

ENFORCEMENT DECREE OF THE REARRANGEMENT OF AGRICULTURAL AND FISHING VILLAGES ACT

Presidential Decree No. 27472, Aug. 31, 2016

Article 1 (Purpose)

The Purpose of this Decree is to prescribe matters delegated by the Rearrangement of Agricultural and Fishing Villages Act and those necessary for the enforcement of such matters.

Article 2 (Criteria for Marginal Farmland)

"Farmland which falls under criteria determined by Presidential Decree" in subparagraph 17 of Article 2 of the Rearrangement of Agricultural and Fishing Villages Act (hereinafter referred to as the "Act"), means:

1. Farmland, the average gradient from the highest to the lowest part of which is at least 15 percent; or the size of collectivized farmland is less than 20 thousand square meters;
2. Farmland located adjacent to a mining area for which the term of mining rights has expired or mining rights are revoked under the Mining Industry Act, and unfit for agricultural use due to soil pollution, etc.

Article 3 (Items subject to Resource Survey, etc.)

(1) Items subject to a resource survey to be conducted under Article 3 (1) of the Act, shall be:

1. Matters concerning the state of dispersion of farmland and the use thereof;
2. Matters concerning the state of dispersion of villages and trends in demographic change;
3. Matters concerning the development of agricultural infrastructure;
4. Matters concerning the gradient, soil, and drainage of farmland;
5. Matters concerning rural tourism and resort resources;
6. Matters concerning the arrangement of rural communities by industry;
7. Matters concerning the dispersion and use of mountainous districts;
8. Matters concerning the status of placement of medical facilities, educational facilities, and facilities for living convenience;
9. Matters concerning the state and use of rural houses;
10. Matters concerning rural landscapes;
11. Matters corresponding to those prescribed in subparagraphs 1 through 10, necessary to formulate a comprehensive plan for rural development.

(2) The scope of waters adjacent to the coast, referred to in Article 3 (1) of the Act, shall be waters not exceeding ten meters deep (or fifteen meters in cases of Gangwon-do, Gyeongsangbuk-do, and Jeju Special Self-Governing Province) at the lowest ebb.

Article 4 (Formulation of Plans to Manage Rural Landscapes)

A plan to management rural landscapes referred to in Article 5 (2) of the Act (hereinafter referred to as "rural landscape management plan"), shall include:

1. Objectives and directions of the rural landscape management plan;
2. Matters concerning surveying and evaluating rural landscape resources;
3. Matters concerning managing rural landscapes by type, such as natural landscapes, agricultural and fishery landscapes, and living landscapes;
4. Matters concerning the administrative system, financing, phased development, etc. for implementing the rural landscape management plan.

Article 5 (Proposal, etc. of Rural Landscape Management Plan)

(1) A person proposing to formulate a rural landscape management plan under Article 5 (3) of the Act, shall submit a proposal, stating the matters prescribed in subparagraphs of Article 4, to the competent rural development project implementer.

(2) A rural development project implementer in receipt of a proposal submitted under paragraph (1) shall examine the following matters and notify the proposer of the outcome thereof within 60 days from the date the proposal is received: Provided, That in extenuating circumstances, the period may be extended by 30 days on only one occasion:

1. Appropriateness of the rural landscape management plan;
2. Appropriateness of the matters related to the survey and evaluation of landscape resources;
3. Correlation with plans related to rural landscapes formulated under any other Act;
4. Fundraising feasibility.

Article 6 (Formulation of Agricultural Infrastructure Development and Expansion Plan)

(1) Matters to be included in an agricultural infrastructure development and expansion plan referred to in Article 7 (1) of the Act, shall be:

1. Location and size of the area for consideration;
2. Land use plan;
3. Order of priority of projects to be implemented;
4. Other matters to be considered in the light of natural and social conditions of the target areas in formulating a master plan for agricultural infrastructure development and expansion projects under Article 8, and an action plan for agricultural infrastructure development and expansion projects under Article 9.

(2) Upon formulating an agricultural infrastructure development and expansion plan under paragraph (1), the Minister of Agriculture, Food and Rural Affairs shall notify it to the relevant Metropolitan City Mayor, Do Governor, or Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do

Governor"). <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

Article 7 (Survey of Prearranged Area)

Items subject to a field survey of an area prearranged to implement an agricultural infrastructure development and expansion plan pursuant to Article 7 (2) of the Act, shall be:

1. Status of districts prearranged for the project;
2. Amount of investment required for each project;
3. Impact from implementing the project;
4. Location of the area prearranged for the project;
5. Matters corresponding to those prescribed in subparagraphs 1 through 4, necessary to determine the feasibility of the project.

Article 8 (Formulation of Master Plan for Agricultural Infrastructure Development and Expansion Projects)

(1) Matters to be included in a master plan for agricultural infrastructure development and expansion projects under Article 8 (1) of the Act, shall be:

1. Outline of the master plan for agricultural infrastructure development and expansion projects;
2. Basic design documents for each project;
3. Documents forecasting revenues and expenditure of the estimated project costs for each project;
4. A statement of estimated project costs for each project;
5. Analysis results of project efficiency;
6. A location map of the areas prearranged for the projects;
7. Other matters necessary to formulate an action plan for agricultural infrastructure development and expansion projects under Article 9.

(2) In formulating a master plan for agricultural infrastructure development and expansion projects pursuant to paragraph (1), the Minister of Agriculture, Food and Rural Affairs or a Mayor/Do Governor shall gather consensus from the competent Mayor/Do Governor or head of the competent Si/Gun/Gu (referring to the head of an autonomous Gu in a Metropolitan City; hereinafter the same shall apply).

<Amended by Presidential Decree No. 24455, Mar. 23, 2013>

(3) "Project prescribed by Presidential Decree, such as a project the scale of which is below a specific scale" in Article 8 (2) of the Act, means a project benefitting less than 500 thousand square meters (projects for repair, mending, and dredging to maintain the functions of agricultural infrastructure, among those defined in subparagraph 5 (b) of Article 2 of the Act, shall be included herein regardless of their size area), among the projects defined in items (a) through (c) of the same subparagraph, and the projects defined in items (d) and (g) of the same subparagraph.

Article 9 (Formulation of Action Plan for Agricultural Infrastructure Development and Expansion Projects)

Matters to be included in an action plan for agricultural infrastructure development and expansion projects referred to in Article 9 (2) of the Act, shall be:

1. Outline of the action plan for the agricultural infrastructure development and expansion projects;
2. Detailed design documents;
3. Documents forecasting revenues and expenditure of project costs;
4. A statement of project costs;
5. A location map of the area where the project is to be implemented;
6. Other matters necessary to implement agricultural infrastructure development and expansion projects.

Article 10 (Where Public Notification may be Omitted when Action Plan for Agricultural Infrastructure Development and Expansion Projects is Amended)

"Insignificant matters prescribed by Presidential Decree" in the proviso to Article 9 (9) of the Act, means:

1. Increasing or decreasing project costs within ten percent of the project costs specified in the action plan for agricultural infrastructure development and expansion projects (in cases of a project, the action plan for which is amended, referring to the altered project costs);
2. Altering project costs due to a price fluctuation.

Article 11 (Other Persons Holding Rights to Land)

"Persons determined by Presidential Decree" in subparagraph 5 of Article 11 of the Act, means each person for whom the de facto ownership of land is changed, but not yet registered, however, his/her ownership of land is verified by a certificate of fact issued by the head of the competent Si (in cases of the Special Self-Governing Province, referring to the Special Self-Governing Province Governor; hereinafter the same shall apply)/Gun/Gu.

Article 12 (Plans to Manage and Dispose of Reclaimed Land, etc.)

(1) Where a project implementer for developing and expanding agricultural infrastructure intends to manage and dispose of land, such as reclaimed land, cleared land, and borrow-pits, and other things (hereinafter referred to as "reclaimed land, etc.") through lease, sale, direct use, or temporary use pursuant to Article 14 of the Act, he/she shall meet any of the following requirements: *<Amended by Presidential Decree No. 26754, Dec. 22, 2015>*

1. Expanding the scale of agricultural business of full-time farmers referred to in Article 26 of the Framework Act on Agriculture, Rural Community and Food Industry (hereinafter referred to as "full-time farmers"), etc.;
2. Attaining the objectives of the rural development project;
3. Securing financial resources to reinvest in the relevant agricultural infrastructure development and expansion project.

(2) A project implementer for developing and expanding agricultural infrastructure, shall formulate a management and disposal plan, stating the following matters; obtain approval thereof from the Minister of Agriculture, Food and Rural Affairs pursuant to Article 14 (2) of the Act; and thereafter publicly notify it: Provided, That no estimated profit from management and disposal referred to in subparagraph 4, shall be publicly notified: *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

1. Plots and size area by management and disposal plan;
2. Methods of determining persons to be subject to the management and disposal plan;
3. A schedule of management and disposal;
4. Estimated profit from management and disposal.

(3) In order to amend a management and disposal plan approved pursuant to paragraph (2), the project implementer for developing and expanding agricultural infrastructure, shall obtain approval from the Minister of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

(4) Where land, etc. reclaimed by a project, in which the Farmland Management Fund referred to in Article 31 of the Korea Rural Community Corporation and Farmland Management Fund Act has been invested, is required by the Korea Rural Community Corporation incorporated under the same Act (hereinafter referred to as the "Korea Rural Community Corporation") for any project implemented under Article 10 of the same Act, the State may invest or gratuitously transfer it to the Korea Rural Community Corporation under Article 6 or 44 of the same Act.

Article 13 (Persons Entitled to Rent Farmland in Reclaimed Land, etc.)

If a project implementer for developing and expanding agricultural infrastructure, other than landowners, intends to lease farmland including reclaimed land, etc. pursuant to a management and disposal plan for reclaimed land, etc. referred to in Article 12, he/she shall lease it to any of the following: <Amended by Presidential Decree No. 23353, Dec. 6, 2011>

1. An agricultural partnership incorporated under Article 16 of the Act on Fostering and Supporting Agricultural and Fisheries Business Entities (hereinafter referred to as "agricultural partnership") or an agricultural company incorporated under Article 19 of the same Act (hereinafter referred to as "agricultural company") located in the Si (including the Special Self-Governing Province; hereinafter the same shall apply), Gun, or autonomous Gu in a Metropolitan City (hereinafter referred to as "Si/Gun/Gu") to which the relevant project area belongs;
2. A local government;
3. The Korea Rural Community Corporation;
4. An agricultural cooperative or the National Agricultural Cooperative Federation incorporated under the Agricultural Cooperatives Act;
5. An agricultural partnership or agricultural company comprised of farmers who have suffered loss (including fishermen who have become farmers after suffering loss) due to the implementation of a project for reclaiming the relevant land, etc.

Article 14 (Procedures and Methods for Leasing Reclaimed Land, etc.)

(1) A person who intends to rent reclaimed land, etc. shall submit an application to rent the reclaimed land, etc. to the project implementer for developing and expanding agricultural infrastructure, other than landowners, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

(2) A project implementer for developing and expanding agricultural infrastructure in receipt of an application submitted under paragraph (1), shall determine an eligible person, taking into account the qualifications, etc. of eligible persons; and where at least two applicants exist, an eligible person shall be determined by open lottery.

(3) Upon determining a person subject to lease, the project implementer for developing and expanding agricultural infrastructure shall deliver a notice on the lease of reclaimed land, etc. to the person subject to lease, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

(4) Periods for lease of reclaimed land, etc., calculation standard and payment method of rents, and other necessary matters, shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

Article 15 (Persons Entitled to Purchase Farmland in Reclaimed Land, etc.)

If a project implementer for developing and expanding agricultural infrastructure intends to sell farmland in reclaimed land, etc. pursuant to a management and disposal plan for reclaimed land, etc. referred to in Article 12, he/she shall sell it to any of the following: <Amended by Presidential Decree No. 23353, Dec. 6, 2011>

1. A next-generation agricultural business proprietor referred to in Article 10 (1) of the Act on Fostering and Supporting Agricultural and Fisheries Business Entities or a full-time farmer;
2. An agricultural partnership or agricultural company located in the Si/Gun/Gu to which the relevant project area belongs;
3. A person who has rendered distinguished service to the State or a member of his/her bereaved family under the Act on the Honorable Treatment of and Support for Persons, etc. of Distinguished Service to the State and who has resided in the Si/Gun/Gu to which the relevant farmland belongs, for at least three consecutive years;
4. A person recommended by the head of the competent Si/Gun/Gu, as a person requiring migration measures due to the implementation of a public project;
5. A farmer or a fisherman who has suffered loss from the implementation of the relevant reclamation project.

Article 16 (Procedures, etc. for Selling Reclaimed Land, etc.)

(1) A person who intends to purchase reclaimed land, etc. shall submit an application to purchase the reclaimed land, etc. to the project implementer for developing and expanding agricultural infrastructure, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

(2) Upon determining a person entitled to purchase under Article 17, the project implementer for developing and expanding agricultural infrastructure shall deliver a notice on the sale of reclaimed land, etc. to the person entitled to purchase, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

(3) A project implementer for developing and expanding agricultural infrastructure, may allow a person in receipt of notice on the sale of reclaimed land, etc. pursuant to paragraph (2), to use the reclaimed land, etc. setting conditions even before ownership is transferred to such person.

(4) Methods for paying the purchase price of reclaimed land, etc., and other necessary matters, shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

Article 17 (Methods for Selling Reclaimed Land, etc.)

(1) A project implementer for developing and expanding agricultural infrastructure who intends to sell reclaimed land, etc., shall sell it through competitive bid.

