed in an existing building) installed in connection with the emergency exit of an existing public establishment (limited to those installed before May 29, 2004) under Article 9 of the Enforcement Decree of the Special Act on the Safety Control of Publicly Used Establishments, shall be excluded from the floor area;

(g) In cases of remodeling a building referred to in Article 6 (1) 6 and installing finishing materials, etc. onto the surface of the outer walls of the building to improve the appearance of the building and prevent heat loss, such parts shall be excluded from the floor area;

(h) In cases of buildings falling under paragraph (1) 2 (b) (), the floor area shall be the area calculated based on the centerlines of bearing walls among the outer walls where insulators are installed;

(i) The area of an escape slide or emergency staircases for infants up to two meters wide, that are installed in connection with the emergency exit of a day care nursery under Article 15 of the Infant Care Act (limited to day care nurseries established before January 29, 2005), shall be disregarded for the purpose of calculating the floor area (limited to where the building-to-land ratio provided for in Article 56 of the Act is breached because an escape slide or emergency staircases are installed in an existing building);

(j) The area of an elevator, an escalator, a wheelchair lift, or a slope way for persons with disabilities installed in compliance with the standards specified in attached Table 2 of the Enforcement Decree of the Act on Guarantee of Convenience Promotion of Persons with Disabilities, Older Persons, Pregnant Women and Nursing Mothers, Etc., shall be excluded from the floor area;

(k) The area of facilities installed at livestock-raising facilities referred to in Article 17 (1) 1 of the Act on the Prevention of Contagious Animal Diseases (limited to those built or installed before April 27, 2015) to install disinfection equipment referred to in the same subparagraph, shall be excluded from the floor area;

(l) Parts exclusively used to protect and exhibit buried cultural heritages for preservation at the site or after relocation under Article 14 (1) 1 or 2 of the Enforcement Decree of the Act on Protection and Inspection of Buried Cultural Heritage, shall be excluded from the floor area;

4. Total floor area: means the sum of the floor areas of each floor of a building, but the following areas shall be excluded when calculating the floor area ratio:

(a) The area of underground floors;

(b) The area used as a ground parking lot (limited to the subsidiary use of a building);

(c) and (d) Deleted; <by Presidential Decree No. 24229, Dec. 12, 2012>

(e) The area of the shelter safety zone to be installed in a skyscraper or a quasi-skyscraper referred to in Article 34 (3) or (4);

(f) The area of the shelter safety zone to be installed beneath the sloping roof of a building under Article 40 (3) 2;

5. Height of a building: means the height from the ground surface to the top of the building (where a piloti is installed on the entire first floor of the building (including guards' rooms, stair rooms, elevator rooms, and similar ones for using the building), the height excluding the height of the piloti floor when applying Articles 60 and 61 (2) of the Act): Provided, That in any of the following cases, such height shall be calculated according to the relevant items:

(a) The height of a building referred to in Article 60 of the Act shall be measured from the centerline of the front road: Provided, That if the front road falls under any of the following cases, it shall be calculated as follows:

(b) In calculating the height of a building referred to in Article 61 of the Act, if the elevation differs between the ground surface of the site of the building and that of the neighboring site, the average horizontal plane of such ground surface shall be deemed the ground surface: Provided, That where the relevant site is lower than the neighboring site in calculating the height under Article 61 (2) of the Act, the ground surface of the relevant site shall be deemed the ground surface, and where multi-family housing is constructed in combination with other purposes, the lowest part of the multi-family housing shall be deemed the ground surface of the building;

(c) If the sum of the horizontal projection areas of an elevator tower, stairs tower, watch tower, decorative tower, roof tower, etc., installed on the roof of a building, does not exceed 1/8 (up to 1/6 in cases of multi-family housing subject to approval of a project plan under Article 16 (1) of the Housing Act, in which the exclusive area of each household unit does not exceed 85 square meters) of the building area of the relevant building, and the height of such part exceeds 12 meters, only such excess part shall be included in the height of the building;

(d) Roof-protrusions of a roof ridge decoration, chimney, and fire wall, and similar, such as roof-protrusions and parapets (limited to those in which at least 1/2 the wall area is a space) shall be excluded from the height of the building;

6. Height of eaves means the height from the ground surface to the top of a wall, sub-beam, or column supporting the roof truss, or similar horizontal member of a building;

7. Ceiling height means the height from the floor surface of a room to the ceiling: Provided, That where parts having a different ceiling height exist in the same room, it is to be the weighted average height based on the ceiling area of each part;

8. Floor height means the height from the upper surface of the floor member of a room to the upper surface of the floor surface of the floor member of the immediate upper floor: Provided, That where parts having a different floor height exist in the same room, it is to be the weighted average height based on the area of the part of each height;

9. Number of floors an elevator tower (including an elevator platform for access to a rooftop), a stairs tower, a watch tower, a decorative tower, a roof tower, and similar parts on a rooftop, of which sum of the horizontal projection area does not exceed $\frac{1}{8}$ (up to $\frac{1}{6}$ in cases of multi-family housing subject to approval of a project plan under Article 16 (1) of the Housing Act, in which the exclusive area of each household unit does not exceed 85 square meters) of the building area of the relevant building and underground floors of a building shall be excluded from the number of floors; a building without clearly demarcated floors shall be deemed to have one floor for every four meters of height; and where the number of floors is different depending on the parts of a building, the largest number of floors is to be the number of floors of the building;

10. Ground surface of an underground floor: The ground surface of an underground floor as defined in Article 2 (1) 5 of the Act shall be the horizontal plane of the weighted average heights of the parts of the ground surface in contact with the circumference of each floor according to the horizontal distance of such part of the ground surface.

(2) Where the elevation differs in the ground surface when calculating the area, height, number of floors, etc., of a building according to the standards provided for in the subparagraphs of paragraph (1) (excluding paragraph (1) 10), the ground surface shall be deemed the horizontal plane of the weighted average heights of the parts of the ground surface in contact with the circumference of the building according to the horizontal distance of such part of the ground surface. In such cases, if the difference of elevation exceeds three meters, the ground surface shall be determined for every part within up to three meters of such difference of elevation.

(3) The horizontal projection area referred to in paragraph (1) 5 (c) or 9 shall be calculated in the same manner as the area of a building is calculated under paragraph (1) 2.

Article 119-2 (Special Exceptions to Application of the Administrative Vicarious Execution Act)

"Cases prescribed by Presidential Decree" in Article 85 (1) 5 of the Act means cases where buildings discharging air pollutants under the Clean Air Conservation Act or water pollutants under the Water Quality and Aquatic Ecosystem Conservation Act are likely to heavily pollute the environment.

Article 119-3 (Conciliation of Disputes)

(1) Each person who intends to seek conciliation or arbitration (hereinafter referred to as "conciliation, etc.") of a dispute under Article 88 of the Act, shall submit (including submission by electronic documents) an application for conciliation, etc. expressly stating the purport of the application and details of the relevant case to the working committee for conciliation of construction disputes established under the Ministry of Land, Infrastructure and Transport (hereinafter referred to as "dispute committee"), as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 21668, Aug. 5, 2009; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25786, Nov. 28, 2014>*

(2) To summon a party or witness to the panel to hear his/her opinions pursuant to Article 95 (2) of the Act, the conciliation panel shall request him/her to attend the conciliation panel in writing (including electronic documents if the relevant party or witness desires) by at least five days before the opening of the meeting, and the party or witness in receipt of a request to attend a meeting may present his/her opinions in writing or electronic documents in advance if there exists any extenuating circumstance which makes him/her unable to attend the meeting.

(3) Articles 174 through 197 of the Civil Procedure Act shall apply mutatis mutandis to the service of documents for the conciliation, etc. of disputes under Articles 88, 89, and 91 through 104 of the Act. *<Amended by Presidential Decree No. 25786, Nov. 28, 2014>*

(4) Where any party fails to pay any of the costs required for appraisal, examinations, testing, etc. for the conciliation, etc. of a dispute under Article 102 (1) of the Act, the conciliation panel or the arbitration panel may defer such conciliation, etc. of the dispute. *<Amended by Presidential Decree No. 21668, Aug. 5, 2009>*

(5) Deleted. *<by Presidential Decree No. 25786, Nov. 28, 2014>*

Article 119-4 (Selected Representative)

(1) When a large number of persons becomes parties to conciliation, etc., up to three representatives may be selected from among them.

(2) Where the relevant parties fail to select representatives under paragraph (1), the dispute committee may advise the relevant parties to select representatives, if deemed necessary. *<Amended by Presidential Decree No. 21668, Aug. 5, 2009; Presidential Decree No. 25786, Nov. 28, 2014>*

(3) Representatives selected under paragraph (1) or (2) (hereinafter referred to as "selected representatives") may engage in all activities regarding the conciliation, etc. of the case for other applicants or respondents: Provided, That if they intend to withdraw an application and accept a conciliation proposal, they shall obtain written consent from other applicants or respondents.

(4) When representatives have been selected, other applicants or respondents shall engage in activities regarding the case only through the selected representatives.

