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ENFORCEMENT DECREE OF THE CREATION AND MANAGEMENT OF FOREST
RESOURCES ACT

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Amended by Presidential Decree No. 19943, Mar. 22, 2007
Presidential Decree No. 20205, Jul. 27, 2007
Presidential Decree No. 20222, Aug. 17, 2007
Presidential Decree No. 20581, Jan. 31, 2008
Presidential Decree No. 20696, Feb. 29, 2008
Presidential Decree No. 20838, Jun. 20, 2008
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Presidential Decree No. 25050, Dec. 30, 2013
Presidential Decree No. 25422, Jun. 30, 2014
Presidential Decree No. 25456, Jul. 14, 2014
Presidential Decree No. 25599, Sep. 11, 2014
Presidential Decree No. 25840, Dec. 9, 2014
Presidential Decree No. 26302, Jun. 1, 2015
Presidential Decree No. 26416, Jul. 20, 2015
Presidential Decree No. 26438, Jul. 24, 2015
Presidential Decree No. 26629, Nov. 11, 2015
Presidential Decree No. 26844, Dec. 31, 2015
Presidential Decree No. 27057, Mar. 25, 2016
Presidential Decree No. 27403, Jul. 28, 2016
Presidential Decree No. 28062, May 29, 2017
Presidential Decree No. 28243, Aug. 16, 2017
Presidential Decree No. 28468, Dec. 12, 2017
Presidential Decree No. 28799, Apr. 17, 2018
Presidential Decree No. 28919, May 28, 2018
Presidential Decree No. 28999, Jun. 26, 2018
Presidential Decree No. 29310, Nov. 27, 2018
Presidential Decree No. 29381, Dec. 18, 2018
Presidential Decree No. 29950, Jul. 2, 2019
Presidential Decree No. 29953, Jul. 9, 2019

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Decree is to prescribe the matters delegated by the Creation and Management of Forest Resources Act and matters necessary for the enforcement thereof.

<Amended by Presidential Decree No. 20838, Jun. 20, 2008>

Article 2 (Definitions)

(1)"Land determined by Presidential Decree" in the proviso of subparagraph 1 of Article 2 of the Creation and Management of Forest Resources Act (hereinafter referred to as the "Act"), with the exception of its items, means the following: <Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 22293, Jul. 21, 2010>

1. An orchard, a tea plantation, or a field for gathering cuttings or scions;
2. Land within a fenced area of a building, where standing timber or bamboo is growing;
3. A ridge between paddy fields or between dry paddy fields, where standing timber or bamboo is growing;
4. A river, bank, ditch, or pond, where standing timber or bamboo is growing.

(2)"Project determined by Presidential Decree" in subparagraph 3 of Article 2 of the Act means the following: <Amended by Presidential Decree No. 20696, Feb. 29, 2008; Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 24211, Nov. 30, 2012; Presidential Decree No. 24452, Mar. 23, 2013; Presidential Decree No. 25599, Sep. 11, 2014; Presidential Decree No. 26416, Jul. 20, 2015; Presidential Decree No. 28468, Dec. 12, 2017; Presidential Decree No. 29953, Jul. 9, 2019>

1. A forest road project; or a project implemented to establish forest management infrastructure, such as facilities for preventing and extinguishing forest fires;
- 1- A project implemented to create, cultivate, and use forests, such as afforestation,
2. forest tending, and felling activities;
- 1-3. A project implemented to restore forests;
2. A project implemented to prevent and extinguish forest fires;
3. A project implemented for the conservation and use of mountainous districts; the gathering of soil or stone; and prevention of disasters, restoration, etc. from disasters under the Mountainous Districts Management Act;
4. A project implemented to protect Baekdu-Daegan under the Baekdu-Daegan Protection Act;
5. A project implemented to prevent and control forest fungi and harmful insects under the Forest Protection Act;
6. A project implemented for the administration, management, etc. of state forests under the State Forest Administration and Management Act;
7. A project implemented for the creation, etc. of facilities for forest culture and recreation under the Forestry Culture and Recreation Act;
- 7- A project implemented for the creation, etc. of facilities for forest education under the
2. Forest Education Promotion Act;
- 7- A project implemented for the creation, management, etc. of woodland burial ground
3. defined in subparagraph 14 of Article 2 of the Act on Funeral Services;
8. A project implemented for the structural improvement of forestry; designation of