(2) Notwithstanding paragraph (1), a project implementer for developing and expanding agricultural infrastructure may sell reclaimed land, etc. through a limited competitive bid, in any of the following cases:

1. Where he/she intends to sell it for a project to install agricultural facilities, such as production, processing, storage, and distribution facilities for agricultural or fisheries products referred to in subparagraph 6 of Article 2 of the Act;
2. Where he/she intends to sell it for rural tourism and resort business;
3. Where it is not practical to hold a competitive bid, in light of the location, conditions, etc. of reclaimed land, etc.: Provided, That the same shall apply only in cases specified in a management and disposal plan referred to in Article 12.

(3) Notwithstanding paragraphs (1) and (2), a project implementer for developing and expanding agricultural infrastructure may sell reclaimed land, etc. through a free contract, in any of the following cases:

1. Where no valid tender is adopted on two occasions;
2. Where it is sold for use in a project prescribed in subparagraph 1 or 3 of Article 19;
3. Where it is sold to the head of a Si/Gun/Gu or the Korea Rural Community Corporation for use in a project prescribed in subparagraph 2 of Article 19;
4. Where it is sold, as prescribed by any other Act.

Article 18 (Estimated Sale Price of Reclaimed Land, etc.)

(1) The estimated sale price of reclaimed land, etc. to be sold by a project implementer for developing and expanding agricultural infrastructure, other than landowners, pursuant to Article 17, shall be determined at a price calculated from the arithmetic mean of the values appraised by at least two appraisal business operators defined in the Act on Appraisal and Certified Appraisers. <Amended by Presidential Decree No. 27472, Aug. 31, 2016>

(2) The estimated sale price referred to in paragraph (1) shall be disclosed.

Article 19 (Special Cases concerning Lease or Sale of Farmland in Reclaimed Land, etc.)

Notwithstanding Articles 13 and 15, a project implementer for developing and expanding agricultural infrastructure, other than landowners, may lease or sell any farmland in reclaimed land, etc. plotted for the

following purposes pursuant to a management and disposal plan for reclaimed land, etc. referred to in Article 12, to a person who intends to use it for such purpose: <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

1. A project to prevent water pollution and a project to improve water quality referred to in subparagraph 5 (e) of Article 2 of the Act;
2. Rural tourism and resort business (limited to where the project implementer is the head of a Si/Gun/Gu or the Korea Rural Community Corporation);
3. A project for the test and research of development of agricultural technology;
4. A pilot farming project or agricultural education and training programs;
5. A project to develop a complex in which processing, storage, and distribution facilities, etc. for agricultural and fisheries products are included in a production facility of agricultural and fisheries products designated by the Minister of Agriculture, Food and Rural Affairs.

Article 20 (Direct Use of Reclaimed Land, etc.)

A project implementer for developing and expanding agricultural infrastructure, may directly use reclaimed land, etc. to perform any of the following projects pursuant to a management and disposal plan for reclaimed land, etc. referred to in Article 12:

1. A project to install agricultural facilities, such as production, processing, storage, and distribution facilities for agricultural or fisheries products referred to in subparagraph 6 of Article 2 of the Act;
2. A project prescribed in any subparagraph of Article 19.

Article 21 (Temporary Use of Reclaimed Land, etc.)

(1) A project implementer for developing and expanding agricultural infrastructure, may allow a person entitled to rent reclaimed land, etc. referred to in Article 13 or a person who intends to implement a project prescribed in subparagraph 5 of Article 19, to use the reclaimed land, etc. temporarily, from the time the project is completed until a person entitled to rent or purchase reclaimed land, etc. is determined or the reclaimed land, etc. is directly used by him/her.

(2) A project implementer may collect temporary usage fees from a person who uses reclaimed land, etc. temporarily pursuant to paragraph (1).

(3) Methods for selecting temporary users, standards for calculating temporary usage fees, methods for paying the same, and other necessary matters, shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

Article 22 (Management and Use of Sale Proceeds)

(1) "Repayment of liabilities prescribed by Presidential Decree" in Article 14 (3) 1 of the Act, means the repayment of liabilities incurred from the implementation of an agricultural infrastructure development and expansion project.

(2) A project implementer for developing and expanding agricultural infrastructure who sells reclaimed land, etc. (excluding the State and landowners), shall formulate and submit a plan to manage and use the sale proceeds to the Minister of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No.

24455, Mar. 23, 2013>

Article 23 (Formulation, etc. of Rural Water Use Rationalization Plan)

(1) A rural water use rationalization plan under Article 15 (1) of the Act (hereinafter referred to as "rural water use rationalization plan"), shall include: <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

1. Matters concerning the demand for and development of rural water;
2. Matters concerning the use, allocation, conservation, and management of rural water;
3. Matters concerning the scope of rural water zones;
4. Matters related to other public plans;
5. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(2) The Minister of Agriculture, Food and Rural Affairs shall formulate a rural water use rationalization plan based on the National Land Plan formulated under the Framework Act on the National Land, and consult with the Minister of Environment and the Minister of Land, Infrastructure and Transport after gathering consensus from Mayors/Do Governors. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

(3) Upon formulating a rural water use rationalization plan, the Minister of Agriculture, Food and Rural Affairs shall notify the details thereof to Mayors/Do Governors. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

(4) In any of the following cases, the Minister of Agriculture, Food and Rural Affairs may amend a rural water use rationalization plan pursuant to the procedures prescribed in paragraph (2): <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

1. Where it is deemed necessary to amend the rural water use rationalization plan following the examination of the appropriateness thereof conducted every five years after its formulation;
2. Where it is deemed necessary to amend the rural water use rationalization plan to reflect matters requested by any Mayor/Do Governor;
3. Where it is deemed necessary to amend the rural water use rationalization plan to meet the national plan or the public purpose.

Article 24 (Rural Water Zones)

(1) The Minister of Agriculture, Food and Rural Affairs may designate the following basins as rural water zones under Article 15 (2) of the Act: <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

1. Small basins related to farmland, rural settlements, and other rural areas deemed necessary to formulate a rural water use rationalization plan;
2. Basins of small rivers (excluding rivers defined in subparagraph 1 of Article 2 of the River Act) deemed necessary to manage and preserve water quality.

(2) Upon designating a rural water zone pursuant to paragraph (1), the Minister of Agriculture, Food and Rural Affairs or the competent Mayor/Do Governor shall publicly notify the following: <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

1. The purpose of designating the rural water zone;

2. The location and scale of the rural water zone;
 3. A plan for developing and using rural water;
 4. Matters concerning managing and conserving rural water.
- (3) Each Si/Gun/Gu shall prescribe the following matters concerning managing rural water zones in its jurisdictional district by its ordinance:

1. Matters concerning using, allocating, conserving, and managing rural water;
2. Matters concerning operating and manipulating facilities for conservation and management of rural water;
3. Matters concerning recovering costs for the maintenance, management, and installation of facilities for conservation and management of rural water.

Article 25 (Registration of Agricultural Infrastructure)

(1) Agricultural infrastructure to be registered with the head of a Si/Gun/Gu under subparagraph 2 of Article 17 of the Act, shall be: *<Amended by Presidential Decree No. 23774, May 7, 2012>*

1. Weirs;
2. Tubular well or water collecting conduits;
3. Irrigation channels or ditches;
4. Farm roads;
5. Water tanks;
6. Facilities designated by the head of a Si/Gun/Gu, other than those prescribed in subparagraphs 1 through 5, necessary to be registered and managed as agricultural infrastructure.

(2) Where any registered agricultural infrastructure is abolished or its original form is changed due to such ground as repair, damage, etc., a person who manages such agricultural infrastructure pursuant to Article 16 of the Act (hereinafter referred to as "agricultural infrastructure manager"), shall register such details without delay.

(3) Procedures for registering agricultural infrastructure, and other necessary matters, shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

Article 26 (Safety Management of Agricultural Infrastructure)

(1) An agricultural infrastructure manager shall formulate a safety management plan for agricultural infrastructure which includes the following matters pursuant to Article 18 (1) of the Act every five years, and ensure it correlates it with a master plan for national safety management provided for in Article 22 of the Framework Act on the Management of Disasters and Safety:

1. Basic direction-setting for the safety management of agricultural infrastructure;
2. Matters concerning securing organization, human resources, and equipment for the safety management of agricultural infrastructure;
3. Matters concerning building an information system related to the safety management of agricultural infrastructure;

4. Matters concerning the plan for conducting safety inspection or thorough safety inspection and the repair and reinforcement of agricultural infrastructure;
5. Expenses required for the safety management of agricultural infrastructure;
6. Other matters necessary for the safety management plan for agricultural infrastructure.

(2) An agricultural infrastructure manager shall formulate and implement an annual implementation plan for safety management pursuant to the safety management plan referred to in paragraph (1).

(3) Facilities subject to safety inspection and thorough safety inspection referred to in Article 18 (2) of the Act and the timing for conducting such inspections, shall be as specified in attached Table 1. *<Amended by Presidential Decree No. 23774, May 7, 2012>*

(4) As to any agricultural infrastructure found to be defective through a safety inspection and a thorough safety inspection conducted under paragraph (3), the relevant agricultural infrastructure manager shall reinstate the damaged part and take measures, such as mending and repair.

(5) Where necessary for the safety management of agricultural infrastructure, an agricultural infrastructure manager may take any of the following measures:

1. Installing facilities to restrict access to the zone where the agricultural infrastructure is installed;
2. Installing signs to restrict any activity or use of devices that may disrupt the safety management of the agricultural infrastructure.

(6) An agricultural infrastructure manager may request the head of a related administrative agency or the head of a local government to take appropriate measures to restrict, prohibit, etc. the installation of facilities which may hamper the efficiency of agricultural infrastructure, at the upstream basin.

(7) Matters necessary for the formulation of a plan for managing facilities, safety inspection, maintenance of facilities, etc. under paragraphs (1) through (5), shall be determined by the Minister of Agriculture, Food and Rural Affairs. *<Amended by Presidential Decree No. 23774, May 7, 2012; Presidential Decree No. 24455, Mar. 23, 2013>*

(8) "Justifiable ground determined by Presidential Decree, such as where an emergency measure is required to prevent damage caused by a natural disaster or for lifesaving" in Article 18 (3) of the Act, means: *<Amended by Presidential Decree No. 26930, Jan. 22, 2016>*

1. Where any emergency measure is required to prevent damage caused by a natural disaster or for lifesaving;
2. Where any necessary countermeasures are taken against a calamity or disaster pursuant to Acts, such as the Act on the Prevention of and Countermeasures against Agricultural and Fishery Disasters, the Framework Act on Fire Services, the Act on the Search and Rescue, etc. at Sea and in the River, the Countermeasures against Natural Disasters Act, and the Framework Act on the Management of Disasters and Safety;
3. Where any emergency measure is required to prevent damage as there are risks of damage to crops due to inflow of seawater or pollutants.

Article 27 (Formulation, etc. of Contingency Plans)

(1) "Agricultural infrastructure determined by Presidential Decree, such as the construction of reservoirs" in the former part of Article 20 (1) of the Act, means: <Amended by Presidential Decree No. 23774, May 7, 2012; Presidential Decree No. 24455, Mar. 23, 2013>

1. A reservoir with a total water storage capacity of at least 300 thousand cubic meters;
2. A tide embankment with a tidal water capacity of at least 30 million cubic meters, defined in Article 2 (3) of the Tide Embankment Management Act;
3. Other facilities risking human safety and loss of property if collapsed, among reservoirs and tide embankments, and are publicly notified by the Minister of Agriculture, Food and Rural Affairs as deemed necessary to formulate a contingency plan under Article 20 (1) of the Act (hereinafter referred to as "contingency plan").

(2) A contingency plan shall include:

1. Outline and surrounding environment of the agricultural infrastructure;
2. Areas where damage is expected, if the agricultural infrastructure collapses;
3. An emergency connection system;
4. Guidelines for emergency action to be taken in emergencies;
5. A resident evacuation plan;
6. Other matters necessary to take emergency action.

(3) In any of the following cases, a contingency plan shall be amended pursuant to Article 20 (3) of the Act:

1. Where the total water storage capacity is changed due to the extension, etc. of the agricultural infrastructure;
2. Where it is deemed necessary to amend the contingency plan due to a change of expected scale of damage, such as a change in environmental conditions of the agricultural infrastructure.

(4) The Minister of Agriculture, Food and Rural Affairs may fully or partially subsidize expenses incurred in formulating or amending contingency plans. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

Article 28 (Measures for Improving Quality of Rural Water, etc.)

(1) Measures for improving the quality of rural water referred to in Article 21 (3) of the Act, shall include:

1. Status and likelihood of pollution of rural water;
2. Measures to improve quality of rural water by subject and phase of the project and a project plan therefor.

(2) Where the Minister of Agriculture, Food and Rural Affairs intends to ascertain the current state of degradation of quality of rural water to formulate measures to improve quality of rural water, he/she may entrust the water analysis to a specialized water analysis institution prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

Article 29 (Areas subject to Restriction on Construction of Factories, etc.)

"Area determined by Presidential Decree" in Article 22 (1) of the Act, means:

1. An area, the special-purpose area of which under Article 36 of the National Land Planning and Utilization Act is an urban area or planned control area, located within two kilometers from the full water level of a reservoir heading upstream of the water system;
2. An area, the special-purpose area of which under Article 36 of the National Land Planning and Utilization Act is an area, other than an urban area and a planned control area, located within five kilometers from the full water level of a reservoir heading upstream of the water system.

Article 30 (Exception to Areas subject to Restriction on Construction of Factories, etc.)