(5) The relevant parties who have selected their representatives may dismiss or replace any of the selected representatives, if deemed necessary. In such cases, the relevant parties shall notify the dispute committee thereof without delay. *<Amended by Presidential Decree No. 21668, Aug. 5, 2009; Presidential Decree No. 25786,*

Nov. 28, 2014>

Article 119-5 (Keeping Procedures Confidential)

Unless otherwise expressly provided for in the Act or this Decree, the procedures of conciliation, etc. by the dispute committee shall be kept confidential. <Amended by Presidential Decree No. 21668, Aug. 5, 2009; Presidential Decree No. 25786, Nov. 28, 2014>

Article 119-6 (Abstention, etc. of Members)

(1) Where any of the following applies to a member of the dispute committee, he/she shall abstain from performing his/her duties pursuant to Article 89 (8) of the Act:

1. Where the member, or his/her current or former spouse becomes a party to the relevant dispute (hereinafter referred to as “dispute”), or a joint holder of any right or duty with any party to the dispute with respect to the dispute;
2. Where the member is or was a lineal relative of any party to the dispute;
3. Where the member has provided a statement or appraisal regarding the dispute;
4. Where the member has been involved in the relevant dispute as agent of any party to the dispute;
5. Where the member has been involved in any disposition or omission causing the dispute.

(2) Where any cause for abstention arises, the dispute committee shall decide on abstention, either ex officio or upon request of any party to the dispute.

(3) Where a party to the dispute anticipates unfairness from a member, it may request a challenge of the member to the dispute committee, and the dispute committee shall determine on challenging the member, if it deems the request for challenge well-grounded.

(4) If a member falls under any of the causes referred to in paragraph (1) or (3), he/she may voluntarily withdraw from performing his/her duties regarding the dispute.

Article 119-7 (Refusal and Suspension of Conciliation, etc.)

(1) Where the dispute committee deems that conducting the conciliation, etc. of a dispute is unreasonable, considering the nature of the dispute, or an application for conciliation, etc. has been filed for any unjust purpose, it may refuse the conciliation, etc. pursuant to Article 89 (8) of the Act. In such cases, it shall inform the applicant of the grounds for refusal of conciliation, etc.

(2) Where one party to a dispute has instituted litigation in the course of resolving the dispute, the dispute committee may suspend the procedures of conciliation, etc. and notify the other party of the fact.

Article 119-8 (Deposit of Expenses for Conciliation, etc.)

Pursuant to Article 102 (1) of the Act, the conciliation panel or the arbitration committee may designate a financial institution into which expenses for conciliation, etc. are to be deposited, and require the relevant parties to deposit such expenses within a prescribed period.

Article 119-9 (Operation and Business Affairs of Dispute Committee)

(1) The Minister of Land, Infrastructure and Transport shall entrust the operation and business affairs of the dispute committee to the Korea Infrastructure Safety and Technology Corporation pursuant to Article 103 (1) of the Act. <Amended by Presidential Decree No. 27365, Jul. 19, 2016>

(2) The Korea Infrastructure Safety and Technology Corporation entrusted under paragraph (1), shall establish a secretariat for the dispute committee under its jurisdiction.

Article 120 (Re-Examination of Regulations)

(1) The Minister of Land, Infrastructure and Transport shall examine the appropriateness of the following matters every three years (referring to the period that ends on the day before the base date of every third year), counting from each base date specified in the following and shall take measures, such as making improvements: <Amended by Presidential Decree No. 25716, Nov. 11, 2014; Presidential Decree No. 25840, Dec. 9, 2014>

1. Matters subject to deliberation by a local building committee under Article 5-5 (1) 1: January 1, 2014;
2. Construction of buildings subject to permission from the Special Metropolitan City Mayor or a Metropolitan City Mayor under Article 8 (1), and construction of buildings subject to approval from a Do Governor under Article 8 (3): January 1, 2014;
3. Appropriateness of the subject matter for reporting under Article 12 (1) 3: January 1, 2014;
4. Changes of use under Article 14: January 1, 2014;
5. Scope of buildings, the design, etc., of which may be performed by persons, other than architects under Article 18: January 1, 2014;
6. Type, scale, etc., of buildings subject to regular or occasional inspections under Article 23-2 (1) or (5) and appropriateness of the base dates set therefor: January 1, 2014;
7. Relationship between sites and roads under Article 28: January 1, 2014.

(2) The Minister of Land, Infrastructure and Transport shall examine the appropriateness of the following matters every two years (referring to the period that ends on the day before the base date of every second year), counting from each base date specified in the following and shall take measures, such as making improvements: <Newly Inserted by Presidential Decree No. 25840, Dec. 9, 2014>

1. Areas exempt from reporting under Article 11 (1): January 1, 2015;
2. Duties of building instructors under Article 24 (2): January 1, 2015;
3. Landscaping of sites under Article 27: January 1, 2015;
4. Securing open space for public purposes, etc., under Article 27-2: January 1, 2015;
5. Building lines under Article 31: January 1, 2015;
6. Buildings, the documents for verifying the structural safety of which must be submitted under Article 32 (2): January 1, 2015;
7. Restrictions on partition of sites on which buildings are located under Article 80: January 1, 2015;
8. Distances to be maintained from a building line or a boundary of adjacent sites to a building pursuant to Article 80 and attached Table 2: January 1, 2015;
9. Limits on heights of buildings under Article 82: January 1, 2015;
10. Limits on heights of buildings for securing sunshine, etc., under Article 86: January 1, 2015;

11. Cooperation with relevant specialized engineers under Article 91-3: January 1, 2015;
 12. Maintenance, management and monitoring of buildings under Article 110: January 1, 2015;
 13. Permission for use of, and carrying on business, in non-compliant buildings under Article 114 : January 1, 2015;
 14. Buildings eligible for reduction of non-performance penalties under Article 115-2 (1): January 1, 2015;
 15. Standards for calculation of non-performance penalties under Article 115-2 (2) and attached Table 15: January 1, 2015;
 16. Corrective orders in relation to existing buildings under Article 115-3: January 1, 2015;
 17. Structures subject to reporting for erection under Article 118 (1): January 1, 2015.
- (3) The Minister of Land, Infrastructure and Transport shall examine whether the period for restriction on annulment of construction agreements prescribed in Article 110-4 is appropriate every one year (referring to the period that ends on the day before the base date of every one year), counting from May 19, 2016 and shall take measures, such as making improvements. <Newly Inserted by Presidential Decree No. 27175, May 17, 2016>

Article 121 (Criteria for Imposition of Administrative Fines)

The criteria for the imposition of administrative fines under Article 113 (1) and (2) of the Act shall be specified in attached Table 16.

ADDENDA

Article 1 (Enforcement Date)

This Decree shall enter into force on June 1, 1992.

Article 2 (Transitional Measures concerning Persons Granted Building Permits)

Persons granted a building permit or who applied for a building permit before this Decree enters into force, shall be governed by the former provisions.

Article 3 (Transitional Measures concerning Matters Delegated to Municipal Ordinance)

Matters newly delegated to an ordinance on construction under this Decree, shall be governed by the former provisions until the relevant ordinance on construction enters into force within one year from the date this Decree enters into force.

Article 4 (Transitional Measures concerning Buildings subject to Restriction on Building Permits under Former Provisions)

The construction of a building for which an application for a building permit is returned due to a restriction on building permits under the former provisions of Article 96, shall be governed by the former provisions for six months after such restriction is released.

Article 5 (Special Exception to Application of Building to Land Ratio, etc.)

(1) Notwithstanding the amended provisions of Articles 78 (1) and 79 (1), the building-to-land ratio in central or general commercial areas as prescribed in Article 78 (1), and the floor area ration in said areas

as prescribed in Article 79 (1) shall be governed by the former provisions until May 31, 1993.

(2) Notwithstanding the amended provisions of attached Tables and the provisions of an ordinance on construction, any construction permitted before the amended provisions enter into force, in any purpose areas designated under the Urban Planning Act, but prohibited by the amended provisions or an ordinance on construction under the provisions of attached Tables 2 through 7, 9 through 14, shall be governed by the former provisions until May 31, 1994 (in cases of tourist accommodation facilities and any facilities installed in the said facilities under the Tourism Promotion Act, and a gas distribution station, until December 31, 1994).

Article 6 Omitted.

ADDENDA <Presidential Decree No. 13782, Dec. 21, 1992>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 13811, Dec. 31, 1992>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 1993.

Articles 2 through 11 Omitted.

ADDENDA <Presidential decree No. 13869, Mar. 6, 1993>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 13870, Mar. 6, 1993>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 13953, Aug. 9, 1993>

(1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation.

(2) (Transitional Measures concerning Buildings, etc. for Which Building Permission have been Applied for) Any building which is subject to permission pursuant to the former provisions at the time this Decree enters into force, but becomes an object of the report pursuant to the revised provisions of Article 11, and for which building permission is applied for, shall be considered to have been made the object of a building report as prescribed in Article 9 of the Act.

ADDENDUM <Presidential Decree No. 14271, May 28, 1994>

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

ADDENDA <Presidential Decree No. 14447, Dec. 23, 1994>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDUM <Presidential Decree No. 14486, Dec. 31, 1994>

This Decree shall enter into force on January 1, 1995.

ADDENDUM <Presidential Decree No. 14521, Feb. 2, 1995>

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

ADDENDA <Presidential Decree No. 14548, Mar. 23, 1995>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Presidential Decree No. 14891, Dec. 30, 1995>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 6, 1995: Provided, That the amended provisions of Articles 78 and 80 shall enter into force on the date of its promulgation.

Article 2 (Transitional Measures concerning Buildings for which Building Permission has been Obtained)

Buildings, etc., for which building permission has been obtained or for which building permission has been applied for or buildings, etc., upon which a report has been made for the purpose of construction before this Decree enters into force, shall be subject to the former provisions.