- forestry promotion zones; and development, etc. of mountain villages under the Forestry and Mountain Villages Development Promotion Act;
- 9. A project implemented for the creation of arboretums; and registration, operation, etc. of arboretums under the Act on the Creation and Furtherance of Arboretums and Gardens;
- 10. Erosion control works implemented under the Erosion Control Work Act;
- 10-A project implemented for the creation, management, etc. of urban forests, living
- 2. forests, and roadside trees (hereinafter referred to as "urban forests, etc."): Provided, That any projects implemented as a landscape architecture construction business or a landscape planting business, among construction businesses specified in attached Table 1 of the Enforcement Decree of the Framework Act on the Construction Industry, shall be excluded herefrom;
- 11. Any other projects prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs which are necessary to create, cultivate, and manage forest resources or to promote the public utility of forests.
- (3) "Forest and trees prescribed by Presidential Decree" in subparagraph 5 of Article 2 of the Act means the following: <Newly Inserted by Presidential Decree No. 20838, Jun. 20, 2008>
 - 1. Village forest: Any forest and trees created and managed around a village to conserve forestry culture and to improve the living environment of local residents;
 - 2. Scenic forest: Any forest and trees created and managed to conserve scenic resources of an outstanding forest and to promote nature study, etc.
- (4) "Roads determined by Presidential Decree" in subparagraph 6 of Article 2 of the Act means the following: <Newly Inserted by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 25456, Jul. 14, 2014>
 - 1. A road referred to in Article 10 of the Road Act (excluding national expressways);
 - 2. An exclusive road for pedestrians and an exclusive road for bicycles referred to in Article 2 (2) 1 of the Enforcement Decree of the National Land Planning and Utilization Act;
 - 3. A Myeon road or Ri road referred to in Article 4 of the Act on the Maintenance and Improvement of Road Networks in Agricultural and Fishing Villages.
- (5) "Others prescribed by Presidential Decree, including trees for landscaping and bonsai trees" in subparagraph 7 of Article 2 of the Act means the following: <Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 22293, Jul. 21, 2010; Presidential Decree No. 28919, May 28, 2018; Presidential Decree No. 29950, Jul. 2, 2019>
 - 1. Trees for landscaping, and bonsai trees;
 - 2. Parts of a tree, such as branches, flowers, fruit, fresh leaves, firewood, sawdust, and pieces of wood;
 - 3. Bamboo, herbaceous plants, vines, and mosses;
 - 4. Forest mushrooms and sod;
 - 5. Charcoal (including sawdust charcoal) and sap (including condensate obtained by burning trees or bamboo);
 - 6. Timber products defined in subparagraph 2 of Article 2 of the Act on the Sustainable Use of Timbers, such as plywood, veneers, fiberboards, glue-laminated timber, plastic

wood, floorboards, and wood pellets.

Article 3 (Scope of Application)

"Land determined by Presidential Decree" in the proviso to subparagraph 3 of Article 3 of the Act means the land specified in Article 2 (1) 3 or 4. <Amended by Presidential Decree No. 20838, Jun. 20, 2008>

CHAPTER II CREATION AND DEVELOPMENT OF FOREST RESOURCES

SECTION 1 Sustainable Forest Management

Article 4 (Development, etc. of Forest Sustainability Index)

- (1) The Minister of the Korea Forest Service shall take into account the forest management conditions as well as the standards, indicators, etc. referred to in Article 13 (1) of the Framework Act on Forestry and Article 11 of the Enforcement Decree of the same Act in developing the forest sustainability index under Article 7 (1) of the Act.
- (2) The Minister of the Korea Forest Service shall maintain and manage a series of processes, including research and development, monitoring, evaluation, and feedback, to continuously supplement and widely use the forest sustainability index.