"Areas prescribed by Presidential Decree" in Article 22 (2) of the Act, means: *<Amended by Presidential Decree No. 25771, Nov. 24, 2014; Presidential Decree No. 26492, Aug. 19, 2015>*

1. An area, the special-purpose area of which under Article 36 of the National Land Planning and Utilization Act is an area, other than an urban area and a planned control area, located over two kilometers from the full water level of a reservoir heading upstream of the water system;
2. Deleted; *<by Presidential Decree No. 26492, Aug. 19, 2015>*
3. Any of the following areas for which the head of a Si/Gun/Gu has formulated a plan, and consulted with regard thereto with the head of the competent basin environmental management office or the head of the competent subregional environmental management office, to prevent water pollution to maintain the water quality of a reservoir at the same level as before a factory or industrial complex is constructed, till after the construction of a factory defined in subparagraph 1 of Article 2 of the Industrial Cluster Development and Factory Establishment Act or an industrial complex defined in subparagraph 8 of Article 2 of the Industrial Sites and Development Act (hereinafter referred to as "factory or industrial complex"; excluding factories or industrial complexes having facilities that discharge specific substances harmful to water quality referred to in Article 31 (1) 1 of the Enforcement Decree of the Water Quality and Aquatic Ecosystem Conservation Act and factories or industrial complexes which manufacture, keep, or store any hazardous chemical defined in subparagraph 7 of Article 2 of the Chemicals Control Act or any controlled wastes defined in subparagraph 4 of Article 2 of the Wastes Control Act):

- (a) An area located over 500 meters from the full water level of a reservoir heading upstream of the water system;
- (b) An area located within 500 meters from the full water level of a reservoir heading the upstream of the water system, for which the head of a Si/Gun/Gu has formulated a plan to make the entire quantity of foul water or wastewater produced by a factory or industrial complex constructed in the relevant area, flow into a public sewage treatment plant defined in subparagraph 9 of Article 2 of the Sewerage Act or wastewater treatment facilities referred to in Article 48 (1) of the Water Quality and Aquatic Ecosystem Conservation Act, or a plan to recycle the entire quantity of foul water or wastewater or to discharge it to another water system or downstream of a reservoir.

Article 31 (Use of Agricultural Infrastructure or Water other than for its Originally Intended Purposes)

(1) Where an agricultural infrastructure manager, other than the Korea Rural Community Corporation, intends to use agricultural infrastructure or water other than for its originally intended purposes or intends to permit another person to use it pursuant to the main sentence of Article 23 (1) of the Act, he/she shall submit an application for approval, stating the following matters, to the head of the competent Si/Gun/Gu: Provided, That matters prescribed in subparagraph 5 may be omitted if it is intended to determine the user through competitive bid: *<Amended by Presidential Decree No. 23353, Dec. 6, 2011>*

1. Grounds for using it other than for its originally intended purposes;
2. Agricultural infrastructure or quantity of water which is intended to be used other than for its originally intended purposes;
3. Details, methods, and period of use other than for its originally intended purposes;
4. Expected amount of expenses to be imposed pursuant to Article 32 and the basis of calculation;
5. The address and name or title of the person who intends to use it other than for its originally intended purposes.

(2) A person who intends to use any agricultural infrastructure or water managed by the Korea Rural Community Corporation other than for its originally intended purposes pursuant to the proviso to Article 23 (1) of the Act, shall submit an application for use, stating the matters prescribed in subparagraphs of paragraph (1) (excluding subparagraph 4), to the Korea Rural Community Corporation; and procedures necessary where the Korea Rural Community Corporation intends to use it directly or other relevant cases, shall be prescribed by the articles of incorporation of the Korea Rural Community Corporation. *<Amended by Presidential Decree No. 23353, Dec. 6, 2011; Presidential Decree No. 23774, May 7, 2012>*

(3) "Insignificant matter determined by Presidential Decree" in the proviso to Article 23 (1) of the Act, means: *<Amended by Presidential Decree No. 23353, Dec. 6, 2011>*

1. Where the area of the agricultural infrastructure intended to be used other than for its originally intended purposes, does not exceed 300 square meters;
2. Where the period of use is renewed without changing the grounds for originally approved use, area, etc.

(4) Paragraph (5) shall apply mutatis mutandis where the period of use is renewed under paragraph (3) 2.

(5) The period of use of any agricultural infrastructure or water other than for its originally intended purposes under Article 23 (1) of the Act, shall not exceed the period classified as follows: Provided, That where any agricultural infrastructure or water is used for installing and operating any new energy and renewable energy facilities defined in subparagraph 3 of Article 2 of the Act on the Promotion of the Development, Use and Diffusion of New and Renewable Energy (hereinafter referred to as "new energy and renewable energy facilities"), no period of use shall exceed ten years: *<Amended by Presidential Decree No. 27213, Jun. 8, 2016>*

1. Where any land is used:

(a) Where it is necessary to use it for a long period for such purposes as an access road, water pipe, drain pipe, city gas pipe, oil pipeline, streetlight, electric light pole, railroad, road, etc.: Ten years;

(b) Where the purpose of its use is farming, and in cases not falling under item (a): Three years;

2. Where any surface of the water or any land affiliated thereto, is used: Five years;

3. Where any water is used: Three years.

Article 32 (Recovering Expenses for Using Agricultural Infrastructure or Water other than for its Originally Intended Purposes)

(1) The percentage of expenses to be recovered under Article 23 (3) of the Act where any agricultural infrastructure or water is used other than for its originally intended purposes, shall be as follows: Provided, That even in cases falling under any of subparagraphs 1 through 4, the amount of expenses may be determined at the price of the successful bid, if the user is determined by competitive bid: *<Amended by Presidential Decree No. 23353, Dec. 6, 2011; Presidential Decree No. 24455, Mar. 23, 2013; Presidential Decree No. 27213, Jun. 8, 2016; Presidential Decree No. 27472, Aug. 31, 2016>*

1. Where any income accrues from using the agricultural infrastructure: An amount equivalent to 10/100 of the total income: Provided, That where any income accrues from using the agricultural infrastructure for the installation and management of new energy and renewable energy facilities, the amount shall be 5/100 of the total income;

2. Where any agricultural product is produced by farming, capturing, collecting, etc. using the agricultural infrastructure: An amount equivalent to 10/100 of the market price of the products;

3. Where any land of the agricultural infrastructure is used for purposes other than those prescribed in subparagraphs 1 and 2: An amount equivalent to 5/100 of the publicly notified land price (where no land price for public notification is determined, the amount shall be the appraised amount specified in the standard comparison table of land price referred to in Article 3 (7) of the Act on the Public Announcement of Real Estate Values or the value of the land appraised by an appraisal business operator under Article 3 of the Act on Appraisal and Certified Appraisers; but in any of the following cases, if the expenses to be incurred in appraisal and assessment are deemed excessive in the light of the estimated expenses to be recovered, publicly notified land price of adjacent land which has the similar utility value shall apply). In such cases, if the annual expense of the relevant year increases by at least 5/100 compared with the previous year, the amount of increase shall be the amount computed by applying the calculation formula for adjustment of usage fees referred to in Article 33 of the State Property Act:

(a) Where any irrigation channel, drainage channel, farmland, etc. is used for an access road, passage, or any other similar usage;

(b) Other cases prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as where it is used for installation of streetlight;

4. Where any water is used: An amount equivalent to 1/600 of the expenses used by the agricultural infrastructure manager during the previous year to maintain and manage the relevant agricultural infrastructure, based on the assumption of using one cubic meters for each 1,000 square meters of farmland which has benefitted from the relevant facilities.

(2) Notwithstanding the main sentence of paragraph (1), where any agricultural infrastructure or water managed by the State is used for the construction and management of railroad, road, etc. or for any other public purpose, the amount of expenses may be reduced.

(3) The percentage of expenses to be recovered where any agricultural infrastructure or water managed by a local government or the Korea Rural Community Corporation is used other than for its originally intended purposes, shall be prescribed by municipal ordinance or the articles of incorporation based on the percentage of expenses to be recovered under paragraphs (1) and (2).

(4) The scope of usage of the expenses recovered under Article 23 (3) of the Act shall be as follows:

1. Expenses incurred in maintaining and managing agricultural infrastructure;
2. Expenses incurred in mending and repairing agricultural infrastructure;
3. Accumulated funds to prepare for damage to agricultural infrastructure.

Article 33 (Substitution for Unregistered Land)

Where any land before implementing an agricultural infrastructure development and expansion project is unregistered, a person entitled to apply for preservation registration under Article 130 of the Registration of Real Estate Act, is entitled to land substitution.

Article 34 (Calculation of Area of Substitute Land)

(1) "Land area calculated as prescribed by Presidential Decree" in the main sentence of Article 25 (6) of the Act, means an area calculated by multiplying the area of land by landowner (hereinafter referred to as "land subject to substitution"), excluding land unused for cultivation until the date of approval of the action plan for an agricultural infrastructure development and expansion project as land categorized as a ditch, road, river, levee, or puddle (hereinafter referred to as "land unable to be substituted"), by the rate of the area entitled to be received in the relevant district.

(2) Methods for calculating the rate of the area entitled to be received under paragraph (1), shall be as specified in attached Table 2.

Article 35 (Verification of Actually Cultivated Land)

In order to identify land not actually cultivated and subject to liquidation under Article 25 (7) of the Act, a project implementer for developing and expanding agricultural infrastructure, shall notify each owner of land categorized as a ditch, road, river, levee, or puddle, but not owned by the State, local government, public organization, or the Korea Rural Community Corporation, to apply for verification as to whether it is actually cultivated, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

<Amended by Presidential Decree No. 24455, Mar. 23, 2013>

Article 36 (Handling, etc. of Objections Raised)

(1) If any objection raised pursuant to Article 26 (3) of the Act is received, if necessary to coordinate interest, the project implementer for developing and expanding agricultural infrastructure may submit the objection for deliberation by a land substitution deliberation committee organized under Article 41 of the Act (hereinafter referred to as "land substitution deliberation committee"), along with the following documents, after the period for raising objections, and cause it to undergo conciliation procedures:

1. A written objection;
2. A substitution plan for the relevant land or a plan for the designation of land for temporary use;
3. Drawings comparing the relevant land before the designation of substitute land with the substitute land;
4. Other data necessary for deliberation.

(2) In filing an application for adjudication to the Minister of Agriculture, Food and Rural Affairs or the competent Mayor/Do Governor pursuant to Article 26 (4) of the Act, the project implementer for developing and expanding agricultural infrastructure, shall append the outcomes of deliberation conducted by the land substitution deliberation committee. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

(3) The Minister of Agriculture, Food and Rural Affairs or a Mayor/Do Governor shall determine the propriety of an application for adjudication within ten days from the date the application for adjudication is received pursuant to paragraph (2) and notify the result thereof to the project implementer for developing and expanding agricultural infrastructure. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

Article 37 (Land Substituter Qualification Examination)

(1) A land substituter qualification examination referred to in Article 28 (1) of the Act, shall be conducted by dividing into a written examination and practical examination; and subject matter for examination and scoring criteria shall be as specified in attached Table 3.

(2) The Minister of Agriculture, Food and Rural Affairs shall publicly notify the date, time, and venue for examination, and other matters necessary for the execution of the examination by no later than 20 days before the examination day. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

(3) A person who intends to apply for a land substituter qualification examination, shall submit an application therefor to the Minister of Agriculture, Food and Rural Affairs. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

Article 38 (Fees)

A person who applies for a land substituter qualification examination, shall pay a fee prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

Article 39 (Issuance of Licenses)

(1) The Minister of Agriculture, Food and Rural Affairs shall issue a land substituter's license to a person who passes a land substituter qualification examination, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, and shall register matters related to the qualifications, to the register.

<Amended by Presidential Decree No. 24455, Mar. 23, 2013>

(2) If any person whose land substituter's license is lost or damaged, applies for the re-issuance of the license, the Minister of Agriculture, Food and Rural Affairs may re-issue it. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

Article 40 (Substitute Land Created for Specific Purpose)

(1) Facilities for rationalizing agricultural management and improving agricultural structure referred to in Article 34 (1) 2 of the Act, shall be: *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

1. Rice processing complexes;
2. Joint collection centers;
3. Cold warehouses;
4. Warehouses for agricultural machines;
5. Joint agricultural products markets located at the places of production;
6. Other facilities deemed necessary by the Minister of Agriculture, Food and Rural Affairs to rationalize agricultural management and improve agricultural structure.

(2) "Facilities prescribed by Presidential Decree" in Article 34 (1) 3 of the Act, means: *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

1. Rural houses not larger than that determined by the Minister of Agriculture, Food and Rural Affairs;
2. Car parks used by farmers for agricultural purpose;
3. Community halls;
4. Children's playgrounds;
5. Senior citizens' centers;
6. Offices of Eups/Myeons/Dongs/Ris.

Article 41 (Deposit of Liquidation Proceeds)

(1) Where a person entitled to reject or receive liquidation proceeds to be paid pursuant to a disposition of land substitution under Article 37 (5) of the Act (hereinafter referred to as "liquidation proceeds"), is not identified, the project implementer for developing and expanding agricultural infrastructure may deposit the relevant liquidation proceeds in the competent court.

(2) If any right, other than ownership, or any restriction on the disposal of the previous land is registered, liquidation proceeds shall be paid with consent from the holder of such right; or if no consent is obtained from the holder of such right, liquidation proceeds shall be deposited in the competent court.

Article 42 (Compensation for Losses)

The amount to be compensated for losses arising from designating any land for temporary use under Article 38 (6) of the Act, shall be determined between the project implementer for developing and expanding agricultural infrastructure and the person who suffers such losses.

Article 43 (Composition of General Meeting of Beneficiaries and Board of Representatives)

(1) The general meeting of beneficiaries and the board of representatives referred to in Article 40 of the Act, shall be comprised of beneficiaries holding rights to land under Article 11 of the Act.