Article 3 (Transitional Measures concerning Matters Delegated to Ordinance)

Matters newly delegated to an ordinance on construction pursuant to this Decree shall be subject to the former provisions until the ordinance on construction is enacted.

Article 4 Omitted.

ADDENDA <Presidential Decree No. 14920, Feb. 22, 1996>

Article 1 (Enforcement Date)

This Decree shall enter into force on March 1, 1996.

Article 2 Omitted.

ADDENDA <Presidential Decree No. 15096, Jun. 29, 1996>

Article 1 (Enforcement Date)

This Decree shall enter into force on June 30, 1996.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 15396, Jun. 17, 1997>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Presidential Decree No. 15476, Sep. 9, 1997>

(1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation.

(2) (Transitional Measures concerning Quality Inspection of Fireproof Structure, etc.) Any person designated by the Minister of Construction and Transportation as a person conducting the quality inspection over fireproof structures, incombustible materials, noncombustible materials, semi-noncombustible materials, and fire-resistant structures pursuant to the former provisions at the time when this Decree enters into force, shall be considered to be designated by the director of the National Construction Laboratory as a person conducting the quality inspection over such fireproof structures, incombustible materials, noncombustible materials, semi-noncombustible materials, and fire-resistant structures under the amended provisions of Articles 2 (1) 8 (g), 9, 10 (b) and 11, and 3 (3) 8.

ADDENDA <Presidential Decree No. 15480, Sep. 11, 1997>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 15639, Feb. 19, 1998>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 15659, Feb. 24, 1998>

Article 1 (Enforcement Date)

This Decree shall enter into force on March 1, 1998.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 15675, Feb. 24, 1998>

Article 1 (Enforcement Date)

This Decree shall enter into force on April 11, 1998.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 15802, May 23, 1998>

(1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 14 (2) shall enter into force three months after the date of its promulgation.

(2) (Applicability to Construction in Industrial Promotion Zones) Matters on construction in industrial promotion zones among the amended provisions of Article 11 (2) 4, and attached Tables 14-2 and 14-3 shall apply to where an application for a building permit is newly filed or a building report is filed after this Decree enters into force.

(3) (Transitional Measures concerning Matters Delegated to Ordinance on Construction) Matters newly delegated to an ordinance on construction of a local government under the amended provisions of Articles 62 and 81, and subparagraph 2 (f) of attached Table 3 shall be subject to the former provisions until the ordinance on construction of the local government is enacted.

ADDENDA <Presidential Decree No. 16026, Dec. 31, 1998>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 1999. (Proviso Omitted.)

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 16179, Mar. 12, 1999>

(1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation.

(2) Omitted.

ADDENDA <Presidential Decree No. 16284, Apr. 30, 1999>

(1) (Enforcement Date) This Decree shall enter into force on May 9, 1999: Provided, That amendments to Articles 11, 15, 27, 81, 90, and 111, and subparagraph 2 (j) of Table 3, subparagraph 2 (g) of Table 4, subparagraph 2 (h) of Table 5, subparagraph 2 (f) of Table 6, subparagraph 2 (g) of Table 7, subparagraph 2 (g) of Table 8, subparagraph 1 (d) of Table 11, subparagraph 2 (d) of Table 12, subparagraph 1 (g) of Table 13, and subparagraph 2 (e) of Table 14, and deleted parts in former Articles 33, 45, 66, 67, 69 (3), 91, 91-2, and 92 shall enter into force on the date of its promulgation, and deleted parts in former Articles 69 (1) and (2), 70 through 72, 74, and 75 shall enter into force on May 9, 2000.

(2) (General Transitional Measures) The application of building standards etc. under application for building permission and under construction after obtaining building permission or making a building report at the time of entry into force of this Decree shall be governed by the former provisions: Provided, That where the former provisions are unfavorable to the constructor, builder or project supervisor compared with amendments, the amendments shall prevail.

(3) (Transitional Measures on Purposes of Existing Buildings) The purposes falling under the left column of the following table of the purposes of buildings as at the time this Decree enters into force shall be deemed to fall under the purposes on the right column of the said table:

(4) (Transitional Measures on Architects who Conduct by Proxy Business of On-Site Surveys, etc.) An architect who conducts by proxy on-site survey, inspection, and confirmation business related to construction pursuant to the former provisions as at the time this Decree enters into force but is no more entitled to do the said business under the amended provisions of Article 20 (1) may, notwithstanding the said amended provisions, continue to conduct only the business which he/she is doing as at the time this Decree enters into force.

(5) With respect to charges for compelling compliance against an offense committed before this Decree enters into force, the former provisions of attached Table 15 shall apply.

ADDENDA <Presidential Decree No. 16508, Aug. 6, 1999>

Article 1 (Enforcement Date)

This Decree shall enter into force on August 9, 1999.

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 16523, Aug. 7, 1999>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 16874, Jun. 27, 2000>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2000.

Article 2 (General Transitional Measures)

In the application of building standards, etc., to the matters for which building permission is obtained, a building report is filed, or an application for building permission is filed as at the time this Decree enters into force, the former provisions shall govern: Provided, That when the former provisions are unfavorable for the construction participants, contractor or project supervisor in comparison with the amended provisions, the amended provisions shall govern.

Article 3 (Transitional Measures concerning Matters Delegated to Ordinance on Construction)

Matters newly delegated to an ordinance on construction pursuant to this Decree shall be governed by the former provisions until the ordinance on construction is enacted.

Article 4 Omitted.

ADDENDA <Presidential Decree No. 17028, Dec. 27, 2000>

- (1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation.
- (2) through (5) Omitted.

ADDENDA <Presidential Decree No. 17365, Sep. 15, 2001>

- (1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation.
- (2) (General Transitional Measures) The application of the building standards, etc. to cases where an application for building permission is already filed (including cases where an application is filed to the building committee established pursuant to Article 5 for deliberating building permission) and to cases where construction is under way after building permission is obtained or a building report is filed as at the time this Decree enters into force shall be governed by the former provisions: Provided, That where the former provisions are unfavorable to the project owners, contractors or project supervisors, the amended provisions shall govern the application of the construction standards, etc.
- (3) (Transitional Measures concerning Matters Delegated to Ordinance on Construction) Matters newly delegated to an ordinance on construction pursuant to this Decree shall be governed by the former provisions until the ordinance on construction is enacted.
- (4) Omitted.

ADDENDA <Presidential Decree No. 17395, Oct. 20, 2001>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 17816, Dec. 26, 2002>

Article 1 (Enforcement Date)

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

Articles 2 through 17 Omitted.

ADDENDA <Presidential Decree No. 17926, Feb. 24, 2003>

- (1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation: Provided, That the amendment to Article 86-2 shall enter into force on February 27, 2003.

(2) (General Transitional Measures) The former provisions shall govern in applying the building standards, etc. to cases where an application for building permission has already been filed, and where a building is under construction after building permission has been obtained or a building report has been filed as at the time this Decree enters into force.

(3) (Transitional Measures following Discontinuance of Authority Delegation) The head of a Dong or Eup/Myeon may perform the affairs under each of the following subparagraphs relating to the buildings which are under construction after filing a building report under Article 9 of the Act as at the time this Decree enters into force, notwithstanding the amended provisions of Article 117 (4) :

1. Approval for use under Article 18 (1) and (2) of the Act ;
2. Correctional orders under Article 69 of the Act not later than prior to approval for use.

ADDENDA <Presidential Decree No. 18039, Jun. 30, 2003>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 18044, Jun. 30, 2003>

Article 1 (Enforcement Date)

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

Articles 2 through 13 Omitted.

ADDENDA <Presidential Decree No. 18108, Sep. 29, 2003>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Presidential Decree No. 18146, Nov. 29, 2003>

Article 1 (Enforcement Date)

This Decree shall enter into force on November 30, 2003. (Proviso Omitted.)

Articles 2 through 15 Omitted.

ADDENDA <Presidential Decree No. 18404, May 29, 2004>

Article 1 (Enforcement Date)

This Decree shall enter into force on May 30, 2004. (Proviso Omitted.)

Articles 2 through 11 Omitted.

ADDENDA <Presidential Decree No. 18542, Sep. 9, 2004>

(1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation.

(2) (Transitional Measures concerning Interior Finishing Materials of Buildings) The interior finishing materials of buildings which are under application for building permission or under construction after obtaining building permission or a building report at the time of the entry into force of this Decree shall be governed by the former provisions.

ADDENDA <Presidential Decree No. 18740, Mar. 18, 2005>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 18796, Apr. 22, 2005>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 18931, Jun. 30, 2005>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2005.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 18951, Jul. 18, 2005>

(1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 86, 119 (1) 2 and 4 (excluding item (c)) shall enter into force six months after the date of its promulgation.

(2) (General Transitional Measures) Where any of the following is applicable as at the time this Decree enters into force, the building standards, etc. (excluding the application of Article 19 (7) through (9)) shall be subject to the former provisions: Provided, That where the former provisions are unfavorable to the project owners, contractors, or project supervisors, the amended provisions shall govern:

1. Where an application for building permit has been filed or a building is being constructed after obtaining a building permit or filing a building report;
2. Where an application for deliberation by a building committee has been filed under Article 5 in order to apply for building permit;
3. Where there has been a notice of determination on urban management planning for the district unit planning under Article 30 (6) of the National Land Planning and Utilization Act in relation to a site intended for a construction (including where a legal fiction has been made under other Acts): Provided, That the

former provisions may be applied limited to the building standards included in the district unit planning.

