

법령조회

ARRANGEMENT OF STAFF ASSIGNED FOR SPECIAL FOREST PROTECTION ACT

Act No. 1267, Feb. 9, 1963
 Amended by Act No. 1541, Dec. 16, 1963
 Act No. 2110, May 21, 1969
 Act No. 4750, Mar. 24, 1994
 Act No. 5079, Dec. 29, 1995
 Act No. 5153, Aug. 8, 1996
 Act No. 5454, Dec. 13, 1997
 Act No. 6375, Jan. 26, 2001
 Act No. 7436, Mar. 31, 2005
 Act No. 8106, Dec. 28, 2006
 Act No. 8852, Feb. 29, 2008
 Act No. 10849, Jul. 14, 2011
 Act No. 11690, Mar. 23, 2013

Article 1 (Purpose)

The purpose of this Act is to promote the prevention of damage to forests and the protection and fostering of forests by placing employees in charge of forest conservation, upon petition of the owner or manager of a forest.

[This Article Wholly Amended by Act No. 10849, Jul. 14, 2011]

Article 2 (Placement of Employees to be in Charge of Forest Conservation on Petition)

(1) Where the owner or the manager of a forest makes a petition, any of the following persons (hereinafter referred to as "person entitled to placement") may place employees to be in charge of forest conservation (hereinafter referred to as "employee in charge of forest conservation"), as prescribed by Presidential Decree:

1. A Special Metropolitan City Mayor, a Metropolitan City Mayor, a Do Governor or the Governor of a Special Self-governing Province;
2. The head of a Si/Gun/autonomous Gu;
3. The Director General of Korea Forest Research Institute or the head of a Regional Forest Service;
4. The head of an agency under the control of the Chief of Korea Forest Service prescribed by Presidential Decree.

(2) A person entitled to placement may encourage a forest owner who owns a collectivized private forest of more than a certain scale prescribed by Ordinance of the Ministry for Agriculture, Food and Rural Affairs to petition the placement of an employee in charge of forest conservation. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 10849, Jul. 14, 2011]

Article 3 (Bearing of Expenses)

A person who requests the placement of an employee to be in charge of forest conservation (hereinafter referred to as "petitioner") shall pay a person entitled to placement expenses for an employee in charge of forest conservation, as prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10849, Jul. 14, 2011]

Article 3-2 (Subsidization of Expenses)

The State may subsidize some of expenses under Article 3 within budgetary limits, as prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10849, Jul. 14, 2011]

Article 4 (Duties of Employees in Charge of Forest Conservation)

An employee in charge of forest conservation shall perform duties of a forestry clerk in the protected area under the supervision of the head of an agency prescribed by Presidential Decree either a person entitled to placement who has jurisdiction over the area he/she is assigned to, or a petitioner.

[This Article Wholly Amended by Act No. 10849, Jul. 14, 2011]

Article 5 (Appointment of Employees to be in Charge of Forest Conservation)

- (1) A person entitled to placement shall appoint an employee to be in charge of forest conservation from among those whom a petitioner has requested him/her to place.
- (2) No person entitled to placement shall appoint a person falling under any of the subparagraphs of Article 33 of the State Public Officials Act as an employee in charge of forest conservation.
- (3) Qualifications for appointment as an employee in charge of forest conservation, remuneration, education, service, dress regulations and other necessary matters shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10849, Jul. 14, 2011]

Article 6 (Guarantee of Person's Status)

No employee in charge of forest conservation shall be dismissed from the service against his/her will without a sentence, disciplinary action, the reason prescribed by this Act and other justifiable reasons.

[This Article Wholly Amended by Act No. 10849, Jul. 14, 2011]

Article 7 (Natural Retirement, etc.)

- (1) Where an employee in charge of forest conservation falls under any of the following subparagraphs, he/she shall retire automatically:
 1. Where he/she falls under any of the subparagraphs of Article 33 of the State Public Officials Act;
 2. Where the placement of an employee in charge of forest conservation in the relevant forest is terminated pursuant to Article 9 (2);
 3. Where he/she attains to the age of 60 years: Provided, That where such date falls between January and June, he/she shall retire automatically on June 30, and where such date falls between July and December, he/she shall retire automatically on December 31.
- (2) Where an employee in charge of forest conservation falls under any of the following subparagraphs, a person entitled to placement may dismiss the employee by official authority:
 1. Where he/she is unable to fulfill his/her duties due to physical or mental disability;
 2. Where the placement of an employee in charge of forest conservation in the relevant forest is suspended pursuant to Article 9 (1);
 3. Where there are surplus employees because the number of employees placed is reduced pursuant to Article 9 (2).

[This Article Wholly Amended by Act No. 10849, Jul. 14, 2011]

Article 7-2 (Temporary Retirement from Office and Honorary Retirement)

Articles 71 through 73 and 74-2 of the State Public Officials Act shall apply mutatis mutandis to temporary retirement from office and honorary retirement of an employee in charge of forest conservation who takes service with the State or a local government.