(2) The general meeting of beneficiaries and the board of representatives shall each have one chairperson and one vice chairperson, respectively; and the chairperson and the vice chairperson of the general meeting of beneficiaries shall be elected by and from among beneficiaries, and the chairperson and the vice chairperson of the board of representatives shall be elected by and from among representatives.

(3) The chairperson of the general meeting of beneficiaries and the chairperson of the board of representatives shall represent the general meeting of beneficiaries and the board of beneficiaries, respectively; and where the chairperson of the general meeting of beneficiaries or the chairperson of the board of representatives, is unable to perform any of his/her duties in extenuating circumstances, the vice chairperson thereof shall act on his/her behalf.

(4) The board of representatives shall be comprised in a balanced manner taking into account the number of beneficiaries and cultivating area by Dong and Ri.

Article 44 (Operation of General Meeting of Beneficiaries or Board of Representatives)

(1) A general meeting of beneficiaries or a meeting of the board of representatives shall be convoked by the chairperson of the general meeting of beneficiaries, the chairperson of the board of representatives, or the project implementer for developing and expanding agricultural infrastructure, if requested by at least one-third of beneficiaries or representatives; or if the chairperson of the general meeting of beneficiaries, the chairperson of the board of representatives, or the project implementer for developing and expanding agricultural infrastructure deems necessary.

(2) If the chairperson of the general meeting of beneficiaries, the chairperson of the board of representatives, or the project implementer for developing and expanding agricultural infrastructure intends to convoke a general meeting of beneficiaries or a meeting of the board of representatives, he/she or it shall notify beneficiaries or representatives of the date, time, objectives, and venue for the meeting, by no later than seven days before the meeting: Provided, That in emergencies, such notification may be given by no later than three days before the meeting.

(3) The resolution of a general meeting of beneficiaries or a meeting of the board of representatives shall require a quorum of at least a majority of all the beneficiaries or representatives and the concurrent vote of at least a majority of those present: Provided, That the designation of a site for facilities prescribed in Article 40 as land substitution by creation requires a quorum of at least two-thirds of all the beneficiaries or representatives and the concurrent vote of at least two-thirds of those present.

(4) A project implementer for developing and expanding agricultural infrastructure, shall prepare minutes of a general meeting of beneficiaries or a meeting of the board of representatives, in which the progress of proceedings and the results thereof shall be recorded; and at least five beneficiaries or representatives elected by the chairperson of the general meeting of beneficiaries or the chairperson of the board of representatives and those present, shall place their signatures and seals thereon.

(5) In determining the appraised price and grade of any land, a general meeting of beneficiaries or a meeting of the board of representatives shall determine them, based on the market price at which land in the adjacent area, the condition of which is similar to the relevant land, is transacted.

(6) Except as otherwise expressly prescribed in paragraphs (1) through (5), matters necessary for operating a general meeting of beneficiaries or a meeting of the board of representatives, shall be determined by the Minister of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

Article 45 (Composition of Land Substitution Deliberation Committee)

(1) A land substitution deliberation committee organized under Article 41 of the Act, shall be comprised of not exceeding 20 members, including one chairperson and one vice chairperson.

(2) The head of an institution that implements the agricultural infrastructure development and expansion project (where the implementer is comprised of landowners, the representative thereof), shall be the chairperson of the land substitution deliberation committee; the head of the department in charge of the relevant project of the institution that implements the agricultural infrastructure development and expansion project (where the implementer is comprised of landowners, a person nominated by the representative thereof), shall be the vice chairperson; and the following members shall be the members:

1. A public official in charge of land substitution affairs in the competent City/Do;
2. A related public official of the competent Si/Gun/Gu;
3. The chairperson of the general meeting of beneficiaries under Article 43 and two beneficiaries nominated by the chairperson of the general meeting of beneficiaries (where the board of representatives has been organized under Article 43, the chairperson of the board of representatives and two representatives nominated by the chairperson of the board of representatives);
4. The head of the competent department in charge of land substitution in the corporation acting as proxy for land substitution;
5. The construction supervisor of the relevant project zone;
6. Other persons commissioned by the chairperson of the land substitution deliberation committee.

(3) The chairperson of the land substitution deliberation committee shall represent the land substitution deliberation committee and exercise overall control over its affairs.

(4) The vice chairperson of the land substitution deliberation committee shall assist the chairperson and, if the chairperson is unable to perform any of his/her duties in extenuating circumstances, he/she shall act on the chairperson's behalf.

(5) One executive secretary or clerk to conduct the affairs of the land substitution deliberation committee, shall be assigned to the land substitution deliberation committee, who shall be appointed by the chairperson of the land substitution deliberation committee.

Article 46 (Operation, etc. of Land Substitution Deliberation Committee)

(1) The land substitution deliberation committee shall deliberate on and coordinate the following:

1. Objections raised against a substitution plan under Article 26 (3) of the Act;
2. Civil petitions or conflicts related to the designation of land for temporary use under Article 38 of the Act.

(2) In order to refer any objection to a meeting pursuant to Article 36 (1), the chairperson of the land substitution deliberation committee shall convoke a meeting of the land substitution deliberation

committee within seven days from the date the period for raising objections expires and notify each member and the person who raised the objection, of the date, time, venue, and agenda items for the meeting, by no later than five days before the meeting.

(3) A majority of the members of the land substitution deliberation committee including the chairperson shall constitute a quorum, and any resolution thereof shall require the concurrent vote of at least a majority of those present.

(4) Except as otherwise expressly prescribed in paragraphs (1) through (3), matters necessary for operating the land substitution deliberation committee, shall be prescribed by the Minister of Agriculture, Food and Rural Affairs. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

Article 47 (Change of Boundaries of Dongs/Ris)

Where one parcel of land substituted due to an agricultural infrastructure development and expansion project spans over at least two Dongs or Ris, the project implementer for developing and expanding agricultural infrastructure shall submit an application for the change of boundaries of Dongs or Ris to the head of the competent local government, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

Article 48 (Method of Determining Exchange, Division, and Consolidation)

(1) In formulating an exchange, division, and consolidation plan pursuant to Articles 43 and 44 of the Act, the head of a Si/Gun/Gu or the Korea Rural Community Corporation shall take into comprehensive consideration the categories of land, size area, properties of soil, irrigation, slope, temperature, other natural and utilization conditions, etc. of the land to be acquired or relinquished by landowners.

(2) In formulating an exchange, division, and consolidation plan for ownership of farmland pursuant to Article 44 (3) of the Act, the head of a Si/Gun/Gu or the Korea Rural Community Corporation shall determine the timing for creation of rights, their duration, and other conditions over the land to be acquired, if any mortgages, superficies, rights to lease, or loans of use are established over the land to be relinquished by landowners.

(3) In formulating an exchange, division, and consolidation plan for ownership of farmland pursuant to Article 44 (3) of the Act, the head of a Si/Gun/Gu or the Korea Rural Community Corporation shall determine the land over which an easement is to be established; the persons for whom the easement is to be established; timing for creation of such right; purpose of the easement; and other conditions, if it is necessary to establish an easement over the farmland to be acquired by the owners of farmland due to the exchange, division, and consolidation; and if it is unnecessary for the persons having an easement to exercise such right, the timing to relinquish such right shall be determined.

Article 49 (Exercise of Claims for Reimbursement against Landowners)

The extent of a claim for reimbursement that a project implementer for developing and expanding agricultural infrastructure may exercise against a landowner under Article 49 (3) of the Act, shall not exceed the amount compensated by the project implementer for developing and expanding agricultural infrastructure pursuant to Article 49 (2) of the Act.

Article 50 (Public Notification of Habitat Improvement Plans)

"Matters prescribed by Presidential Decree" in Article 54 (2) of the Act, means:

1. Objectives and basic direction-setting for the habitat improvement project;
2. Outline of the main project plan, such as construction, redevelopment, and readjustment of rural villages, readjustment and expansion of living infrastructure, etc.

Article 51 (Amending Insignificant Matters of Habitat Improvement Plans)

"Insignificant matters prescribed by Presidential Decree" in the proviso to Article 54 (4) of the Act, means:

1. Where any change is made to any facility due to an amendment to any other rural development project related to the habitat improvement plan;
2. Where the relevant project plan was amended or abolished after being reflected in the habitat improvement plan following the finalization of the project plan by any other Act, and the details thereof are reflected accordingly.

Article 52 (Qualifications, etc. for Habitat Improvement Master Planners)

(1) The head of a Si/Gun/Gu may commission any of the following persons as a habitat improvement master planner referred to in Article 54 (5) of the Act (hereinafter referred to as "habitat improvement master planner"):

1. A professor in a department related to rural planning or rural area development in a school prescribed in Article 2 of the Higher Education Act;
2. Any of the following persons, engaging in the field of rural planning or rural area development:
 - (a) A person with a doctorate degree who has at least seven years' research or working experience;
 - (b) A person with at least seven years' working experience, as a professional engineer or qualified architect;
 - (c) Any other person deemed by the head of the Si/Gun/Gu, having professional knowledge and working experience of the same level as a person referred to in item (a) or (b).

(2) A habitat improvement master planner may perform the following affairs related to the formulation of a habitat improvement plan or a rural village development plan:

1. Exercising overall control over, and progressing, the course of formulating the plan, and examining and adjusting major details of the plan;
2. Collecting and requesting data necessary to formulate the plan;
3. Seeking advice from experts or public officials in the related fields;
4. Gathering consensus from local residents;
5. Examining and presenting opinions concerning matters requested by the head of a Si/Gun/Gu in connection with the formulation of the plan.

(3) In commissioning a habitat improvement master planner, the head of a Si/Gun/Gu may make use of him/her until a habitat improvement plan is approved pursuant to Article 54 (1) of the Act or a village development zone is designated pursuant to Article 101 (4) of the Act.

(4) Matters necessary for the remunerations, etc. of habitat improvement master planners, shall be prescribed by ordinance of a Si/Gun/Gu.

Article 53 (Details of Habitat Improvement Plans)

"Projects determined by Presidential Decree" in subparagraph 12 of Article 55 of the Act, means:

1. Projects for preventing water pollution;
2. Other projects deemed necessary by the head of a Si/Gun/Gu to improve rural habitats.

Article 54 (Methods, etc. for Establishing Village Development Cooperatives)

(1) A person who intends to obtain authorization to establish, modify, or dissolve a village development cooperative pursuant to Article 57 (1) of the Act, shall submit an application for authorization prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs to the head of the competent Si/Gun/Gu, along with the following documents: *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

1. In cases of authorization for establishment:
 - (a) Minutes of the inaugural general meeting;
 - (b) A written consent from the head of the village development cooperative indicating his/her acceptance of the result of the election;
 - (c) Rules of the village development cooperative to which all the constituents of the village development cooperative (hereinafter referred to as "cooperative members") have placed their joint signature thereon;
 - (d) A project plan;
 - (e) Written consents from at least two-thirds of the total number of owners of land and buildings and persons with superficies in the area prearranged for the project;
 2. In cases of authorization for modification: Documents substantiating the details of modification;
 3. In cases of authorization for dissolution: Written consents from at least two-thirds of the total number of cooperative members.
- (2) The rules of a village development cooperative referred to in paragraph (1) 1 (c), shall include:
1. The name and location of the village development cooperative;
 2. Matters concerning the qualifications for cooperative membership;
 3. Matters concerning the expulsion, withdrawal, and replacement of cooperative members;
 4. Number of executives, scope of their work (including rights and obligations), and methods for electing, replacing, and dismissing them;
 5. Timing and procedures for apportioning expenses to cooperative members and accounting of the cooperative;
 6. Matters concerning the procedures and timing for convening a general meeting, and concerning the request for convening a general meeting by cooperative members;
 7. Important matters requiring unanimous consent from all cooperative members, and methods and procedures for reaching agreement thereon;

8. Procedures and methods for undergoing liquidation upon project termination;
9. Methods for disclosing detailed statements on the use of membership fees and matters adopted by resolution of a general meeting, and methods for notifying them to cooperative members;
10. Procedures for amending the rules of the village development cooperative;
11. Other matters necessary for promoting and operating the projects of the village development cooperatives.

(3) Members of a village development cooperative shall be comprised of at least two-thirds of the total number of estimated households for housing construction specified in the project plan as at the time the establishment of the village development cooperative is authorized, and the total number of members shall be at least five persons. <Amended by Presidential Decree No. 25840, Dec. 9, 2014>

(4) A village development cooperative establishment promotion committee organized under Article 57 (2) of the Act (hereinafter referred to as "promotion committee"), shall perform the following:

1. Preparation for obtaining authorization to establish a village development cooperative;
2. Preparation of operational regulations of the promotion committee;
3. Obtaining written consents from the owners of land and buildings and persons with superficies;
4. Preparation for the inaugural general meeting for establishing a village development cooperative;
5. Preparation of draft rules of a village development cooperative;
6. Other matters prescribed by operational regulations of the promotion committee.

Article 55 (Qualifications for Cooperative Membership)

A person eligible to become a cooperative member under Article 57 (1) of the Act, shall be a householder who owns land or a building or superficies thereof in a village development zone.

Article 56 (Additional Recruitment, Supplement, etc. of Cooperative Members)

(1) No cooperative member shall be recruited additionally or supplemented after authorization to establish a village development cooperative is obtained: Provided, That the same shall not apply where approval to additionally recruit cooperative members is obtained from the head of a Si/Gun/Gu, within the range of the estimated number of households for housing construction specified in the project plan as at the time the authorization for establishment is granted and where members are supplemented to fill the number of vacancies occurring due to any of the following reasons:

1. Death of a cooperative member;
2. Where the number of cooperative members falls short of the estimated number of households for housing construction specified in the project plan due to withdrawal or loss of qualifications of cooperative members.