(3) (Transitional Measures for Matters Delegated to Ordinance on Construction) Matters delegated to an ordinance on construction pursuant to this Decree shall be governed by the former provisions until the ordinance on construction is enacted or amended.

ADDENDA <Presidential Decree No. 18978, Jul. 27, 2005>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 28, 2005.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 19092, Oct. 20, 2005>

(1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation.

(2) (General Transitional Measures) The former provisions shall govern in the application of construction criteria, etc. to cases of receiving building permission before this Decree enters into force and to cases of applying for building permission or making a building report: Provided, That the amended provisions shall govern in cases where the former provisions are unfavorable to the project owner, the work executor or the work supervisor.

ADDENDA <Presidential Decree No. 19163 Dec. 2, 2005>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Structural Changes of Balcony of Existing Buildings)

(1) Before this Decree enters into force, where building permission for construction of balcony has already been granted or where a balcony has been installed in a house for which a building report or permission was made or granted (including a part for a simple flower bed under the former provisions of Article 119 (1) 3 (c)), the balcony may be used for a living room, bedroom, storage, etc. In such cases, where intending to use a balcony installed in a house for which a building report or permission was made or granted before June 1, 1992 for a living room, bed room, storage, etc., under the amended provisions of subparagraph 15 of Article 2, a confirmation of structural safety shall be submitted to the permitting authority after undergoing a structural safety check by an architect or certified building structure engineer.

(2) Before this Decree enters into force, where intending to use a balcony which was installed in an apartment among multi-family housing for which building permission was applied for or a building report was made, for a living room, bed room, storage, etc., as provided for in paragraph (1), a shelter place or building walls, which are compliant with the amended provisions of Article 46 (4) and (5) shall be installed: Provided, That where a Type A fire door under Article 64 is installed at a door of a room having at least two square meters of floor areas separated from other indoor places, or a door of a

balcony having no glass windows at the front side of the portion abutting on an indoor, it shall be regarded as having installed a shelter place under the amended provisions of Article 46 (4).

Article 3 (Transitional Measures concerning Computation Method for Floor Area)

The former provisions shall apply to the method of computing the floor area of a terrace, etc., of a building for which building permission was applied for, a building report was made, or building permission was granted, before this Decree enters into force, notwithstanding the amended provisions of Article 119 (1) 3 (c). In such cases, even in cases where structural changes are made under Article 2 (1) of the Addenda, the floor area shall be computed under the former provisions as if no structural changes were made.

ADDENDA <Presidential Decree No. 19466, May 8, 2006>

Article 1 (Enforcement Date)

This Decree shall enter into force on May 9, 2006.

Article 2 (General Transitional Measures)

The former provisions shall apply to the application of construction standards, etc. (excluding the application of Articles 10-2 and 17 (5)) where any of the following is applicable as at the time this Decree enters into force: Provided, That where the former provisions are unfavorable to the project owners, contractors or projects supervisor as compared with the amended provisions, the amended provisions shall apply:

1. Where building permission has been applied for, building permission has been obtained, or a building report has been made;
2. Where the deliberation by building committee has been applied for pursuant to Article 5 in order to apply for building permission;
3. Where there is determination and public announcement (including cases of legal fiction pursuant to other Acts) of the urban management planning regarding the district unit planning in accordance with Article 30 (6) of the National Land Planning and Utilization Act to the site in which construction is intended: Provided, That the former provisions may apply to only the construction standards included in the district unit planning.

Article 3 (Transitional Measures concerning Matters Delegated to Ordinance on Construction)

The former provisions shall apply to the matters delegated to an ordinance on construction pursuant to this Decree until the ordinance on construction is enacted or amended.

Article 4 (Transitional Measures concerning Classification of Uses of Existing Buildings)

Buildings referred to in the left column of the following Table among the buildings as at the time this Decree enters into force, shall be deemed buildings for uses referred to in the right column of the same Table:

Article 5 Omitted.

ADDENDA <Presidential Decree No. 19639, Aug. 4, 2006>

Article 1 (Enforcement Date)

This Decree shall enter into force on August 5, 2006.

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 19714, Oct. 26, 2006>

Article 1 (Enforcement Date)

This Decree shall enter into force on October 29, 2006.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 19920, Feb. 28, 2007>

(1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation.

(2) (General Transitional Measures) In applying the building standards, etc., the cases for which building permission has been given, for which an application for building permission has been filed, or of which a building report has been submitted before this Decree enters into force shall be governed by the former provisions: Provided, That the amended provisions shall apply where the former provisions are more unfavorable to project owners than the amended provisions.

(3) (Transitional Measures concerning Matters Delegated to Ordinance on Construction) Matters delegated to an ordinance on construction pursuant to the amended provisions of the proviso to Article 86 (2) shall be governed by the former provisions until the ordinance on construction is enacted or amended.

ADDENDA <Presidential Decree No. 19954, Mar. 23, 2007>

Article 1 (Enforcement Date)

This Decree shall enter into force on March 25, 2007.

Articles 2 through 6 Omitted.

ADDENDUM <Presidential Decree No. 20160, Jul. 3, 2007>

This Decree shall enter into force on July 4, 2007.

ADDENDA <Presidential Decree No. 20222, Aug. 17, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDA <Presidential Decree No. 20254, Sep. 10, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDUM <Presidential Decree No. 20506, Dec. 31, 2007>

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

ADDENDA <Presidential Decree No. 20647, Feb. 22, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 107 (2) 3 shall enter into force on June 22, 2008.

Article 2 (Applicability to Change of Use)

The amended provisions of Article 14 (5) 9, and attached Table 1 shall apply, beginning with the first case where the use of a building is changed after this Decree enters into force.

Article 3 (Applicability to Temporary Structures)

The amended provisions of Article 15 (5) 8 and (10) shall begin to apply from the first case where a temporary structure is reported after this Decree enters into force.

Article 4 (Transitional Measures concerning Matters Delegated to Ordinance on Construction)

Matters delegated to an ordinance on construction pursuant to the amended provisions of Articles 5 (4) 3-2 and 15 (5) 12 shall be governed by the former provisions until the ordinance on construction is enacted or amended.

Article 5 (Transitional Measures concerning Classification of Uses of Existing Buildings)

Any building used for a funeral parlor among medical facilities referred to in the former provisions of Article 14 (5) 6 (a) shall be deemed used for a funeral parlor under the amended provisions of Article 14 (5) 9, and any building used for a funeral parlor under the former provisions of subparagraph 9 (c) of attached Table 1 shall be deemed used for a funeral parlor under the amended provisions of subparagraph 28 of attached Table1.

Article 6 Omitted.

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. 20782, May 15, 2008>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Classification of Uses of Existing Buildings)

The building falling under the left column of the following Table as at the time this Decree enters into force shall be deemed to fall under the right column of the same Table:

ADDENDA <Presidential Decree No. 20791, May 26, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 20947, Jul. 29, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on February 4, 2009. (Proviso Omitted.)

Articles 2 through 28 Omitted.

ADDENDA <Presidential Decree No. 21025, Sep. 22, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 21098, Oct. 29, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 10 (1) 15 shall enter into force on January 1, 2009.

Article 2 (Transitional Measures concerning Enforcement Date)

In accordance with the proviso to Article 1 of the Addenda, Article 10 (1) 15 shall be construed as follows until Article 10 (1) 15 enters into force:

15. Articles 16 and 18 of the Urban Traffic Improvement Promotion Act.

Article 3 (Transitional Measures concerning Matters Delegated to Ordinance on Construction)

Matters delegated to an ordinance on construction pursuant to the amended provisions of Articles 6 (2) 3 and 82 (4) shall be subject to the former provisions until the ordinance on construction is enacted or amended.

Article 4 Omitted.

ADDENDA <Presidential Decree No. 21445, Mar. 21, 2009>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 21528, Jun. 9, 2009>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 21565, Jun. 26, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on June 30, 2009: Provided, That ...

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 21590, Jun. 30, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2009. (Proviso Omitted.)

Articles 2 through 9 Omitted.

ADDENDUM <Presidential Decree No. 21626, Jul. 7, 2009>

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

ADDENDA <Presidential Decree No. 21629, Jul. 16, 2009>

Article 1 (Enforcement Date)

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

Article 2 (General Transitional Measures)

Where any of the following is applicable as at the time this Decree enters into force, the application of building standards, etc. shall be governed by the former provisions: Provided, That where such former provisions are more unfavorable to the project owners, contractors, or project supervisors than the amended provisions, such amended provisions shall apply:

1. Where building permission has been obtained;
2. Where an application for building permission has been filed or an application for deliberation by a building committee under Article 5 has been filed to file for building permission;
3. Where the decision of urban management planning concerning district unit planning has been publicly announced (including cases deemed legally fictitious pursuant to other Acts) for the relevant land pursuant to Article 30 (6) of the National Land Planning and Utilization Act: Provided, That the former provisions shall apply exclusively to the building standards included in the district unit planning.

Article 3 (Transitional Measures concerning Matters Delegated to Ordinance on Construction)

Matters delegated to an ordinance on construction pursuant to this Decree shall be governed by the former provisions until the ordinance on construction is enacted or amended.

Article 4 (Transitional Measures concerning Funeral Parlors Established in Medical Facilities)

A funeral parlor established in a general hospital, hospital, oriental hospital, and intermediate care hospital among hospitals prescribed in subparagraph 9 (a) of attached Table 1 as at the time this Decree enters into force, shall be deemed an incidental facility of such medical facility.