Article 5 (Afforestation Exclusion Areas)

- (1) "Case prescribed by Presidential Decree" in the proviso to Article 10 (1) of the Act means any of the following cases: <Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 27403, Jul. 28, 2016>
 1. Where approximately 20,000 young trees per hectare are growing within a deforested area;
 2. Where approximately 5,000 young oak trees per hectare, such as sawtooth oaks, oriental oaks, and oriental white oaks, are growing within a deforested area;
 3. Where approximately 900 oak tree stumps per hectare, from which sprouts are growing vigorously, are distributed evenly within a deforested area of oak trees, such as sawtooth oaks, oriental oaks, and oriental white oaks.
- (2) In the case of paragraph (1), the relevant feller shall perform follow-up management, such as inducing young trees to feather fast or nurturing young trees and sprouts.

Article 6 (Scope, etc. of Idle Land)

- (1) Idle land referred to in Article 12 of the Act means any of the following: <Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 21881, Dec. 14, 2009; Presidential Decree No. 21887, Dec. 15, 2009; Presidential Decree No. 26302, Jun. 1, 2015>
 1. Marginal farmland defined in subparagraph 17 of Article 2 of the Agricultural and Fishing Villages Improvement Act;
 2. Land that has not been used for its original purpose for at least two years;
 3. Land which is classified under the land category of dry paddy field, paddy field, orchard, pasture, or miscellaneous land under Article 67 of the Act on the Establishment, Management, etc. of Spatial Data, and the owner of such intends to convert it into a forest.
- (2) A person who intends to convert idle land into a forest may be granted a subsidy or loan to cover the following expenses, pursuant to Article 12 of the Act: <Amended by Presidential Decree No. 20696, Feb. 29, 2008; Presidential Decree No. 24452, Mar. 23, 2013>
 - 1.

- Expenses for registration and other relevant expenses, including fees;
 - 2. Expenses incurred in preparing and amending a forest management plan;
 - 3. Expenses incurred in afforestation and forest tending activities;
 - 4. Any other expenses prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs as necessary for managing forests and increasing income.
- (3) Species of trees planted in idle land referred to in paragraph (1), the method of afforestation, and any other necessary matters, shall be determined by the Minister of the Korea Forest Service.

SECTION 2 Forest Management Plans

Article 7 (Formulation of Forest Management Plans for Public Forests Owned by Local Governments)

- (1) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, a Do Governor, a Special Self-Governing Province Governor (hereinafter referred to as the "Mayor/ Do Governor"), or the head of a Si/Gun/Gu (referring to the head of an autonomous Gu in the case of the head of a Gu; hereinafter the same shall apply) shall formulate a forest management plan pursuant to Article 13 (1) of the Act in compliance with the following, while the head of a Si/Gun/Gu formulates a forest management plan, he/she shall obtain approval therefor from the competent Mayor/Do Governor: <Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 24211, Nov. 30, 2012>
1. Relevant forest master plan and regional forest plan formulated under Article 11 of the Framework Act on Forestry;
 2. Status of a forest for which the forest management plan is formulated;
 3. Relevant park master plan and park plan formulated under Articles 11 through 14 of the Natural Parks Act (limited to cases where a park district established in the Natural Parks Act is included therein).

Article 8 (Units for Preparing Forest Management Plans)

- (1) A forest management plan referred to in Article 13 (1) and (2) of the Act shall be prepared for each of the following management zones:
1. Public forest management zone: A forest unit for which the owner of a public forest in the relevant region needs to prepare a forest management plan;
 2. Private forest management zone: A forest unit for which the owner of a private forest in the relevant region needs to prepare a forest management plan.
- (2) The private forest management zone referred to in paragraph (1) 2 shall be sub-classified as follows:
1. General management zone: A management zone where the owner of a private forest shall manage it solely;
 2. Collaborative management zone: A management zone where at least two forest owners shall jointly manage adjacent private forests;
 3. Corporate forest management zone: A management zone where the owner of a corporate forest shall manage it pursuant to Article 38 of the Act.