(2) An application for approval to additionally recruit cooperative members and an application for authorization to modify a village development cooperative due to the additional recruitment of cooperative members under the proviso to paragraph (1), shall be filed by no later than the date an application for approval of an action plan for habitat improvement projects is filed.

Article 57 (Matters subject to Approval from Mayor/Do Governor out of Action Plans for Habitat Improvement Projects)

"Requirements prescribed by Presidential Decree" in Article 59 (3) of the Act, means where the area subject to a project is at least 200 thousand square meters.

Article 58 (Public Notification of Master Plans and Action Plans for Habitat Improvement Projects)

Matters to be publicly notified and made available to the public for perusal pursuant to Articles 58 (3) and 59 (4) of the Act, shall be: *<Amended by Presidential Decree No. 23353, Dec. 6, 2011>*

1. Project name;
2. Objectives of the project;
3. Project costs;
4. Major details of the project;
5. Project implementer;
6. Period for project implementation;
7. Detailed statements on land, etc. to be expropriated or used (to be included only when necessary).

Article 59 (Details of Action Plans for Habitat Improvement Projects)

"Matters determined by Presidential Decree" in subparagraph 12 of Article 60 of the Act, means:

1. Matters concerning using and developing natural resources of rural communities;
2. Other matters deemed necessary by the head of a Si/Gun/Gu to refurbish habitats of rural communities.

Article 60 (Notice on Removal of Abandoned Houses)

The head of a Si/Gun/Gu who intends to remove ex officio any abandoned house pursuant to Article 65 (1) of the Act, shall give notice on removal, indicating the ground for removal and scheduled date for removal, to the owner of the abandoned house, by no later than seven days before the scheduled date for removal.

Article 61 (Payment of Indemnity for Removal)

The amount of indemnity referred to in Article 65 (3) of the Act, shall be the value appraised and assessed by a certified appraiser under the Act on Appraisal and Certified Appraisers. *<Amended by Presidential Decree No. 27472, Aug. 31, 2016>*

Article 62 (Creation, etc. of Rural House Renovation Funds)

Rural house renovation funds referred to in Article 67 (1) of the Act, shall be raised from the following financial resources: *<Amended by Presidential Decree No. 26369, Jun. 30, 2015>*

1. Funds provided by the Government and local governments to subsidize refurbishment of abandoned houses and renovation of rural houses;
2. Funds provided from the housing and urban fund under the Housing and Urban Fund Act to subsidize renovation of rural houses;
3. Funds provided by the National Agricultural Cooperatives Federation defined in subparagraph 4 of Article 2 of the Agricultural Cooperatives Act to subsidize renovation of rural houses;

4. Profits accrued from managing rural house renovation funds.

Article 63 (Supply of Rural Houses, etc.)

(1) Upon obtaining approval of an action plan for habitat improvement projects pursuant to Article 59 of the Act, the habitat improvement project implementer may sell or lease land created under Article 68 (1) of the Act (hereinafter referred to as "created land"), rural houses, and other facilities: Provided, That where a village development plan formulated under Article 101 of the Act separately specifies the timing for sale or lease, the sale or lease may be conducted pursuant to such plan.

(2) If a habitat improvement project implementer intends to sell or lease any created land, rural houses, and other facilities pursuant to paragraph (1), he/she shall formulate and publicly notify a plan for the sale or lease, stating the following:

1. Details of facilities, etc. intended to be sold or leased;
2. Qualifications of persons entitled to participate in the sale or lease;
3. Timing and methods for, and conditions of, the sale or lease;
4. Price of the sale or lease;
5. Procedures for the sale or lease;
6. The name and address of the habitat improvement project implementer;
7. A post-management plan (limited to cases of lease).

(3) A habitat improvement project implementer may sell any created land or rural house to any of the following persons on a preferential basis:

1. A person who transfers the entire parcel of land, etc. owned by him/her in a development zone to a habitat improvement project implementer by accepting the result of consultations held under the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects;
2. A person subject to migration measures by losing his/her basis of livelihood due to the implementation of a habitat improvement project.

(4) When a habitat improvement project implementer leases any rural house and other facilities, he/she may lease them on a preferential basis to the head of a household who is a non-home owner residing in the Eup/Myeon/Dong where the relevant project is implemented for at least one year as of the date the public announcement is made to recruit occupants.

(5) Matters necessary for the rental deposits and rents for rural houses, management of rental houses, and other relevant matters, shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

Article 64 (Determination of Selling Price)

The price of facilities, etc. to be sold by a habitat improvement project implementer pursuant to Article 63, shall be determined at a price calculated from the arithmetic mean of values appraised by at least two appraisal business operators defined in the Act on Appraisal and Certified Appraisers: Provided, That where any supply contract is to be concluded before fixing the selling price, the price may be based on the estimated amount agreed upon between the parties to the contract and the account may be settled when the

selling price becomes fixed. <Amended by Presidential Decree No. 27472, Aug. 31, 2016>

Article 65 (Special Cases concerning Restrictions on Resale of Created Land)

"Cases prescribed by Presidential Decree, such as the occupational circumstance of a person provided with created land" in the proviso to Article 70 (1) of the Act, means: <Amended by Presidential Decree No. 22493, Nov. 15, 2010; Presidential Decree No. 24455, Mar. 23, 2013>

1. Where all members of a household relocate to another Si/Gun/Gu due to a job, occupational circumstance, or medical treatment of any disease, schooling, marriage, etc. of any household member (including constituents of a household, including the householder; hereafter the same shall apply in this Article);
2. Where all members of a household relocate to a house acquired by inheritance;
3. Where all members of a household emigrate or intend to stay abroad for at least two years;
4. Where a person expected to be provided with any created land transfers it to his/her spouse due to divorce;
5. Where a person subject to relocation measures formulated under Article 78 of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects resells the land created for relocation measures;
6. Where an auction or public sale of any created land is conducted because a person provided therewith fails to fulfill his/her obligation towards the State, a local government, or any of the following institutions:
 - (a) A bank under the Banking Act;
 - (b) The Industrial Bank of Korea under the Industrial Bank of Korea Act;
 - (c) A mutual savings bank under the Mutual Savings Banks Act;
 - (d) An insurance company under the Insurance Business Act;
 - (e) Other institutions prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs among those engaged in financing business under statutes.

Article 66 (Composition and Operation of Planning and Technical Support Team)

(1) A planning and technical support team specified in Article 71 (2) of the Act (hereinafter referred to as the "planning and technical support team"), shall be established under the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

(2) The head of the planning and technical support team shall be appointed by the Minister of Agriculture, Food and Rural Affairs from among public officials of Grade III or public officials in general service, belonging to the Senior Civil Service Corps of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

(3) The planning and technical support team shall be comprised of the following: <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

1. Persons appointed by the Minister of Agriculture, Food and Rural Affairs from among personnel belonging to the Ministry of Agriculture, Food and Rural Affairs;

2. Persons commissioned by the Minister of Agriculture, Food and Rural Affairs from among persons with extensive knowledge and experience in the development of rural communities.

(4) In order to efficiently promote technical support for design and execution under Article 71 (2) of the Act, the Minister of Agriculture, Food and Rural Affairs may entrust the relevant research to a research institute belonging to the Korea Rural Community Corporation or a research institute established to conduct research related to development of rural areas. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

(5) Where the planning and technical support team provides technical support for design and execution under Article 71 (2) of the Act, expenses incurred therein may be subsidized within budgetary limits.

(6) Except as otherwise expressly prescribed in paragraphs (1) through (3) and (5), detailed matters necessary for the composition and operation of the planning and technical support team, shall be determined by the Minister of Agriculture, Food and Rural Affairs. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

Article 67 (Procedures, etc. for Formulating Master Plans, etc. to Foster Rural Industries)

(1) In order to formulate a master plan and an action plan for fostering rural industries pursuant to Articles 73 and 74 of the Act, the head of a Si/Gun/Gu may seek advice from farmers or fishermen, local residents, local companies, universities and colleges, research institutes, relevant experts, etc.

(2) The head of a Si/Gun/Gu shall finalize a master plan for fostering rural industries, following deliberation by the relevant Si/Gun/Gu deliberation council on policies for agriculture, farming villages, and the food industry established under Article 15 of the Framework Act on Agriculture, Rural Community and Food Industry or the relevant Si/Gun/Gu deliberation council on policies for fishing industry and fishing villages established under Article 8 of the Framework Act on Fishers and Fishing Villages Development, pursuant to Article 73 of the Act. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013; Presidential Decree No. 26754, Dec. 22, 2015>*

(3) The head of a Si/Gun/Gu who intends to amend a master plan for fostering rural industries finalized under paragraph (2), shall amend it, following deliberation by the relevant Si/Gun/Gu deliberation council on policies for agriculture, farming villages, and the food industry established under Article 15 of the Framework Act on Agriculture, Rural Community and Food Industry or the relevant Si/Gun/Gu deliberation council on policies for fishing industry and fishing villages established under Article 8 of the Framework Act on Fishers and Fishing Villages Development, and submit it to the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries through the competent Mayor/Do Governor. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013; Presidential Decree No. 26754, Dec. 22, 2015>*

(4) When the head of a Si/Gun/Gu amends an action plan for fostering rural industries referred to in Article 74 of the Act, he/she shall submit it to the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries through the competent Mayor/Do Governor. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

Article 68 (Requirements, etc. for Designation of Rural Industry Support Body)

(1) An institution or organization eligible to be designated as a rural industry support body pursuant to Article 75 (1) of the Act, shall meet each of the following requirements:

1. It shall have specialized human resources capable of supporting affairs related to the investigation, study, assessment, consulting, etc. concerning policies for fostering rural industries and relevant plans;
2. It shall have an exclusive department to perform affairs related to fostering rural industries;
3. It shall have a track record of performance of affairs related to the investigation, research, assessment, consulting, etc. concerning policies for fostering rural industries and relevant plans.

(2) An institution or organization that intends to be designated as a rural industry support body under Article 75 (1) of the Act, shall submit an application for designation as a rural industry support body to the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries, along with documents substantiating the matters prescribed in subparagraphs of paragraph

(1). *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

(3) Upon receipt of an application for designation under paragraph (2), the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries shall designate a rural industry support body after examining whether all the requirements prescribed in subparagraphs of paragraph (1) are met.

<Amended by Presidential Decree No. 24455, Mar. 23, 2013>

(4) A rural industry support body shall perform the following duties:

1. Investigation and research of policies for fostering rural industries;
2. Provision of support, including examination and consulting, for master plans and action plans for fostering rural industries formulated by the head of a Si/Gun/Gu pursuant to Articles 73 and 74 of the Act;
3. Provision of support, including investigation, research, advice, and consulting, for smoothly implementing an action plan for fostering rural industries referred to in Article 74 of the Act;
4. Support in assessment under Article 76 of the Act;
5. Education and public relations concerning fostering rural industries;
6. Other projects and incidental affairs entrusted by the State, local governments, or other persons, in connection with fostering rural industries.

Article 69 (Criteria and Procedures for Assessment Related to Fostering Rural Industries)

(1) The Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries who intends to conduct assessment pursuant to Article 76 (1) of the Act, shall formulate an assessment plan and notify it to the head of a related Si/Gun/Gu through the relevant Mayor/Do Governor. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

(2) The head of a Si/Gun/Gu shall submit documents required for assessment referred to in paragraph (1) to the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries through the relevant Mayor/Do Governor. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

(3) The Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries shall conduct assessment pursuant to an assessment plan referred to in paragraph (1) and notify the outcomes thereof to the head of a related Si/Gun/Gu through the relevant Mayor/Do Governor. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

(4) Criteria for assessment related to fostering rural industries referred to in Article 76 (2) of the Act, shall be as follows:

1. Validity of formulating a master plan and an action plan for fostering rural industries;
2. Level of attainment of objectives and performance outcomes;
3. Efficiency of execution.

Article 70 (Reporting on Designation and Approval of Agro-Industrial Complexes)

A Mayor/Do Governor shall report the following matters concerning designating and approving an agro-industrial complex to the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries pursuant to Article 78 (3) of the Act: <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

1. Matters concerning designating and approving the agro-industrial complex;
2. Outline of plans for developing the agro-industrial complex and the detailed statements on the use of subsidies and loans;
3. Where another agro-industrial complex exists in the Si/Gun/Gu in which there is the designated and approved agro-industrial complex, the actual state of the relocation of factories in such other agro-industrial complex and the employment status therein.

Article 71 (Designation and Development of Rural Tourism and Resort Complexes)

(1) Where the head of a Si/Gun/Gu intends to designate a rural tourism and resort complex pursuant to Article 82 (1) of the Act, he/she shall first submit the outline and main details of a project plan formulated by him/her or a person who has applied for the relevant tourism and report complex to the relevant Si/Gun/Gu deliberation council on policies for agriculture, farming villages, and the food industry established under Article 15 of the Framework Act on Agriculture, Rural Community and Food Industry or the relevant Si/Gun/Gu deliberation council on policies for fishing industry and fishing villages established under Article 8 of the Framework Act on Fishers and Fishing Villages Development for deliberation. <Amended by Presidential Decree No. 24455, Mar. 23, 2013; Presidential Decree No. 26754, Dec. 22, 2015>

(2) Where altering or revoking designation of a rural tourism and resort complex, the head of a Si/Gun/Gu shall follow the procedures prescribed in paragraph (1): Provided, That the same shall not apply in any of the following cases:

1. Where altering the name of the rural tourism and resort complex;
2. Where increasing or decreasing the designated area of the rural tourism and resort complex within the range of 10/100;
3. Where altering locations of facilities within the rural tourism and resort complex.