Article 5 Omitted.

ADDENDA <Presidential Decree No. 21656, Jul. 30, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 31, 2009.

Article 2 Omitted.

ADDENDA <Presidential Decree No. 21668, Aug. 5, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on August 7, 2009: Provided, That the amended provisions of Articles 5 (1) 2 and (4) 2, and 119-2 through 119-5 shall enter into force on October 2, 2009.

Article 2 (Applicability)

The amended provisions of Article 11 (1) shall also apply to an application filed for obtaining building permission pursuant to the former provisions as at the time this Decree enters into force.

Article 3 Omitted.

ADDENDA <Presidential Decree No. 21719, Sep. 9, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on September 10, 2009.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 21744, Sep. 21, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on October 1, 2009.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 21881, Dec. 14, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Presidential Decree No. 22052, Feb. 18, 2010>

Article 1 (Enforcement Date)

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

Article 2 (Applicability, etc. to Temporary Structures)

(1) The amended provisions of Articles 15-2 and 15-3 shall permit the first temporary structure for which a building permit is granted or a report is filed to erect which, after this Decree enters into force (including a temporary structure for which permission for the extension of the period of retention is granted or a report thereon is filed pursuant to paragraph (2)).

(2) The owner of a temporary structure established before this Decree enters into force shall, where its period of retention expires for the first time after this Decree enters into force, obtain permission for the extension of the period of retention or file a report thereon pursuant to the former provisions, notwithstanding the amended provisions of Articles 15-2 and 15-3.

Article 3 (General Transitional Measures)

Where any of the following is applicable as at the time this Decree enters into force, the application of building standards, etc., shall be governed by the former provisions: Provided, That where the former provisions are more unfavorable to the project owners, contractors, or project supervisors than the amended provisions, such amended provisions shall apply:

1. Where a building permit is granted;
2. Where an application for building permit is filed or an application for deliberation by a building committee under Article 5 is filed to apply for building permit;
3. Where the decision of urban management planning regarding district unit planning is publicly announced for a site on which a building is intended to be constructed in accordance with Article 30 (6) of the National Land Planning and Utilization Act (including cases where a legal fiction is made pursuant to other Acts): Provided, That the former provisions shall apply exclusively to building standards included in district unit planning.

Article 4 (Transitional Measures concerning Matters delegated to Ordinance on Construction)

Matters delegated to an ordinance on construction pursuant to the amended provisions of this Decree shall be governed by the former provisions until the ordinance on construction is enacted or amended.

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

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 22224, Jun. 28, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2010.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 22254, Jul. 6, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 11 Omitted.

ADDENDA <Presidential Decree No. 22351, Aug. 17, 2010>

Article 1 (Enforcement Date)

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

Article 2 (General Transitional Measures)

In any case under the following subparagraphs as at the time this Decree enters into force, the application of building standards, etc. shall be governed by the former provisions: Provided, That where the former provisions are more disadvantageous to the project owner, contractor, or project supervisor than the amended provisions, such amended provisions shall apply:

1. Where a building permit is granted;
2. Where an application for building permit is filed or an application for deliberation by a building committee under Article 5 is filed to apply for the building permit;
3. Where the decision of urban management planning regarding district unit planning is publicly announced for a site on which a building is intended to be constructed in accordance with Article 30 (6) of the National Land Planning and Utilization Act (including cases where a legal fiction is made pursuant to other Acts): Provided, That the former provisions shall apply exclusively to building standards included in district unit planning.

ADDENDA <Presidential Decree No. 22493, Nov. 15, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on November 18, 2010.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 22525, Dec. 13, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 14 Omitted.

ADDENDA <Presidential Decree No. 22526, Dec. 13, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 61 (2) shall enter into force on December 30, 2010.

Article 2 (Applicability to Change of Use of Funeral Parlor)

The amended provisions of Article 14 (5) shall begin to apply from the first application for permission for change of use or the first report on the change of use to be filed after this Decree enters into force.

Article 3 (Applicability to Temporary Structures)

The amended provisions of Article 15 (6) shall begin to apply from the first case where the temporary structure for which building permission is granted or a building report is filed after this Decree enters into force.

Article 4 (Applicability to Installation of Passages for Access by Fire Engines within Site where Public-Use Buildings are Constructed)

The amended provisions of Article 41 (2) shall begin to apply from the first case where an application for building permission is filed or an application for deliberation by a building committee is filed (limited to where the application for deliberation is filed before applying for building permission) after this Decree enters into force.

Article 5 (Applicability to Finishing Materials for Exterior of Building)

The amended provisions of Article 61 (2) shall begin to apply from the first case where an application for building permission is filed or an application for deliberation by a building committee is filed (limited to where the application for deliberation is filed before applying for building permission) after the amended provisions of Article 61 (2) enters into force under the proviso to Article 1.

Article 6 (Applicability to Designation of Special Building Zones)

The amended provisions of Article 107 (2) 2-2, 4 and 117 (1) shall begin to apply from the first case where a special building zone is designates after this Decree enters into force.

Article 7 (Transitional Measures concerning Building Permit, etc.)

Where an application for building permit has already been filed (including where an application for deliberation by a building committee is filed) at the time this Decree enters into force, it shall be governed by the former provisions, notwithstanding the amended provisions of Article 8 (1).

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

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 22626, Jan. 17, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 22829, Apr. 4, 2011>

Article 1 (Enforcement Date)

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

Articles 2 (Applicability to Calculation of Floor Area Ratio pursuant to Amended Enforcement Decree of the Building Act)

The amended provisions of Article 119 (1) 4 (d) of the amended Enforcement Decree of the Building Act shall begin to apply from the first building permit to be granted after this Decree enters into force.

Article 3 (Applicability to Authorization for Change under Amended Enforcement Decree of the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents)

The amended provisions of subparagraph 3 of Article 27 of the amended Enforcement Decree of the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents shall begin to apply from the first change of the authorized matters for establishment of a partnership to be made after this Decree enters into force.

Article 4 (Transitional Measures concerning Penalty Surcharges or Administrative Fines)

(1) Standards for imposition of penalty surcharges or administrative fines against offenses committed before this Decree enters into force, shall be subject to the former provisions.

(2) Imposition of penalty surcharges or administrative fines against offenses committed before this Decree enters into force, shall not be counted in calculating the number of offenses under the amended provisions of this Decree.

ADDENDA <Presidential Decree No. 22993, Jun. 29, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 14 (4) and subparagraph 4 (m) of attached Table 1 shall enter into force three months after the promulgation of this Decree.

Articles 2 (Applicability to Change of Use of Gosiwon)

The amended provisions of Article 14 (5) shall begin to apply from the first application for permission or the first report on change of use to be filed after this Decree enters into force.

Article 3 (Applicability to Calculation of Area, etc.)

The amended provisions of Article 119 (1) 2 (b) and 3 (h) shall apply, beginning with the first case where an application for building permit is filed or a building report is made (including the cases where the application for a deliberation by a building committee under Article 5 is filed in order to apply for

building permit) after this Decree enters into force.

Article 4 (General Transitional Measures)

Where any of the following is applicable as at the time this Decree enters into force, the application of classification of use or building standards, etc. shall be governed by the former provisions: Provided, That where the former provisions are unfavorable to the project owners, contractors or project supervisors compared with the amended provisions, it shall be governed by the amended provisions:

1. Where a building permit is obtained or a building report is made;
2. Where an application for building permit is filed or an application for a deliberation by a building committee under Article 5 is filed in order to apply for building permit;
3. Where the decision of urban management planning regarding district unit planning is publicly announced in accordance with Article 30 (6) of the National Land Planning and Utilization Act (including cases where a legal fiction is made pursuant to other Acts): Provided, That the former provisions shall apply exclusively to building standards included in district unit planning.

ADDENDA <Presidential Decree No. 23248, Oct. 25, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on October 26, 2011.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 23330, Nov. 30, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on December 1, 2011.

Articles 2 (General Transitional Measures)

In cases falling under any of the following subparagraphs at the time this Decree enters into force, application of building standards, etc. shall be governed by the former provisions: Provided, That in cases where the former provisions are disadvantageous to the project owner, contractor or construction supervisor compared with the amended provisions, it shall be governed by the amended provisions of Article 91:

1. Where building permission is obtained;
2. Where an application for building permission is filed or an application for a deliberation by a building committee under Article 5 is filed in order to apply for building permission;
3. Where the decision of urban management planning regarding district unit planning is publicly announced in accordance with Article 30 (6) of the National Land Planning and Utilization Act (including cases where a legal fiction is made pursuant to other Acts): Provided, That the former provisions may apply exclusively to building standards included in district unit planning.

ADDENDA <Presidential Decree No. 23356, Dec. 8, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on December 8, 2011. (Proviso Omitted.)

Article 2 Omitted.

ADDENDA <Presidential Decree No. 23469, Dec. 30, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on March 17, 2012.

Article 2 (Applicability to Securing Rooftop Space of Buildings)

The amended provisions of Article 40 shall begin to apply from the first case where an application for building permit is filed (including where an application for a deliberation by a building committee under Article 5 is filed in order to apply for building permit) after this Decree enters into force.

Article 3 (Applicability to Securing Passages for Fire Engines to Access to Buildings)

The amended provisions of Article 41-2 shall begin to apply from the first case where an application for building permit is filed (including where an application for a deliberation by a building committee under Article 5 is filed in order to apply for building permit) after this Decree enters into force.