Article 9 (Preparation of Forest Management Plans)

- (1) "Forest technician prescribed by Presidential Decree" in the former part of Article 13 (3) of the Act means a forest management technician specified in attached Table 3 of the

Enforcement Decree of the Act on Promotion and Management of Forestry Technology.
<Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 29310, Nov. 27, 2018>

(2) A person who prepares a forest management plan pursuant to Article 13 of the Act shall include the following matters in the forest management plan: <Amended by Presidential Decree No. 28468, Dec. 12, 2017>

1. Area of afforested land, the quantity, etc. of each species of trees planted;
2. Forest tending, such as growing young trees and thinning;
3. Method for felling trees, method of extraction, quantity of trees to be felled, timing for felling each species of trees, etc.;
4. Facilities, such as forest roads, logging roads, and roads for timber transportation;
5. Any other matters necessary for forest management, such as business activities to increase income from forestry.

(3) The optimum timing for felling each species of trees, standards for felling and extraction, and standards for facilities, such as forest roads, which must be taken into consideration to prepare a forest management plan pursuant to paragraph (2) 3 or 4, shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 28468, Dec. 12, 2017>

(4) Except as provided in paragraphs (2) and (3), details of the preparation and operation of forest management plans shall be determined by the Minister of the Korea Forest Service.

Article 10 (Verification, etc. of Implementation of Forest Projects)

After verifying the outcomes of the implementation of a forest management plan referred to in Article 14 (1) of the Act, a Special Self-Governing City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun/Gu (hereinafter referred to as "head of a Si/Gun/ Gu") shall record the details thereof in the relevant register and input the details into the relevant computing program. <Amended by Presidential Decree No. 28999, Jun. 26, 2018>

Article 11 (Revocation of Authorization for Forest Management Plans)

(1) "Outcome of implementation of the forest project pursuant to the forest management plan has failed to fulfill the standards prescribed by Presidential Decree" in the main sentence of subparagraph 3 of Article 15 of the Act means that the performance on the implementation of the forest project is 50 percent or lower. <Amended by Presidential Decree No. 20838, Jun. 20, 2008>

(2) "Where the forest project is not implemented due to any forest disaster such as forest fires, as prescribed by Presidential Decree" in the proviso to subparagraph 3 of Article 15 of the Act means any of the following cases: <Amended by Presidential Decree No. 20838, Jun. 20, 2008>

1. Where the forest project is not implemented due to a forest fire, landslide, or any other forest disaster;
2. Where the forest project is not implemented due to the death of the relevant forest owner;
3. Where the forest project becomes subject to restrictions because the relevant forest has been designated or determined as an area, district, zone, etc., to be preserved, used, or

developed for a specific purpose pursuant to this Act or any other statutes.

SECTION 3 Growing, etc. of Seeds and Seedlings for Forest

Article 12 (Standards, etc. for Registration of Seeds and Seedlings Growers)

(1) Standards for registration of seeds and seedlings growers referred to in the former part of Article 16 (1) of the Act shall be as follows: <Amended by Presidential Decree No. 29381, Dec. 18, 2018>

1. Forest seeds and seedlings grower: He/she shall be any of the following persons:

- (a) A person who has qualifications for a forest seed and seedling technician prescribed in the National Technical Qualifications Act or higher qualifications;
- (b) A public official in the functional category of forestry or green areas, who has performed duties in the field of forestry or landscape architecture for at least four years, and in a field related to seed and seedling technology for at least one year;
- (c) A person who has engaged in a field related to seed and seedling technology for at least one year after graduating from school prescribed in each subparagraph of Article 2 of the Higher Education Act with a forestry, horticulture, or landscape architecture major (including where he/she is deemed to have equivalent academic qualifications under statutes or regulations);
- (d) A person who has engaged in a field related to seed and seedling technology for at least two years after graduating from specialized high school in the agricultural sector prescribed in Article 91 of the Enforcement Decree of the Elementary and Secondary Education Act with a forestry or landscape architecture major;
- (e) An individual or corporation that regularly employs any person who falls under any of items (a) through (d);