Article 72 (Approval, etc. of Plans for Developing Rural Tourism and Resort Sites)

(1) A person who intends to obtain approval of a plan for developing a rural tourism and resort complex and a tourist farm pursuant to the former part of Article 82 (2) of the Act and the former part of Article 83 (2) of the Act (hereinafter referred to as "rural tourism and resort site"), shall submit a business plan, stating the following matters, to the head of the competent Si/Gun/Gu:

1. The name, location, and scale of the rural tourism and resort site;
2. The name of the project implementer (in cases of a corporation, the name of the corporation and the name of its representative) and the address;
3. A development plan for facilities of the rural tourism and resort site and the construction period;
4. Detailed statements of land, stating the lot number, category of land, and size area;
5. A bird's-eye view, including placement of facilities;
6. Current state of tourism resources and traffic condition, including roads, in the vicinity of the rural tourism and resort site;
7. A plan for raising project costs by type of crop and facility;
8. A plan for the sale and operation of the rural tourism and resort site;
9. Other matters necessary for developing the rural tourism and resort site.

(2) Matters subject to approval for alteration under the latter part of Article 82 (2) of the Act and the latter part of Article 83 (2) of the Act, shall be:

1. Entry of change of the project implementer;
2. Altering the boundaries of project area or land size;
3. Altering the project execution period;
4. Altering the location, scale, or use of facilities to be installed (excluding matters subject to reporting on alteration under any other Act, such as the Building Act);
5. Amending a plan for selling and operating the rural tourism and resort site.

Article 73 (Public Notification of Designation, etc. of Rural Tourism and Resort Complexes)

All public notifications to be made under Article 82 (3) of the Act, shall include:

1. The name, location, and size area of the rural tourism and resort complex;
2. Project implementer;
3. Project period;
4. Date of designation, revocation, approval, or cancellation;
5. Project outline;
6. Project costs.

Article 74 (Scope of Farmers' or Fishermen's Organizations)

"Farmers' or fishermen's organizations determined by Presidential Decree" in Article 83 (1) of the Act, means:

1. Agricultural cooperatives and the National Agricultural Cooperative Federation incorporated under the Agricultural Cooperatives Act;

2. Forestry cooperatives and the National Forestry Cooperative Federation incorporated under the Forestry Cooperatives Act;
3. Fisheries cooperatives and the National Fisheries Cooperative Federation or fishing village fraternities incorporated under the Fisheries Cooperatives Act;
4. Agricultural companies and fisheries companies incorporated under the Act on Fostering and Supporting Agricultural and Fisheries Business Entities.

Article 75 (Requirements for Designation of Districts for Developing Marginal Farmland, etc.)

An area eligible to be designated as a district for developing marginal farmland, etc. pursuant to Article 94 (1) of the Act, shall be an area that meets each of the following requirements:

1. An area not exceeding 200 thousand square meters including marginal farmland referred to in Article 2 and adjacent mountainous districts, and in which the area of marginal farmland is at least 15/100 and farmland excluding marginal farmland is less than 20/100 of the whole area;
2. An area not including an agricultural promotion area designated under the Farmland Act;
3. An area not including a preserved mountainous district designated under the Mountainous Districts Management Act;
4. An area, other than urban areas referred to in subparagraph 1 of Article 6 of the National Land Planning and Utilization Act.

Article 76 (Public Notification of Designation, Alteration, etc. of Districts for Developing Marginal Farmland, etc.)

Matters to be included in the public notification for the designation, alteration, or revocation of designation of a district for developing marginal farmland, etc. pursuant to Articles 94 (2) and 95 (2) of the Act, shall be:

1. The name of the district for developing marginal farmland, etc.;
2. Purpose of the designation of the district for developing marginal farmland, etc. and the type of project for developing marginal farmland, etc.;
3. Grounds for altering or revoking the designation of the district for developing marginal farmland, etc. (limited to cases of alteration or revocation of designation);
4. Location and size area of the district for developing marginal farmland, etc.;
5. Period for developing the district for developing marginal farmland, etc. and the details of the project for developing marginal farmland, etc. (excluding cases of revocation).

Article 77 (Formulation of Project Plans for Developing Marginal Farmland, etc.)

Matters to be included in a project plan for developing marginal farmland, etc. under Article 96 (2) of the Act, shall be:

1. Location of the area where the project is to be implemented (including a location map);
2. Type of project;
3. Project costs (including a plan for raising project costs);

4. Period of the project;
5. Land use plan;
6. Scale of facilities and layout plan;
7. Current state of roads, water supply, sewerage, etc. and layout plan;
8. Environmental impacts on the adjacent area and measures for preventing damage to such area;
9. Other matters necessary to implement the project for developing marginal farmland, etc.

Article 78 (Details of Village Development Plans)

"Matters prescribed by Presidential Decree" in Article 101 (3) 19 of the Act, means:

1. Matters concerning joint-management facilities of the community, including community halls and warehouses for agricultural machines;
2. Matters concerning preventing disasters;
3. Other matters deemed necessary by the head of a Si/Gun/Gu to develop habitats of rural communities.

Article 79 (Village Development Zones subject to Approval from Minister of Agriculture, Food and Rural Affairs)

"Conditions prescribed by Presidential Decree" in the proviso to Article 101 (4) of the Act, means where the area of a village development zone is at least 200 thousand square meters.

Article 80 (Public Notification of Village Development Zones)

"Matters prescribed by Presidential Decree" in Article 101 (7) of the Act, means:

1. The name, location, and size area of the village development zone;
2. Project outline;
3. Matters concerning the land use plan;
4. Expected period and methods of project execution;
5. The person expected to execute the project and the location of his/her principal office;
6. Details of land, real rights, and rights to be expropriated or used.

Article 81 (Modification of Insignificant Matters of Village Development Plans)

"Insignificant matters prescribed by Presidential Decree" in the proviso to Article 102 of the Act, means:

1. Altering the name of the village development zone;
2. Increasing or decreasing the area designated as the village development zone within the range of 10/100;
3. Increasing or decreasing project costs (excluding the amount altered due to a price fluctuation) within the range of 10/100;
4. Altering projects cost based on a price fluctuation;
5. Modifications made to fulfill conditions for designation of the village development zone;
6. Reflection of matters modified due to the enactment, amendment, or repeal of any other Act;
7. Correction of matters requiring rectification of a typographical error, omission, etc.

Article 82 (Methods for Making All Types of Public Notifications or Announcements)

(1) Except as otherwise expressly provided for in the Act or this Decree, any public notification or announcement shall be made as prescribed in this Article.

(2) A public notification or announcement under paragraph (1) shall include the following matters. The same shall also apply where altering any of the details thereof:

1. The objectives of the project;
2. Project details and zones;
3. Required project costs;
4. Expected project period;
5. Effect of the project;
6. Project implementer;
7. Matters necessary to facilitate execution of the project.

(3) Methods for public notifications or public announcements to be made under paragraph (1), shall be as follows: <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

1. Public notification:

(a) In cases of the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries: To be published in the Official Gazette;

(b) In cases of the head of a local government: To be published in the official bulletin of the relevant local government;

(c) Cases, other than items (a) and (b): To be published in a daily newspaper mainly circulated nationwide or a daily newspaper mainly circulated in the relevant area;

2. Public announcement: To be posted on the bulletin boards of the offices of the City/Do, Si/Gun/Gu, and Eup/Myeon of the area where the project is to be executed, and places readily visible to the general public for at least seven days.

Article 83 (Gathering Consensus from Local Residents)

(1) Where a Mayor/Do Governor or the head of a Si/Gun/Gu intends to gather consensus from local residents concerning the designation of a rural tourism and resort complex under Article 82 of the Act, a district for developing marginal farmland, etc. under Article 94 or 95 of the Act, or a village development zone under Article 101 of the Act, he/she shall publish the main details of the draft bill for designation in at least two daily newspapers mainly circulated in the areas of the relevant City/Do and Si/Gun/Gu, post it on the bulletin boards and website of the relevant local government, and make it available to the general public for perusal for at least 14 days.

(2) Any person who has an opinion on the details of the draft bill for designation publicly announced or perused pursuant to paragraph (1), may submit his/her written opinion to the competent Mayor/Do Governor or the head of the competent Si/Gun/Gu by no later than five days after the period for perusal.

(3) A Mayor/Do Governor or the head of a Si/Gun/Gu shall examine an opinion submitted pursuant to paragraph (2) and inform the outcomes thereof to the person who has submitted it within 60 days from the

termination date of the perusal.

(4) "Insignificant matters determined by Presidential Decree" in the proviso to Article 104 (2) of the Act, means:

1. Matters to be reflected according to a plan to which consensus from relevant local residents and experts are gathered pursuant to other statutes;
2. Simple technical matters;
3. Matters in which no relevant local resident has a direct interest.

Article 84 (Business Deemed to Report if Reporting on Rural Tourism and Resort Site Business Operator is Filed)

(1) "Business prescribed by Presidential Decree" in Article 106 (3) 1 of the Act, means:

1. Yachting pool business;
2. Rowing course business;
3. Canoe course business;
4. Ice rink business;
5. Horseriding course business;
6. Sports complex business;
7. Swimming pool business;
8. Physical gymnasium business;
9. Golf practice course business;
10. Physical training hall business;
11. Billiard parlor business;
12. Sledding hall business.

(2) "Business prescribed by Presidential Decree" in Article 106 (3) 3 of the Act, means:

1. Highway restaurant business;
2. General restaurant business;
3. Bakery business.

Article 85 (Reimbursement of Expenses for Projects Eligible to Subsidization)

In concluding a contract on the reimbursement of expenses for a project eligible to subsidization pursuant to Article 108 (4) of the Act, no period for reimbursement shall exceed three years from the date the inspection on completion of construction for the relevant works is conducted, and the amount of expenses to be reimbursed shall be the aggregate of the following:

1. Expenses for the project eligible to subsidization;
2. Interest accrued for expenses until the reimbursement is completed. In such cases, the interest rate shall be that for term deposits (referring to the arithmetic mean of the interest rates for one-year term deposits of commercial banks ranked in the top six nationally for the total credit received among banks incorporated under the Banking Act) as of the date the contract on the reimbursement of expenses is concluded; but if any other interest rate is agreed upon in the contract on reimbursement of expenses for

the project eligible to subsidization, such interest rate shall apply.

Article 86 (Delegation and Entrustment of Authority)

(1) The Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries shall delegate the following authority to Mayors/Do Governors pursuant to Article 109 (1) of the Act: Provided, That the same shall not apply to any project benefitting at least 30 million square meters as a project consisting of at least two projects among those for rural water development, replotting of arable land, improvement of drainage, reclamation, landfill, and improvement of habitats of rural communities: <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

1. Surveying the prearranged area under Article 7 (2) of the Act;
2. Basically surveying and formulating a master plan for, an agricultural infrastructure development and expansion project under Article 8 of the Act (limited to a project benefitting less than 500 thousand square meters as an agricultural infrastructure development and expansion project, other than the projects for replotting of arable land, improvement and repairing and mending of agricultural infrastructure and dredging defined in subparagraph 5 (b) of Article 2 of the Act);
3. Approving and publicly notifying an action plan for an agricultural infrastructure development and expansion project and approving and publicly notifying the amendment thereto under Article 9 (7) through (9) of the Act (excluding matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs);
4. Approving to manage and dispose of property under Article 14 (2) of the Act: Provided, That property created by performing a project in which the farmland management fund is invested pursuant to Article 34 of the Korea Rural Community Corporation and Farmland Management Fund Act, shall be excluded herefrom;
5. Conceding State-owned or public land without compensation under Article 112 (1) of the Act.

(2) The Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries shall entrust the following affairs to the Korea Rural Community Corporation pursuant to Article 109 (1) of the Act: <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

1. Surveying resources under Article 3 of the Act;
2. Matters concerning surveying technical and economic validity for formulating a comprehensive rural development plan under Article 4 of the Act;
3. Matters concerning formulating and implementing education and training plans for safety management under Article 19 of the Act.

(3) Pursuant to Article 109 (1) of the Act, the Minister of Agriculture, Food and Rural Affairs may entrust the affairs related to conducting a survey on technical and economic validity for conducting a basic survey and for formulating a master plan for agricultural infrastructure development and expansion project (limited to where it benefits at least 500 thousand square meters) pursuant to Article 8 of the Act to the Korea Rural Community Corporation. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

(4) The Korea Rural Community Corporation may conduct affairs related to a survey entrusted under paragraph (3) by outsourcing them to an engineering business operator who has filed a report pursuant to Article 21 of the Engineering Industry Promotion Act or a person with specialized capacity in connection with the affairs related to the survey of rural development projects, as determined by the Minister of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 22626, Jan. 17, 2011; Presidential Decree No. 24455, Mar. 23, 2013>

(5) Pursuant to Article 109 (1) of the Act, the Minister of Agriculture, Food and Rural Affairs shall entrust matters concerning the execution of land substituter's examination referred to in Article 28 of the Act to the Korea Human Resources Development Service of Korea incorporated under the Human Resources Development Service of Korea Act. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

Article 86-2 (Support for Persons not Relocating to New Settlement Place, etc.)

(1) A project implementer for developing and expanding agricultural infrastructure, may pay settlement subsidies and livelihood stabilization subsidies to persons entitled to subsidies pursuant to Article 110-2 (1) of the Act (limited to persons who reside in the relevant area as at the time the first public notification is made on the action plan for the agricultural infrastructure development and expansion project).