Article 4 (Applicability to Mark Indicating Availability of Entry by Firefighters)

The amended provisions of Article 51-4 shall begin to apply from the first case where an application for building permit is filed (including where an application for a deliberation by a building committee under Article 5 is filed in order to apply for building permit) after this Decree enters into force.

Article 5 (Applicability to Use of Finishing Materials for Building)

The amended provisions of Article 61 (2) 2 shall begin to apply from the first case where an application for building permit is filed (including where an application for a deliberation by a building committee under Article 5 is filed in order to apply for building permit) after this Decree enters into force.

Article 6 (Transitional Measures concerning Imposition of Non-Performance Penalties)

The former provisions shall apply to the buildings, which have been substantially repaired by extension or dismantlement without reporting, as at the time this Decree enters into force, notwithstanding the amended provisions of subparagraph 1 of attached Table 15.

ADDENDA <Presidential Decree No. 23718, Apr. 10, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on April 15, 2012. (Proviso Omitted.)

Articles 2 through 15 Omitted.

ADDENDUM <Presidential Decree No. 23928, Jul. 4, 2012>

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

ADDENDA <Presidential Decree No. 23963, Jul. 19, 2012>

Article 1 (Enforcement Date)

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

Articles 2 (Applicability to Buildings, etc., Subject to Regular Inspections)

Matters delegated to the ordinance on construction of the Special Self-Governing Province or a Si/Gun/Gu under the amended provisions of Article 23-2 (1) 3 and (5) shall apply beginning with a regular inspection or occasional inspection conducted after the relevance ordinance is enacted or amended.

Article 3 (Applicability to Report, etc., of Result of Inspection)

The amended provisions of Article 23-5 shall begin to apply from a regular inspection conducted after this Decree enters into force.

Article 4 (Transitional Measures concerning Implementation of Regular Inspections of Existing Buildings)

(1) In the case of a building falling under any of the amended provisions of subparagraphs of Article 23-2 (1), approval for use of which is obtained at the time this Decree enters into force, a regular inspection shall be conducted under the amended provisions of Article 23-2 within the period classified as follows, and the result of the inspection shall be reported in accordance with the amended provisions of Article 23-5:

1. A building in the case of which not less than 20 years have elapsed since the date of approval for use: Within two years after this Decree enters into force;

2. A building in the case of which not less than 10 but less than 20 years have elapsed since the date of approval for use: Within two years six months after this Decree enters into force.

(2) Where the owner or manager of a building falling under any subparagraph of paragraph (1) conducts an occasional inspection under the amended provisions of Article 23-2 (5) before conducting a regular inspection under paragraph (1) and report the result thereof, he/she shall be deemed to have conducted a regular inspection under paragraph (1) and reported the result thereof.

(3) The period for the next regular inspection of a building, regular inspection of which is conducted under paragraph (1), shall be reckoned from each last date of the period classified in subparagraphs of paragraph (1).

ADDENDA <Presidential Decree No. 23994, Jul. 26, 2012>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 47 (2) 2 shall enter into force three months after the date of its promulgation, and the amended provisions of Articles 6 (1) 3 and 15 (6) shall enter into force on February 23, 2013.

Article 2 (Applicability to Deliberations, etc. by Local Building Committees)

(1) Matters delegated to an ordinance on construction of a local government under the amended provisions of Article 5-5 (1) 4 and (6) shall apply, beginning with a local building committee meeting held after the ordinance on construction is enacted or amended.

(2) Matters delegated to an ordinance on construction of a local government under the amended provisions of Article 5-6 (2) shall apply beginning with a local building committee meeting held after the ordinance on construction is enacted or amended.

Article 3 (Applicability to Relaxed Application of Standards to Buildings)

The amended provisions of Articles 6 (1) 8 and 11, 6 (2) 5, and 119 (1) 4 (c) and (d) shall apply, beginning with an application for building permission (including an application for deliberation of a building committee filed under Article 5 or 5-5 to apply for building permission) to be filed after this Decree enters into force.

Article 4 (Applicability to Change of Use)

The amended provisions of Article 14 (4) 2 shall apply, beginning with an application for change of entries in a building register to be filed after this Decree enters into force.

Article 5 (Applicability to Restrictions on Uses Impeding Fire Prevention)

The amended provisions of Article 47 (2) 2 shall apply, beginning with an application for building permission (including an application for deliberation of a building committee prescribed in Article 5 or 5-5 filed to apply for building permission) or an application for change of use (including a report on change of use and an application for change of matters stated in a building register) to be filed after the enforcement date prescribed in the proviso to Article 1 of the Addenda.

Article 6 (Applicability to Restrictions on Height of Buildings for Securing Sunshine, etc.)

The amended provisions of Article 86 (1) shall apply, beginning with an application for building permission (including an application for deliberation of a building committee prescribed in Article 5 or 5-5 filed to apply for building permission and an application for permission for modification) or a building report (including a report on modification) to be filed after the relevant ordinance on construction is enacted or amended.

Article 7 (Applicability to Installation of Joint Reception Equipment for Media Broadcasts)

The amended provisions of Article 87 (4) 1 shall apply, beginning with an application for building permission (including an application for deliberation of a building committee prescribed in Article 5 or 5-5 filed to apply for building permission) to be filed after this Decree enters into force.

Article 8 (Transitional Measures concerning Terms of Office of Building Committee Members)

Notwithstanding the amended provisions of Articles 5 (6) and 5-5 (6) 1 (e), members of the Central Building Committee and each local building committee commissioned at the time this Decree enters into force shall be deemed the members of the relevant building committee until the completion date of their term of office.

Article 9 (Transitional Measures concerning Imposition of Non-Performance Penalties)

Notwithstanding the amended provisions of subparagraph 1 of attached Table 15, the former provisions shall apply to a building substantially repaired by extension or dismantlement without permission as at the time this Decree enters into force.

Article 10 Omitted.

ADDENDA <Presidential Decree No. 24391, Feb. 20, 2013>

Article 1 (Enforcement Date)

This Decree shall enter into force on February 23, 2013.

Articles 2 and 3 Omitted.

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.

ADDENDA <Presidential Decree No. 24568, May 31, 2013>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 6 (2) 2 (c) and Article 91-3 (5) shall enter into force six months after the date of its promulgation.

Article 2 (Applicability to Relaxed Application of Standards to Buildings Requiring Remodeling)

The amended provisions of Article 6 (1) 6 shall begin to apply from an application for an approval for business plan under Article 16 of the Housing Act or an application for building permission or for permission of substantial repair under Article 11 of the Act (including an application for deliberation of a building committee under Article 5 or 5-5 in order to apply for an approval for business plan under Article 16 of the Housing Act or application for building permission or substantial repair permission under Article 11 of the Act) or to a report on building or substantial repair under Article 14 of the Act to be filed after this Decree enters into force.

Article 3 (Applicability to Criteria for Relaxed Application of Standards to Buildings under Remodeling)

The amended provisions of Article 6 (2) 2 (c) shall begin to apply from an application for approval for business plan under Article 16 of the Housing Act or an application for building permission or permission for substantial repair under Article 11 of the Act (including an application for deliberation of a building committee under Article 5 or 5-5 in order to apply for an approval for business plan under Article 16 of the Housing Act or application for building permission or substantial repair permission under Article 11 of the Act) or to a report on building or substantial repair under Article 14 of the Act to be filed on or after the enforcement date prescribed in the proviso to Article 1 of the Addenda.

Article 4 (Applicability to Omission of Confirmation of Earthquake Safety in Case of Substantial Repair of Building)

The amended provisions of Article 32 (2) shall begin to apply from an application for approval for business plan under Article 16 of the Housing Act or an application for substantial repair permission under Article 11 of the Act (including application for deliberation of a building committee under Article 5 or 5-5 in order to apply for an approval for business plan under Article 16 of the Housing Act or application for substantial repair permission under Article 11 of the Act) or to a report on substantial repair under Article 14 of the Act to be filed after this Decree enters into force.

Article 5 (Applicability to Cooperation from Building Structure Engineers)

The amended provisions of Article 91-3 (5) shall begin to apply from an application for approval for business plan under Article 16 of the Housing Act or an application for building permission under Article 11 of the Act (including application for deliberation of a building committee under Article 5 or 5-5 in order to apply for building permission) to be filed on or after the enforcement date prescribed in the proviso to Article 1 of the Addenda.

Article 6 (Applicability to Imposition of Administrative Fines)

- (1) The amended provisions of Article 121 and attached Table 16 shall apply, beginning with the administrative fines to be imposed and collected after this Decree enters into force.
- (2) The imposition of administrative fines for violations committed before this Decree enters into force shall not be included in the calculation of the number of violations under the amended provisions of attached Table 16.

ADDENDA <Presidential Decree No. 24621, Jun. 17, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDA <Presidential Decree No. 24874, Nov. 20, 2013>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 118 (4) shall enter into force one year after the date of its promulgation.

Article 2 (Applicability to Examination of Safety of Structure)

The amended provisions of Article 118 (4) shall begin to apply from a report on the erection of a structure on or after the enforcement date prescribed in the proviso to Article 1 of the Addenda.

ADDENDA <Presidential Decree No. 24884, Nov. 29, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDUM <Presidential Decree No. 25050, Dec. 30, 2013>

This Decree shall enter into force on January 1, 2014. (Proviso Omitted.)