[This Article Wholly Amended by Act No. 10849, Jul. 14, 2011]

Article 8 (Disciplinary Action)

- (1) Where an employee in charge of forest conservation falls under any of the following subparagraphs or a person entitled to placement is requested by a petitioner to discipline an employee in charge of forest conservation falling under any of the subparagraphs, the person entitled to placement shall discipline the relevant person:
 1. Where he/she violates an official duty or neglects any of his/her duties corresponding to a state public official when he/she performs duties under Article 4;
 2. Where he/she engages in any act that impairs his/her dignity.
- (2) Kinds of disciplinary actions shall be dismissal, release from office, suspension from office, reduction of salary and reprimand. In such cases, Article 80 (3) and (4) of the State Public Officials Acts shall apply mutatis mutandis to the effect of suspension from office and reprimand.
- (3) Where a person entitled to placement intends to discipline an employee in charge of forest conservation pursuant to paragraph (1), he/she shall provide a suspect subject to such disciplinary action with a sufficient opportunity to make a statement.

(4) Article 82 of the State Public Officials Act shall apply mutatis mutandis to procedures for disciplinary action.

[This Article Wholly Amended by Act No. 10849, Jul. 14, 2011]

Article 9 (Holding, Suspension, etc. of Placement of Employees in Charge of Forest Conservation)

(1) Where a petitioner of the placement of an employee in charge of forest conservation fails to pay expenses for an employee in charge of forest conservation by the payment deadline, a person entitled to placement may hold or suspend the placement of an employee in charge of forest conservation.

(2) Where a person entitled to placement deems unnecessary to place an employee in charge of forest conservation in the relevant forest or it is necessary to reduce the number of employees placed, he/she may terminate such placement or reduce the number of employees placed. In such cases, he/she shall refund the remainder of the prepaid expenses for employees in charge of forest conservation.

[This Article Wholly Amended by Act No. 10849, Jul. 14, 2011]

Article 10 (Delegation of Authority)

The head of a Regional Forest Service may delegate part of his/her authority under this Act to the head of the state-owned forest management office under his/her jurisdiction, as prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10849, Jul. 14, 2011]

ADDENDUM

This Act shall enter into force on February 1, 1963.

ADDENDUM (Act No. 1541, Dec. 16, 1963)

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

ADDENDUM (Act No. 2110, May 21, 1969)

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

ADDENDUM (Act No. 4750, Mar. 24, 1994)

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

ADDENDA (Act No. 5079, Dec. 29, 1995)

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 1996.

Articles 2 and 3 Omitted.

ADDENDA (Act No. 5153, Aug. 8, 1996)

Article 1 (Enforcement Date)

This Act shall enter into force on the date the Presidential Decree concerning the organization of the Ministry of Maritime Affairs and Fisheries and the Korea Coast Guard enters into force, under the amended provisions of Article 41 within 30 days after the promulgation thereof.

Articles 2 through 4 Omitted.

ADDENDUM (Act No. 5454, Dec. 13, 1997)

This Act shall enter into force on January 1, 1998. (Proviso Omitted.)

ADDENDA (Act No. 6375, Jan. 26, 2001)

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

(2) (Transitional Measures concerning Disciplinary Action) Disciplinary action conducted in accordance with the previous provisions as at the time this Act enters into force shall be deemed disciplinary action conducted under the amended provisions of Article 8.

ADDENDA (Act No. 7436, Mar. 31, 2005)

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

(2) (Transitional Measures concerning Administrative Disposition) A disposition conducted by an administrative agency under the previous provisions at the time this Act enters into force shall be deemed a disposition conducted by an administrative agency under the provisions of this Act, and an application filed, a report made and other acts done in relation to an administrative agency under the previous provisions shall be deemed an application file

d, a report made and other acts performed in relation to an administrative agency under the provisions of this Act.

ADDENDUM (Act No. 8106, Dec. 28, 2006)

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

ADDENDA (Act No. 8852, Feb. 29, 2008)

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA (Act No. 10849, Jul. 14, 2011)

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provision of Article 7 (1) 3 shall enter into force on the date of its promulgation.

Article 2 (Applicability to Disciplinary Action)

The amended provision of Article 8 (2) shall also apply to a reason for disciplinary action, the procedure for which has not been completed, as a reason for disciplinary action which arose before this Act enters into force.

Article 3 (Transitional Measures concerning Placement of Employees in Charge of Forest Conservation)

An employee in charge of forest conservation placed in the area under the jurisdiction of a person entitled to placement under the amended provisions of Article 2 (1) 4 as at the time this Act enters into force shall be deemed placed by a person entitled to placement under the relevant amended provision.

ADDENDA (Act No. 11690, Mar. 23, 2013)

Article 1 (Enforcement Date)

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

(2) Omitted.

Articles 2 through 7 Omitted.

PC버전 보기

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