(2) "Persons prescribed by Presidential Decree" in Article 110-2 (1) of the Act means, tenants or owners of unauthorized buildings (including buildings constructed without filing a report) who have resided in the relevant area continuously since three years before the date the first public notification is made on the action plan for the agricultural infrastructure development and expansion project.

(3) The settlement subsidy and the livelihood stabilization subsidy which may be granted pursuant to Article 110-2 (1) of the Act, shall be as follows:

1. Settlement subsidy: Twenty million won per household;
2. Livelihood stabilization subsidy: Two million and five hundred thousand won per each household member: Provided, That the total amount for a household shall not exceed ten million won.

(4) A person entitled to subsidies pursuant to Article 110-2 (1) of the Act who intends to receive the settlement subsidy and the livelihood stabilization subsidy, shall submit an application prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs to the project implementer for developing and expanding agricultural infrastructure, along with documents prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, by no later than seven days before the scheduled date for settlement. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

Article 87 (Activities Requiring Permission, etc.)

(1) Activities requiring permission from the head of a Si/Gun/Gu under Article 111 (1) of the Act, shall be:

1. Constructing, etc. a building: Construction, substantial repair, or alteration of the use of a building (including temporary structures) defined in Article 2 (1) 2 of the Building Act;
2. Installing a structure: Installing an artificially manufactured facility (excluding buildings defined in Article 2 (1) 2 of the Building Act);

3. Changing the form and quality of land: Changing the form of land by cutting, backfilling, levelling, paving, etc., or excavating land or reclaiming public water;
4. Extracting earth and stone: Extracting earth and stone, such as soil, sand, gravel, and rock: Provided, That activities conducted to change the form and quality of land shall be subject to subparagraph 3;
5. Partitioning land;
6. Piling goods: Piling goods difficult to move for at least one month;
7. Felling and planting bamboo.

(2) The head of a Si/Gun/Gu who intends to grant permission for any activity prescribed in subparagraphs of paragraph (1) pursuant to Article 111 (1) of the Act, shall seek an opinion from the project implementer for developing and expanding agricultural infrastructure.

(3) "Activities determined by Presidential Decree" in Article 111 (2) 2 of the Act, means: *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

1. Installing simple structures prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs as those directly used for the production of agricultural and fisheries products;
2. Changing the form and quality of land for cultivation;
3. Where an area for which the action plan for an agricultural infrastructure development and expansion project under Article 9 of the Act is approved, a rural tourism and resort complex under Article 82 of the Act, a district for developing marginal farmland, etc. under Article 94 or 95 of the Act, or a village development zone under Article 101 of the Act, is designated, extracting earth and stone to the extent neither impeding development nor damaging natural landscape of the relevant area, district, complex, or zone (hereinafter referred to as "area, district, etc.");
4. Piling goods inside a site determined to be left as it is in an area, district, etc.;
5. Temporarily planting ornamental bamboo (excluding temporarily planting it in arable land).

(4) A person obligated to file a report pursuant to Article 111 (3) of the Act, shall file it, along with the report on progress and the action plan for the relevant work or project, with the head of the competent Si/Gun/Gu within 30 days from the date the area, district, etc. is designated and publicly notified.

Article 88 (Concession, etc. of State-Owned and Public Land)

(1) A landowner or rural development project implementer who intends to be granted concession of State-owned or public land without compensation pursuant to Article 112 (1) of the Act shall, after the completion of the construction work, submit an application for the grant of concession of State-owned or public land without compensation to the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries (in cases of public land, the application shall be submitted through the head of the relevant local government), along with documents prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

(2) A landowner or rural development project implementer who intends to donate to the State or a local government, any land which substitutes for the use of the State-owned or public land conceded to him/her

without compensation pursuant to Article 112 (2) of the Act shall, after the completion of the construction work, submit a statement on donation of the land replaced by State-owned or public land without compensation to the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, or the head of the relevant local government, along with documents prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries.

<Amended by Presidential Decree No. 24455, Mar. 23, 2013>

Article 89 (Advance Payment)

In order for a rural development project implementer to receive an instalment of the price pursuant to Article 113 of the Act, the progress rate of installation of the facility of the rural development project shall reach at least 30 percent: Provided, That a habitat improvement project implementer may receive an instalment of the price at the time sale or lease is conducted pursuant to Article 63 (1).

Article 90 (Inspection on Completion of Construction)

(1) A rural development project implementer who intends to undergo an inspection on completion of construction pursuant to Article 114 (1) of the Act, shall submit the following:

1. Documents concerning the name and scale of the project;
2. Detailed statement of project costs;
3. Facility layout maps and the current state of facilities;
4. A plan for maintenance and management of major facilities;
5. As-built drawings and documents (including as-build photographs);
6. A report on size area, comparing the status before and after project implementation;
7. A detailed statement on the reclaimed land, etc. to be acquired by the project implementer and the reclaimed land, etc. to be reverted to the State or the local government.

(2) No person with authority to approve action plans and business plans for rural development projects, shall entrust the inspection on completion of construction to any person with professional inspection skills referred to in paragraph (3) if he/she is the same person as the construction supervisor.

(3) "Those with professional inspection skills determined by Presidential Decree" in Article 114 (3) of the Act, means the Korea Rural Community Corporation and construction technology service business entities registered with a Mayor/Do Governor pursuant to Article 26 of the Construction Technology Promotion Act. *<Amended by Presidential Decree No. 25358, May 22, 2014>*

Article 91 (Persons Eligible to be Entrusted with Land Survey, Designing, Supervision of Works, etc.)

(1) "Person prescribed by Presidential Decree" in Article 115 (1) of the Act, means: *<Amended by Presidential Decree No. 22626, Jan. 17, 2011; Presidential Decree No. 23774, May 7, 2012; Presidential Decree No. 25358, May 22, 2014>*

1. The Korea Rural Community Corporation;
2. An engineering business operator reported under Article 21 of the Engineering Industry Promotion Act;

3. A professional engineer office registered under Article 6 of the Professional Engineers Act;
4. A construction technology service business entity registered under Article 26 of the Construction Technology Promotion Act;
5. A research institute incorporated for research related to the development of rural areas (limited to drawing works concerning the survey on the technical and economic validity for formulating a master plan for a habitat improvement project pursuant to Article 58 of the Act).

(2) "Person prescribed by Presidential Decree, such as the Korea Rural Community Corporation" in Article 115 (2) of the Act, means:

1. The Korea Rural Community Corporation;
2. A specialized safety diagnosis institution registered under the Special Act on the Safety Control of Public Structures.

Article 92 (Revocation of Permission, etc.)

Matters to be publicly notified when any order to suspend construction, etc. is issued or any disposition to revoke permission, etc. is imposed pursuant to Article 116 (2) of the Act, shall be:

1. Project name;
2. Location and scale;
3. Type of project;
4. Grounds for and the details of the relevant order to take measures or disposition;
5. Date of the relevant order to take measures or disposition.

Article 93 (Entrustment, etc. of Recovering Expenses Required by Repairing Fraternities)

(1) A repairing fraternity that intends to request the head of a Si/Gun/Gu to recover expenses from a person who fails to reimburse expenses incurred in maintaining and managing agricultural infrastructure pursuant to the former part of Article 126 (4) of the Act, shall send a detailed statement on the imposition of expenses which includes the address, name, amount payable, payment deadline, etc. to the head of the relevant Si/Gun/Gu and notify the purport thereof to the person liable for the payment.

(2) Upon recovering any expenses requested by a repairing fraternity, the head of a Si/Gun/Gu shall pay them to the repairing fraternity without delay.

(3) The fee to be paid by a repairing fraternity to the head of a Si/Gun/Gu pursuant to the latter part of Article 126 (4) of the Act, shall be an amount equivalent to 3/100 of the recovered amount.

Article 94 (Collection, etc. of Unauthorized Occupancy and Use Penalties)

(1) The unauthorized occupancy and use penalty to be collected under Article 127 of the Act, shall be the amount calculated by multiplying an amount equivalent to 120/100 of the expenses calculated pursuant to Article 32 (1) and the period of unauthorized occupancy or use of the relevant agricultural infrastructure. In such cases, if the period of occupancy or use spans over fiscal years, it shall be the aggregated amount of unauthorized occupancy and use penalties calculated for each fiscal year.

(2) An agricultural infrastructure manager who intends to collect any unauthorized occupancy and use penalty, shall send a prior notice on the unauthorized occupancy and use penalty to the person who has

occupied or used agricultural infrastructure without obtaining permission for use other than for its originally intended purposes (hereinafter referred to as "unauthorized occupant or user"), as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. In such cases, the unauthorized occupant or user who has an objection to the details of the notice, may submit a written opinion, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

(3) In order to collect an unauthorized occupancy and use penalty, the agricultural infrastructure manager shall clearly indicate and notify to the unauthorized occupant or user, the amount payable, payment deadline, method of payment, and basis of calculation. In such cases, the payment deadline shall be within 60 days from the date of notice.

(4) If any unauthorized occupant or user fails to pay an unauthorized occupancy and use penalty referred to in paragraph (3), the agricultural infrastructure manager shall issue a notice for payment of unauthorized occupancy and use penalty payable, imposing interest for arrears and setting a payment deadline of up to 15 days.

(5) If any unauthorized occupancy and use penalty is not paid by the payment deadline referred to in paragraph (4), a notice for payment shall be reissued: Provided, That the last payment deadline shall be a date within three months from the notice for payment issued under paragraph (4).

(6) The interest in arrears referred to in paragraph (4) shall be calculated by multiplying the unauthorized occupancy and use penalty and the following interest rate:

1. Where the period in arrears is less than one month: 12 percent per annum;
2. Where the period in arrears is at least one month, but less than three months: 13 percent per annum;
3. Where the period in arrears is at least three month, but less than six months: 14 percent per annum;
4. Where the period in arrears is at least six months: 15 percent per annum.

(7) Where any unauthorized occupancy and use penalty for which notice for payment has been given under paragraph (4) is paid by the payment deadline, no interest in arrears from the day following the payment deadline referred to in the latter part of paragraph (3) until the date of payment, shall be collected.

Article 95 (Installment Payments of Unauthorized Occupancy and Use Penalties)

(1) Where an unauthorized occupancy and use penalty exceeds one million won, it may be paid in installments.

(2) An unauthorized occupant or user who intends to pay an unauthorized occupancy and use penalty in installments, shall submit an application for installment payments, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

(3) Where an unauthorized occupant or user desires to pay an unauthorized occupancy and use penalty in installments pursuant to paragraph (2), the agricultural infrastructure manager may allow him/her to pay it in installments over a period not exceeding three years, imposing interest at the rate referred to in the latter part of Article 30 (3) of the Enforcement Decree of the State Property Act on the remaining balance of the

unauthorized occupancy and use penalty. In such cases, where notice on imposition of an unauthorized occupancy and use penalty is given for the first time, the payment deadline and the amount of unauthorized occupancy and use penalty to be paid in installments shall be notified altogether. (4) Article 94 (3) through (7) shall apply mutatis mutandis to unauthorized occupancy and use penalties to be paid in installments, notice on interest, and other relevant matters.

Article 96 (Scope of Use of Unauthorized Occupancy and Use Penalties)

@Article 32 (4) shall apply mutatis mutandis to the scope of use of unauthorized occupancy and use penalties referred to in Article 127 (3) of the Act.

Article 96-2 (Management of Personally Identifiable Information)

(1) The Minister of Agriculture, Food and Rural Affairs (including persons to whom the authority of the Minister of Agriculture, Food and Rural Affairs is entrusted under Article 86 (5)) may manage data which contains resident registration numbers, passport numbers, or alien registration numbers under subparagraph 1, 2, or 4 of Article 19 of the Enforcement Decree of the Personal Information Protection Act (hereafter referred to as "resident registration numbers, etc." in this Article), if it is essential to perform the following: *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

1. Affairs related to the land substituter qualification examination referred to in Article 28 of the Act;
2. Affairs related to registering land substitution agencies under Article 31 of the Act;
3. Affairs related to revoking, etc. registration of land substitution agencies under Article 32 of the Act.

(2) The Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, a Mayor/Do Governor, or the head of a Si/Gun/Gu (where the relevant authority is delegated or entrusted, including persons delegated or entrusted with such authority), the Korea Rural Community Corporation, or a person who vicariously executes the duty of land substitution on behalf of a project implementer for developing and expanding agricultural infrastructure pursuant to Article 27 of the Act, may manage data which contains resident registration numbers, etc., if it is essential to perform the following: *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

1. Affairs related to identifying a person having rights to land, etc. or verifying as to whether consent necessary to implement a rural development project is obtained;
 2. Affairs related to managing and disposing of reclaimed land, etc. under Article 14 of the Act;
 3. Affairs related to using agricultural infrastructure other than for its originally intended purposes under Article 23 of the Act;
 4. Affairs related to disposing of land substitution and paying and collecting liquidation proceeds under Article 37 of the Act, and commissioning with registration under Article 42 of the Act;
 5. Affairs related to designating land for temporary use under Article 38 of the Act;
 6. Affairs related to expropriating land, etc. under Article 110 of the Act;
 7. Affairs related to collecting unauthorized occupancy and use penalties under Article 127 of the Act.
- (3) The Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, a Mayor/Do Governor, or the head of a Si/Gun/Gu (where the relevant authority is delegated or entrusted,

including persons delegated or entrusted with such authority), may manage data which contains resident registration numbers, etc., if it is essential to perform the following: <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

1. Affairs related to authorizing, permitting, or approving rural development projects, or revoking, etc. the same;
2. Affairs related to using rural house renovation funds under Article 67 (3) of the Act;
3. Affairs related to conceding, etc. State-owned and public land under Article 112 of the Act.