ADDENDA <Presidential Decree No. 25273, Mar. 24, 2014>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Kinds of Buildings by Use)

The amended provisions of attached Table 1 shall apply with regard to the application (including cases where the deliberation by the Central Building Committee under Article 5 or 5-5 to apply for the permission of construction or substantial repair under Article 11 of the Act) of permission for construction or substantial repair under Article 11 of the Act or the report of construction or substantial repair under Article 14 of the Act after this Decree enters into force.

Article 3 (Transitional Measures concerning Kinds of Buildings by Use)

The building by the use falling under the left column of the following table pursuant to the previous provisions of attached Table 1 as at the time this Decree enters into force shall be deemed to fall under the right column of the following table pursuant to the amended provisions of attached Table 1:

Article 4 Omitted.

Article 5 (Relationship with other Acts and Subordinate Statutes)

Where the previous provisions of attached Table 1 are cited in other Acts or subordinate statutes as at the time this Decree enters into force, the amended provisions of attached Table 1 shall be deemed cited in place of the previous provisions, if any provisions corresponding thereto exist in this Decree.

ADDENDA <Presidential Decree No. 25339, Apr. 29, 2014>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 25358, May 22, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on May 23, 2014.

Articles 2 through 13 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 25509, Jul. 28, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 29, 2014.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 25578, Aug. 27, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force nine months after the date of its promulgation: Provided, That the amended provisions of Article 46 (5) shall enter into force on the date of its promulgation.

Article 2 (Transitional Measures concerning Use of Finishing Materials for Warehouses)

Notwithstanding the amended provisions of the main body of Article 61 (1) 7, the former provisions shall apply where a building permit or a permit for substantial repair has been granted, or an application for such permit (including an application filed with a building committee for deliberation under Article 5 or 5-5 to file an application for a building permit or a permit for substantial repair under Article 11 of the Act) has been filed under Article 11 of the Act, or a building report or a report on substantial repair has been filed under Article 14 of the Act before this Decree enters into force.

ADDENDA <Presidential Decree No. 25652, Oct. 14, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the following amended provisions shall enter into force on the specified dates:

1. The amended provisions of Article 6 (1) 12 and (2) 6, Article 11 (1), Article 15 (excluding the parts adding the Metropolitan Autonomous City Mayor to paragraphs (5) and (8), and paragraph (9)), Article 81 (1) and (4), Article 105, Article 107, Articles 110-2 through 110-5, and Article 117 (4): October 15, 2014;
2. The amended provisions of subparagraph 4 (o) of attached Table 1: Nine months after the promulgation date of this Decree.

Article 2 (Transitional Measures concerning Types of Buildings for Broadcasting and Communications Facility)

Communications facilities which constitute broadcasting and communications facilities referred to in subparagraph 24 (d) of attached Table 1 as at the time this Decree enters into force shall be deemed buildings for uses referred to in the amended provisions of subparagraph 3 (h) of attached Table 1, if the total floor area used for such purpose does not exceed 1,000 square meters.

Article 3 (Transitional Measures concerning Criteria for Communal Living Facilities)

Notwithstanding the amended provisions of subparagraph 4 (o) of attached Table 1, the former provisions shall apply to communal living facilities referred to in subparagraph 4 (o) of attached Table 1, if a building permit or a permit for substantial repair has been granted, or an application for such permit (including an application filed with a building committee for deliberation under Article 5 or 5-5 to file an application for a building permit or a permit for substantial repair under Article 11 of the Act) has been filed under Article 11 of the Act, or a building report or a report on substantial repair has been filed under Article 14 of the Act before the enforcement date provided for in subparagraph 2 of Article 1 of this Addenda.

Articles 4 Omitted.

ADDENDA <Presidential Decree No. 25716, Nov. 11, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 5-5 (5) 3 shall enter into force on November 29, 2014.

Article 2 (Transitional Measures concerning Retention Period of Temporary Structures)

Notwithstanding the amended provisions of Article 15 (7), the former provisions shall apply to temporary structure, a report on erection of which (including a report on the extension of the retention period under Article 15-2 (2)) has been filed under Article 20 (3) of the Act before this Decree enters into force.

Article 3 (Transitional Measures concerning Standards for Limits on Height of Buildings for Securing Sunshine, etc.)

Notwithstanding the amended provisions (limited to the buildings constructed between sites adjacent to a road) of the proviso to Article 86 (1), the former provisions shall apply where a building permit or a permit for substantial repair has been granted, or an application for such permit (including an application filed with a building committee for deliberation under Article 5 or 5-5 to file an application for a building permit or a permit for substantial repair) has been filed under Article 11 of the Act, or a building report or a report on substantial repair (including a revised report) has been filed under Article 14 of the Act before this Decree enters into force: Provided, That where the amended provisions (limited to the buildings constructed between sites adjacent to a road) of the proviso to Article 86 (1) are relaxed than the former provisions, the amended provisions shall apply.

Articles 4 Omitted.

ADDENDA <Presidential Decree No. 25786, Nov. 28, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on November 29, 2014.

Article 2 (Applicability to Scope of Substantial Repairs)

The amended provisions of subparagraph 9 of Article 3-2 shall begin to apply from the first application for substantial repair filed under Article 11 of the Act (including an application filed with a building committee for deliberation under Article 5 or 5-5 to file an application for permission for substantial repair), or the first report on substantial repair filed under Article 14 of the Act, after this Decree enters into force.

Article 3 (Applicability to Supervision of Construction Works of Buildings with Steel Framed Structure)

The amended provisions of the proviso to Article 19 (3) 1 (c) shall begin to apply from the first assembly of the main structure of a building to be completed after this Decree enters into force.

Article 4 (Applicability to Duty to Cooperate with Building Structural Engineers by Construction Supervisors of Buildings of Unique Structures and High-Rise Buildings)

(1) The amended provisions of Article 91-3 (5) shall apply, beginning with a building of unique structures, regarding which an application for a building permit or a permit for substantial repair (including an application filed with a building committee for deliberation under Article 5 or 5-5 to file an application for a building permit or a permit for substantial repair) is filed under Article 11 of the Act, after this Decree enters into force.

(2) Notwithstanding the amended provisions of Article 91-3 (5), the former provisions shall apply to high-rise buildings, regarding which an application for a building permit or a permit for substantial repair has been filed under Article 11 of the Act (including an application filed with a building committee for deliberation under Article 5 or 5-5 to file an application for a building permit or a permit for substantial repair) before this Decree enters into force.

Article 5 (Transitional Measures concerning Submission of Documents for Verifying Structural Safety)

Notwithstanding the amended provisions of Article 32 (1) and (2), the former provisions shall apply to buildings regarding which an application for a building permit or a permit for substantial repair has been filed under Article 11 of the Act (including an application filed with a building committee for deliberation under Article 5 or 5-5 to file an application for a building permit or a permit for substantial repair) before this Decree enters into force.

Article 6 (Transitional Measures concerning Duty to Cooperate with Building Structural Engineers by Architects of Buildings of Unique Structures)

Notwithstanding the amended provisions of Article 91-3 (1), the former provisions shall apply to buildings of unique structures regarding which an application for a building permit or a permit for substantial repair has been filed under Article 11 of the Act (including an application filed with a building committee for deliberation under Article 5 or 5-5 to file an application for a building permit or a permit for substantial repair) before this Decree enters into force.

Article 7 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 16 Omitted.

ADDENDUM <Presidential Decree No. 26210, Apr. 24, 2015>

This Decree shall enter into force on April 27, 2015.

ADDENDA <Presidential Decree No. 26302, Jun. 1, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force on June 4, 2015.

Articles 2 and 3 Omitted.

ADDENDUM <Presidential Decree No. 26384, Jul. 6, 2015>

This Decree shall enter into force on July 7, 2015.

ADDENDA <Presidential Decree No. 26458, Aug. 3, 2015>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 26542, Sep. 22, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 61-4 shall enter into force on October 7, 2015 and the amended provisions of Article 19 (5) 4 one year after the date of its promulgation.

Article 2 (Applicability to Alteration of Building Standards, Etc.)

The following amended provisions shall apply, beginning with an application for a building permit to be filed under Article 11 of the Act (including where an application for deliberation of a building committee is filed under Article 4-2 of the Act to apply for a building permit, and where a building

report is filed under Article 14 of the Act) or an application for permission for change of use (including reports on the change of use and an application for the alteration of entries in the building register) to be filed under Article 19 of the Act after this Decree enters into force:

1. Amended provisions of subparagraph 17 (a) (i) concerning exhibition halls among public-use buildings;
2. Amended provisions of Article 34 (2) 2 concerning the installation of direct stairs;
3. Amended provisions of Article 41 (1) concerning the installation of passage for escape and firefighting;
4. Amended provisions of Article 41 (2) concerning the installation of passage to gain the access of fire engines;
5. Amended provisions of Article 46 (6) concerning the installation of a fire-protected shelter safety zone, etc.;
6. Amended provisions of Article 51 (2) concerning the installation of smoke exhaust facilities;
7. Amended provisions of Article 53 (1) 5 concerning the installation of partition walls between rooms of a sanatorium for older persons;
8. Amended provisions of Article 61 (1) and (2) concerning standards for finishing materials for buildings;
9. Amended provisions of Article 81 (1) 1 concerning construction of double walls;
10. Amended provisions of subparagraph 2 (d) and (e) of attached Table 2 concerning the empty space of a site.

Article 3 (Applicability to Model Houses, Etc.)