2. Mushroom spawn grower: He/she shall meet all of the following requirements:

- (a) He/she shall be any of the following persons:
 - (i) A person who has qualifications for a mushroom spawn technician prescribed in the National Technical Qualifications Act;
 - (ii) A person who has engaged in growing mushroom spawn for at least three years after graduating school prescribed in each subparagraph of Article 2 of the Higher Education Act with an agriculture, biology, or microbiology major (including where he/she is deemed to have equivalent academic qualifications under statutes or regulations);
 - (iii) A person who completed training courses from a foreign technical educational institution or research institute related to mushroom spawn for at least one year and has engaged in growing mushroom spawn for at least three years after obtaining a certificate or license issued by such institution or institute;
 - (iv) A person who has engaged in the industry for growing mushroom spawn for at least five years after graduating from specialized high school in the agricultural sector prescribed in Article 91 of the Enforcement Decree of the Elementary and Secondary Education Act with a forestry or landscape architecture major;
 - (v) An individual or a corporation that regularly employs any person who falls under any of subitems (i) through (iv);
- (b) He/she shall have the facilities prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as a sterilization chamber and an inoculation chamber.

(2) Upon receipt of an application for registration of the seeds and seedlings growing

business under paragraph (1), the head of the competent Si/Gun/Gu shall verify the details of the application; and shall register the applicant in the register for the seeds and seedlings growing business where he/she deems that the applicant meets the registration standards; and issue a certificate of the seeds and seedlings growing business to the applicant. <Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 25599, Sep. 11, 2014; Presidential Decree No. 29381, Dec. 18, 2018>

Article 13 (Registration of Alteration of Seeds and Seedlings Growers)

(1)"Important matters determined by Presidential Decree" in the latter part of Article 16 (1) of the Act means the following: <Amended by Presidential Decree No. 20838, Jun. 20, 2008>

- 1.The type(s) and number of person(s) with technical qualifications;
- 2.The scale of production facilities.

(2)The relevant seeds and seedlings grower shall register the alteration with the head of the competent Si/Gun/Gu where any alteration is made to the important matters referred to in paragraph (1) within 30 days from the date a cause therefor arises. <Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 25599, Sep. 11, 2014>

Article 14 (Qualifications for Agents for Seeds and Seedlings Growing Business)

(1)"Persons meeting the qualification standards prescribed by Presidential Decree" in Article 17 (1) of the Act means persons who meet all of the following requirements: <Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 25422, Jun. 30, 2014; Presidential Decree No. 29950, Jul. 2, 2019>

- 1.A person for whom at least two years have elapsed since he/she was registered to engage in the seeds and seedlings growing business pursuant to Article 16 (1) of the Act, and whose management category is seedlings;
- 2.A person who owns a field (referring to a place to produce, manage, and distribute seedlings and including rented fields) of at least 5,000 square meters;
- 3.A person who owns a simplified greenhouse (limited to the production of container seedlings).

(2)The facility standards for the field referred to in paragraph (1) 2 and the simplified greenhouse referred to in paragraph (1) 3 shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 20696, Feb. 29, 2008; Presidential Decree No. 24452, Mar. 23, 2013>

(3)Notwithstanding paragraph (1), any of the following persons may be excluded from an agent for the seeds and seedlings growing business: <Amended by Presidential Decree No. 20838, Jun. 20, 2008>

- 1.A person whose production of seeds and seedlings has failed to reach 90 percent of the designated production for the most recent three consecutive years without any natural disaster or any other extenuating circumstances;
- 2.A person who has outsourced the production of seeds and seedlings to a third party under a subcontract or contract for the most recent five years;
- 3.A person for whom one year has yet to elapse after the termination of an administrative disposition taken in connection with the production of seeds and

seedlings for forest.