(4) A Mayor/Do Governor or the head of a Si/Gun/Gu (where the relevant authority is delegated or entrusted, including persons delegated or entrusted with such authority), may manage data which contains resident registration numbers, etc. under subparagraph 1 of Article 19 of the Enforcement Decree of the Personal Information Protection Act, if it is essential to perform the affairs related to designating or replacing habitat improvement project implementers under Article 56 of the Act. <Newly Inserted by Presidential Decree No. 25532, Aug. 6, 2014>

(5) The head of a Si/Gun/Gu (where the relevant authority is delegated or entrusted, including persons delegated or entrusted with such authority), may manage data which contains resident registration numbers, etc., if it is essential to perform the following: <Amended by Presidential Decree No. 25532, Aug. 6, 2014>

1. Affairs related to paying indemnities and commissioning with cancelling registration under Article 65 (3) and (4) of the Act;
2. Affairs related to reporting, etc. by rural tourism and resort complex business operators and rural bed and breakfast business operators under Articles 85 and 86 of the Act;
3. Affairs related to verifying land, real rights, and rights to be expropriated or used under Article 101 (3) 18 of the Act;
4. Affairs related to recovering expenses incurred in maintaining and managing agricultural infrastructure under Article 126 of the Act.

(6) The head of a Si/Gun/Gu (where the relevant authority is delegated or entrusted, including persons delegated or entrusted with such authority) or the Korea Rural Community Corporation, may manage data which contains resident registration numbers, etc., if it is essential to perform the following: <Amended by Presidential Decree No. 25532, Aug. 6, 2014>

1. Affairs related to identifying a person having rights to land, etc., following the exchange, division, and consolidation of farmland under Article 43 of the Act or verifying as to whether consent thereto is obtained;
2. Affairs related to paying or collecting liquidation proceeds and commissioning with registration under Article 47 of the Act;
3. Affairs related to selling or leasing rural houses, etc. under Article 68 of the Act and restricting, etc. resale under Article 70 of the Act;

4. Affairs related to selling or leasing land and facilities under Articles 84 and 98 of the Act;

5. Affairs related to selling or purchasing, etc. marginal farmland, etc. under Article 100 of the Act.

(7) The Korea Rural Community Corporation may manage data which contains resident registration numbers, etc., if it is essential to perform the affairs related to succeeding to the rights and obligations concerning agricultural infrastructure under Article 16 (3) of the Act and registering land under paragraph (4) of the same Article. <Amended by Presidential Decree No. 25532, Aug. 6, 2014>

(8) A person who falls under any subparagraph of Article 120 (1) of the Act, may manage data which contains resident registration numbers, etc., if it is essential to perform the affairs related to the land survey, inspection of documents, etc. <Amended by Presidential Decree No. 25532, Aug. 6, 2014>

Article 96-3 (Re-Examination of Regulations)

The Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries shall examine the appropriateness of criteria for imposing administrative fines under Article 97 and attached Table 4, every two years, counting from January 1, 2015 (referring to the period that ends on the day before every second anniversary from January 1) and shall take measures, such as making improvements.

Article 97 (Criteria for Imposing Administrative Fines)

Criteria for imposing administrative fines under Article 132 (1) of the Act, shall be as specified in attached Table 4.

ADDENDA

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 94 through 96 shall enter into force on June 10, 2010.

Article 2 (Time Limit for Formulation of Contingency Plan)

"Period determined by Presidential Decree" in Article 14 of the Addenda to the wholly amended Rearrangement of Agricultural and Fishing Villages Act (Act No. 9758), means any of the following periods:

1. In cases of facilities falling under Article 27 (1) 1: The period classified as follows:

(a) A reservoir with a total water storage capacity of at least three million cubic meters: Seven years;

(b) A reservoir with a total water storage capacity of at least one million cubic meters, but less than three million cubic meters: Ten years;

2. In cases of facilities falling under Article 27 (1) 2: Ten years;

3. In cases of facilities falling under Article 27 (1) 3: Ten years.

Article 3 (Recovering Expenses for Using Agricultural Infrastructure or Water other than for its Originally Intended Purposes)

Notwithstanding the amended provisions of Article 32 (1) 3, the percentage of expenses to be recovered where any agricultural infrastructure or water is used other than for its originally intended purposes, shall be an amount equivalent to 6/100 of the publicly notified land price, etc. in the year 2009.

Article 4 (Applicability to Sale or Lease of Rural Houses, etc.)

The amended provisions of Article 63 (1) shall begin to apply from the first habitat improvement project, the plan for sale or lease of which is publicly announced after this Decree enters into force.

Article 5 (Transitional Measures concerning Sale or Lease of Reclaimed Land, etc.)

Notwithstanding the amended provisions of Articles 12 through 19, reclaimed land, etc., the sale in lots or sale of which is pending under the former provisions as at the time the wholly amended Enforcement Decree of the Rearrangement of Agricultural and Fishing Villages Act (Presidential Decree No. 20579) enters into force, shall be governed by the former provisions.

Article 6 (Transitional Measures concerning Persons Entitled to Rent Reclaimed Land, etc.)

Notwithstanding the amended provisions of Article 13, persons who are in the period for lease after renting reclaimed land, etc. under the former provisions as at the time this Decree enters into force, shall be governed by the former provisions until such period expires.

Article 7 (Transitional Measures concerning Persons Entitled to be Allocated Reclaimed Land, etc.)

Where any administrative measures or dispositions have already been taken, such as where persons entitled to be allocated reclaimed land, etc. have been designated and temporary use of the reclaimed land, etc. has been allowed as at the time the Enforcement Decree of the Rearrangement of Agricultural and Fishing Villages Act (Presidential Decree No. 14679) enters into force, matters concerning the allocation, including the order of priority, etc. of the persons entitled to allocation, shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, notwithstanding the amended provisions of Article 15.

Article 8 (Transitional Measures concerning Temporary Users of Reclaimed Land, etc.)

Notwithstanding the amended provisions of Article 21, persons who are in the period for temporary use of reclaimed land, etc. after being selected as temporary users thereof under the former provisions as at the time the wholly amended Enforcement Decree of the Rearrangement of Agricultural and Fishing Villages Act (Presidential Decree No. 20579) enters into force, shall be governed by the former provisions until such period expires.

Article 9 (Transitional Measures concerning Municipal Ordinances)

Ordinances of a Si/Gun/autonomous Gu on the management of rural water zones enacted under Article 56 of the former Enforcement Decree of the Act on the Special Measures for Development of Agricultural and Fishing Villages (referring to the Enforcement Decree before being amended by Presidential Decree No. 16919) as at the time the amended Enforcement Decree of the Rearrangement of Agricultural and Fishing Villages Act (Presidential Decree No. 16919) enters into force, shall be deemed enacted pursuant to the amended provisions of Article 24 (3).

Article 10 (Transitional Measures concerning Supply of Rural Houses, etc.)

Notwithstanding the amended provisions of Articles 63 and 64, any created land, rural houses, and other facilities for which the procedures for the sale or lease are pending under the former provisions as at the time the wholly amended Enforcement Decree of the Rearrangement of Agricultural and Fishing

Villages Act (Presidential Decree No. 20579) enters into force, shall be governed by the former provisions.

Article 11 Omitted.

Article 12 (Relationship to other Statutes)

Where any other statute cites the former provisions of the Enforcement Decree of the Rearrangement of Agricultural and Fishing Villages Act as at the time this Decree enters into force, the relevant provisions of this Decree shall be deemed cited in lieu of the former provisions, if any provisions corresponding thereto exist in this Decree.

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. 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. 22729, Mar. 29, 2011>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Administrative Fines)

(1) Notwithstanding the amended provisions of attached Table 4, the application of the criteria for imposing administrative fines for any violation committed before this Decree enters into force, shall be governed by the former provisions.

(2) No disposition of an administrative fine imposed regarding any violation committed before this Decree enters into force, shall be included in the number of violations committed, specified in the amended provisions of attached Table 4.

ADDENDUM <Presidential Decree No. 23353, Dec. 6, 2011>

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

ADDENDA <Presidential Decree No. 23488, Jan. 6, 2012>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Presidential Decree No. 23621, Feb. 14, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on February 15, 2012.

Article 2 (Special Cases concerning Application for Subsidies for Persons whose Relocation is Completed)

Notwithstanding the amended provisions of Article 86-2 (4), a person whose relocation is completed as at the time this Decree enters into force, among persons entitled to apply for subsidies in connection with an agricultural infrastructure development and expansion project referred to in Article 2 of the Addenda to the partially amended Rearrangement of Agricultural and Fishing Villages Act (Act No. 11072), may apply for subsidies within six months from the date this Decree enters into force.

ADDENDA <Presidential Decree No. 23774, May 7, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on May 18, 2012.

Article 2 (Transitional Measures concerning Contingency Plans for Agricultural Infrastructure)

A person who has built and operates a reservoir with a total water storage capacity of at least 300 thousand cubic meters, but less than one million cubic meters, as at the time this Decree enters into force, shall formulate a contingency plan by no later than May 18, 2017 pursuant to the amended provisions of Article 27 (1) 1.

ADDENDA <Presidential Decree No. 24455, 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. 24989, Dec. 11, 2013>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Thorough Safety Inspections)

A thorough safety inspection of a reservoir, the construction of which was completed at least ten years ago, as at the time this Decree enters into force, among reservoirs with a total water storage capacity of at least 300 thousand tons, but less than 500 thousand tons, shall be conducted within five years from the date this Decree enters into force.

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.

ADDENDUM <Presidential Decree No. 25532, Aug. 6, 2014>

This Decree shall enter into force on August 7, 2014.

ADDENDA <Presidential Decree No. 25771, Nov. 24, 2014>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Areas regarding which Consultations were Held to Exclude them from Areas subject to Restriction on Construction of Factories, etc.)

An area regarding which the head of a Si/Gun/Gu has consulted with the head of the competent basin environmental management office or the head of the competent subregional environmental management office pursuant to the former provisions of subparagraph 3 of Article 30 before this Decree enters into force, shall be deemed an area regarding which consultation was held pursuant to the amended provisions of subparagraph 8 of Article 30.

Article 3 (Transitional Measures concerning Hazardous Chemicals)

"Hazardous chemical defined in subparagraph 7 of Article 2 of the Chemicals Control Act" in the amended provisions of subparagraph 3 (b) of Article 30, shall be construed as "hazardous chemical defined in subparagraph 8 of Article 2 of the Toxic Chemicals Control Act" until December 31, 2014.

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. 25919, Dec. 30, 2014>

This Decree shall enter into force on January 1, 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.

ADDENDA <Presidential Decree No. 26369, Jun. 30, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2015.

Articles 2 through 4 Omitted.

ADDENDUM <Presidential Decree No. 26377, Jul. 6, 2015>

This Decree shall enter into force on July 7, 2015.

ADDENDA <Presidential Decree No. 26492, Aug. 19, 2015>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures, etc. concerning Areas, etc. regarding which Consultations were Held to Exclude them from Areas subject to Restriction on Construction of Factories, etc.)

(1) A factory or industrial complex constructed as at December 15, 2009 when the wholly amended Enforcement Decree of the Rearrangement of Agricultural and Fishing Villages Act (Presidential Decree No. 21877) enters into force in an area located within 500 meters from the full water level of a reservoir heading upstream of the water system as at the time this Decree enters into force, shall be deemed constructed in an area regarding which consultation was held pursuant to the amended provisions of subparagraph 3 (b) of Article 30.

(2) An area regarding which consultation was held to exclude it from areas subject to restriction on construction of factories or industrial complexes as at November 24, 2014 when the partially amended Enforcement Decree of the Rearrangement of Agricultural and Fishing Villages Act (Presidential Decree No. 25771) enters into force in an area located within 500 meters from the full water level of a reservoir heading upstream of the water system as at the time this Decree enters into force, shall be deemed an area regarding which consultation was held pursuant to the amended provisions of subparagraph 3 (b) of Article 30.

(3) Notwithstanding paragraphs (1) and (2), where the head of a Si/Gun/Gu intends to extend or renovate any factory or industrial complex referred to in paragraph (1) or a factory or industrial complex constructed in an area deemed an area regarding which consultation was held pursuant to paragraph (2); or to change its category of business, after this Decree enters into force, he/she shall formulate a plan to prevent water pollution so that the water quality can be maintained at the same level as before the construction of the factory or industrial complex; and shall consult with the head of the competent basin environmental management office or the head of the subregional environmental management office with regard thereto pursuant to the amended provisions of subparagraph 3 of Article 30.

ADDENDA <Presidential Decree No. 26754, Dec. 22, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force on December 23, 2015.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 26930, Jan. 22, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 25, 2016.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 27213, Jun. 8, 2016>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Expenses for Using Agricultural Infrastructure other than for its Originally Intended Purposes)

The amended provisions of the proviso to Article 32 (1) 1, shall begin to apply from the first case where any expense is imposed after this Decree enters into force, for using agricultural infrastructure to install and operate new energy and renewable energy facilities, which is the use of agricultural infrastructure other than for its originally intended purposes.

Article 3 (Transitional Measures concerning Period of Use of Agricultural Infrastructure or Water other than for its Originally Intended Purposes)

Notwithstanding the amended provisions of the proviso to Article 31 (5) and subparagraph 1 (a) of the same paragraph, where any agricultural infrastructure or water is used other than for its originally intended purposes, under the former provisions as at the time this Decree enters into force, the length of period of use shall be governed by the former provisions during such period of use.

ADDENDA <Presidential Decree No. 27471, Aug. 31, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on September 1, 2016.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 27472, Aug. 31, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on September 1, 2016.

Articles 2 through 7 Omitted.