The amended provisions of Article 15 (6) shall begin to apply from a report on construction to be filed under Article 20 (3) of the Act, after this Decree enters into force.

Article 4 (Applicability to Supervision of Construction Works of Quasi-Public-Use Buildings)

The amended provisions of Article 19 (5) 4 shall begin to apply from a report on the commencement of construction works to be filed under Article 21 of the Act on or after the enforcement date prescribed in the proviso to Article 1 of the Addenda.

Article 5 (Applicability to Duty of Architects of Quasi-Public-Use Buildings to Cooperate with Building Structural Engineers)

The amended provisions of Article 91-3 (1) shall begin to apply from a building permit or a permit for substantial repair to be filed under Article 11 of the Act (including where an application for deliberation of a building committee is filed under Article 4-2 of the Act to apply for a building permit or a permit for substantial repair) after this Decree enters into force.

Article 6 (Transitional Measures concerning Regular Inspections of Existing Buildings)

(1) The owner or manager of a building of unique structures, the use of which has been approved as at the time this Decree enters into force among quasi-public-use buildings referred to in the amended provisions of Article 23-2 (1) 4, shall conduct a regular inspection in accordance with the amended

provisions of Article 23-2 (1) within the period classified below and report the result thereof as prescribed in Article 23 (5) 1:

1. A building for which at least 20 years have passed since the date of approval for use: Within 2 years after this Decree enters into force;

2. A building for which at least 10 years but less than 20 years have passed since the date of approval for use: Within 2 years and 6 months after this Decree enters into force;

(2) Where the owner or manager of a building referred to in any subparagraph of paragraph (1) has conducted an occasional inspection under Article 23-2 (5) and reported the result thereof before conducting a regular inspection under paragraph (1), he/she shall be deemed to have conducted a regular inspection and reported the result thereof under paragraph (1).

(3) The period for the following regular inspection of a building which has undergone a regular inspection under paragraph (1) (including buildings which are deemed to have undergone a regular inspection referred to in paragraph (1) pursuant to paragraph (2)) shall be counted from the date on which the period classified in the subparagraphs of paragraph (1) expires.

Article 7 (Transitional Measures concerning Submission of Documents Verifying Structural Safety)

Notwithstanding the amended provisions of Article 32 (2) 2, a building for which an application for a building permit or a permit for substantial repair is filed under Article 11 of the Act (including where an application for deliberation of a building committee is filed under Article 4-2 of the Act to apply for a building permit or a permit for substantial repair) before this Decree enters into force shall be governed by the former provisions.

ADDENDA <Presidential Decree No. 26762, Dec. 28, 2015>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDA <Presidential Decree No. 26909, Jan. 19, 2016>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Reporting on Erection of Structures)

The amended provisions of Article 118 (1) 11 shall begin to apply from a report to be filed under Article 83 after this Decree enters into force.

Article 3 (Transitional Measures concerning Calculation of Building Area, Floor Area, and Number of Floors)

Notwithstanding the amended provisions of Article 119 (1) 2 (c) (viii), 3 (d) and (j), and 9, the methods of calculating the building area and floor area of convenient facilities for persons with disabilities, etc. and the building area and number of floors of the rooftop elevator platform of multi-family housing, for

which a building permit is applied under Article 11 of the Act (including where an application for deliberation of a building committee is filed under Article 4-2 of the Act to apply for a building permit) or a building report (including a report on the alteration thereof) filed under Article 14 of the Act before this Decree enters into force, shall be governed by the former provisions.

ADDENDUM <Presidential Decree No. 26974, Feb. 11, 2016>

This Decree shall enter into force on February 12, 2016.

ADDENDA <Presidential Decree No. 27175, May 17, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 110-4 shall enter into force on May 19, 2016, and the amended provisions of Article 91-3 (2) 2 and 3 six months after the date of its promulgation.

Article 2 (Applicability to Regulations to be Confirmed when Granting Building Permits)

The amended provisions of Article 10 (1) 14 shall begin to apply from an application for a building permit or substantial repair (including an application for deliberation of a building committee is filed under Article 4-2 of the Act to apply for a building permit or a permit for substantial repair, and where an application for permission for alteration is filed) to be filed under Article 11 of the Act after this Decree enters into force.

Article 3 (Transitional Measures concerning Cooperation of Relevant Specialized Engineers concerning Gas Pipe Lines and Auxiliary Installations)

Notwithstanding the amended provisions of Article 91-3 (2) 2 and 3, the former provisions shall apply to cooperation with relevant specialized engineers in any of the following cases:

1. Where a building permit or a permit for substantial repair is granted under Article 11 of the Act before the enforcement date prescribed in the proviso to Article 1 of the Addenda;
2. Where an application for a building permit or a permit for substantial repair is filed under Article 11 of the Act (including where an application for deliberation of a building committee is filed under Article 4-2 of the Act to apply for a building permit or a permit for significant change under Article 11 of the Act) before the enforcement date prescribed in the proviso to Article 1 of the Addenda;
3. Where a permit is granted to alter a building permit or a substantial repair granted under subparagraph 1 or 2, on or after the enforcement date prescribed in the proviso to Article 1 of the Addenda.

Article 4 (Transitional Measures concerning Cooperation of Building Structural Engineer concerning Buildings of Unique Structures and High-Rise Buildings)

Notwithstanding the amended provisions of Article 91-3 (5), the former provisions shall apply to cooperation with building structural engineers in any of the following cases:

1. Where a building permit or a permit for substantial repair has been granted under Article 11 of the Act before this Decree enters into force;
2. Where an application for a building permit or a permit for substantial repair has been filed under Article 11 of the Act (including where an application for deliberation of a building committee has been filed under Article 4-2 of the Act to apply for a building permit or a permit for significant change under Article 11 of the Act) before this Decree enters into force;
3. Where a permit is granted to alter a building permit or a substantial repair granted under subparagraph 1 or 2 after this Decree enters into force.

ADDENDA <Presidential Decree No. 27299, Jun. 30, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2016. (Proviso Omitted.)

Article 2 (Applicability to Amendment of the Enforcement Decree of the Building Act)

The amended provisions of subparagraph 1 (b) of Article 15-3 of the Enforcement Decree of the Building Act shall also apply to the temporary structures, on which a notice is given under Article 15-2 (1) before this Decree enters into force, but for which the period for filing a report on the extension of retention period prescribed in paragraph (2) 2 of the same Article has not arrived, as at the time this Decree enters into force.

Articles 3 through 15 Omitted.

ADDENDA <Presidential Decree No. 27323, Jul. 6, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 7, 2016.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 27365, Jul. 19, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 20, 2016: Provided, That the amended provisions of subparagraph 19 of Article 2, Articles 18-2, 18-3, 19-2, 23-6, 23-7, 23-8, 91-3 (8), 110, 110-7, and subparagraph 2 (excluding the amended provisions of item (j)) of attached Table 16 shall enter into force on August 4, 2016.

Article 2 (Special Exceptions to Designation of Project Supervisors by Permitting Authority)

Notwithstanding the amended provisions of Article 19-2 (2) through (5), a permitting authority may designate a project supervisor from among certified architects who have filed reports under Article 23 (1) of the Certified Architects Act or the proviso to paragraph (8) of the same Article or certified architects belonging to any architectural firm under paragraph (2) of the same Article until December 31, 2016.

Article 3 (Transitional Measures concerning Postpartum Care Centers)

Notwithstanding the amended provisions of Article 47 (1), the former provisions shall apply to a postpartum care center if it falls under any of the following cases:

1. Where it has obtained or applied for a building permit (including where it has applied for an application for deliberation of a building committee under Article 4-2 of the Act to apply for a building permit) under Article 11 of the Act before this Decree enters into force;
2. Where it has filed a building report under Article 14 of the Act before this Decree enters into force;
3. Where it has obtained or applied for permission for change of use under Article 19 of the Act (including reports on the change of use and applications for the alteration of entries in the building register under the same Article) before this Decree enters into force;
4. Where a permit for alteration is obtained or a report on alteration is obtained for a postpartum care center established under subparagraph 1 through 3 after this Decree enters into force.

Article 4 (Transitional Measures concerning Cooperation of Relevant Specialized Engineers)

Notwithstanding the amended provisions of Article 91-3 (8), a relevant specialized engineer who is performing cooperative business prescribed in paragraphs (2) through (7) of the same Article after entering into a contract with an architect or a project supervisor as of the enforcement date of this Decree prescribed in the proviso to Article 1 of the Addenda, may continue to perform the relevant cooperative business until it is completed.

Article 5 (Transitional Measures concerning Calculation of Floor Area for Use as Public Pub)

Notwithstanding the amended provisions of subparagraph 2 (a) of the remark of attached Table 1, where a public pub referred to in subparagraph 4 (q) of attached Table 1 falls under any of the following cases, the calculation of the floor area for the public pub shall be governed by the former provisions:

1. Where it has obtained or applied for a building permit (including where an application for deliberation of a building committee is filed under Article 4-2 of the Act to apply for a building permit) under Article 11 of the Act before this Decree enters into force;
2. Where it has filed a building report under Article 14 of the Act before this Decree enters into force;
3. Where it has obtained or applied for permission for change of use under Article 19 of the Act (including reports on the change of use and applications for the alteration of entries in the building register under the same Article) before this Decree enters into force;
4. Where a permit for alteration is obtained or a report on alteration is obtained for a public pub established under subparagraph 1 through 3 after this Decree enters into force.