- (4) Procedures for designating agents for the seeds and seedlings growing business under Article 17 (1) of the Act and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 20696, Feb. 29, 2008; Presidential Decree No. 24452, Mar. 23, 2013>

Article 15 (Compensation for Disasters)

- (1) The Minister of the Korea Forest Service or the Mayor/Do Governor shall appropriate an amount not exceeding 2/100 of the production cost of seeds and seedlings for expenditure for seeds and seedlings as financial resources for compensation of disasters under Article 17 (2) of the Act.
- (2) The Minister of the Korea Forest Service shall administer and manage the financial resources referred to in paragraph (1): Provided, That the Minister of the Korea Forest Service may delegate the affairs concerning the administration and management thereof to the National Forestry Cooperatives Federation, where deemed necessary.

Article 16 (Prices of Seeds and Seedlings Produced by Agents)

- (1) Where the State or a local government intends to purchase seeds and seedlings for forest that are required to implement a forest project, it shall pay the prices determined and publicly notified by the Minister of the Korea Forest Service, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: Provided, That the head of a local government may determine and publicly notify the prices of seeds and seedlings for forest in any of the following cases: <Amended by Presidential Decree No. 20696, Feb. 29, 2008; Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 24211, Nov. 30, 2012; Presidential Decree No. 24452, Mar. 23, 2013>
1. Where the local government conducts tests, research, or a seed and seedling pilot project to implement a forest project;
 2. Where it is inappropriate for the Minister of the Korea Forest Service to determine and publicly notify the prices of seeds and seedlings for a forest due to the unique nature of such seeds and seedlings to each local government.

Article 17 (Designation, and Rescission of Designation of, Forests for Seed Collection, etc.)

- (1) "Official or public facilities determined by Presidential Decree" in Article 19 (3) 3 of the Act means the following facilities: <Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 21025, Sep. 22, 2008; Presidential Decree No. 23297, Nov. 16, 2011; Presidential Decree No. 23832, Jun. 5, 2012; Presidential Decree No. 25840, Dec. 9, 2014>
1. Urban or Gun planning facilities defined in subparagraph 7 of Article 2 of the National Land Planning and Utilization Act;
 2. Industrial complexes defined in subparagraph 8 of Article 2 of the Industrial Sites and Development Act;
 3. Military base and installation protection zones defined in subparagraph 6 of Article 2 of the Protection of Military Bases and Installations Act;
 4. School facilities established under the Elementary and Secondary Education Act and the Higher Education Act.

SECTION 4 Creation and Management of Urban Forests, etc.

Article 18 (Matters on Creation and Management of Urban Forests, etc.)

"Matters prescribed by Presidential Decree" in Article 19-2 (2) 4 of the Act means any of the following:

- 1.Improvement of the promotion system for urban forests, etc., and establishment of the management foundation therefor;
- 2.Expansion, and qualitative improvement, of urban forests, etc.

[This Article Wholly Amended by Presidential Decree No. 20838, Jun. 20, 2008]

Article 18-2 (Formulation and Amendment of Master Plans for Urban Forests, etc.)

(1)Where the Minister of the Korea Forest Service intends to formulate or amend a master plan to create and manage urban forests, etc. (hereinafter referred to as "master plan for urban forests, etc.") pursuant to Article 19-2 (1) or (3) of the Act, he/she shall hear opinions from the heads of local governments. <Amended by Presidential Decree No. 29953, Jul. 9, 2019>

(2)The head of a local government shall formulate or amend a plan to create and manage urban forests, etc. under Article 20 of the Act, within one year from the date of receipt of notice of the formulation or amendment of the master plan for urban forests, etc. under Article 19-2 (7) of the Act from the Minister of the Korea Forest Service.

<Amended by Presidential Decree No. 29953, Jul. 9, 2019>

[This Article Newly Inserted by Presidential Decree No. 20838, Jun. 20, 2008]

Article 19 (Plans to Create and Manage Urban Forests, etc.)

(1)The head of a local government shall establish and implement a plan to create and manage urban forests, etc. (hereinafter referred to as "plan to create and manage urban forests, etc."), including the following matters, after closely examining and analyzing the status of urban forests, etc. within his/her jurisdiction pursuant to Article 20 of the Act so that the urban forests, etc. can remain healthy and fulfill their functions to the maximum extent possible. In this case, the head of a local government shall establish the plan, taking account of improving efficiency in the management and use of urban forests, etc. and other resources; fulfillment of their public functions; and provision of more opportunities to use and participate such resources to people:

<Amended by Presidential Decree No. 20838, Jun. 20, 2008>

- 1.Basic objectives of, and direction-setting for, policies for urban forests, etc.;
 - 2.Classification of functions of urban forests, etc.;
 - 3.Creation and cultivation of urban forests, etc.;
 - 4.Preservation, protection, and management of urban forests, etc.;
 - 5.Improvement and maintenance of functions of urban forests, etc.;
 - 6.Prevention of disasters to urban forests, etc. and restoration therefrom;
 - 7.Supply and demand for species of trees, etc. required for the creation and management of urban forests, etc., and raising finances therefor;
 - 7-2.Analysis of the status of species, etc. of roadside trees by region and route;
 - 8.Any other matters necessary for the creation and management of urban forests, etc.
- (2)A plan to create and manage urban forests, etc. referred to in paragraph (1) shall be established every ten years, and may be amended if any significant change occurs to the conditions of urban forests, etc. or any other cause arises. <Amended by Presidential Decree No. 20838, Jun. 20, 2008>

- (3) A plan to create and manage urban forests, etc. referred to in paragraph (1) shall not conflict with the urban afforestation plan provided for in Article 11 of the Act on Urban Parks, Green Areas, Etc. <Amended by Presidential Decree No. 20838, Jun. 20, 2008>
- (4) Upon the establishment of a plan to create and manage urban forests, etc. under paragraph (1), the head of a local government shall publish such plan. <Amended by Presidential Decree No. 20838, Jun. 20, 2008>
- (5) Details on the classification and management of urban forests, etc. according to their functions; selection of species of trees for the creation and management of roadside trees; planting areas; and other necessary standards shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 20696, Feb. 29, 2008, Presidential Decree No. 20838, Jun. 20, 2008, Presidential Decree No. 24452, Mar. 23, 2013>
- (6) The head of a local government may provide for matters necessary for the creation and management of urban forests, etc. by municipal ordinance. <Amended by Presidential Decree No. 20838, Jun. 20, 2008>

Article 20 Deleted. <by Presidential Decree No. 20838, Jun. 20, 2008>

SECTION 5 Implementation, etc. of Forest Projects

Article 21 (Projects for Implementing Forest Policies)

"Projects prescribed by Presidential Decree" in Article 23 (1) 3 of the Act means the following: <Amended by Presidential Decree No. 28468, Dec. 12, 2017>

1. A project to research national forest resources;
2. A project to prepare forest management plans;
3. A project to create facilities for forestry culture and recreation under the Forestry Culture and Recreation Act;
4. A project to create urban forests, etc. provided for in Article 2 (2) 10-2;
5. A project to create facilities for forest education under the Forest Education Promotion Act.

[This Article Newly Inserted by Presidential Decree No. 22293, Jul. 21, 2010]

Article 22 (Persons Deemed Capable of Managing Forests)

(1) "Person who meets the standards prescribed by Presidential Decree" in Article 23 (2) 2 of the Act means the following: <Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 29310, Nov. 27, 2018>

1. A corporation or an organization that owns and manages at least 50 hectares of forest;
2. A forest management technician of intermediate or higher technology grade specified in attached Table 3 of the Enforcement Decree of the Act on Promotion and Management of Forestry Technology.

Article 23 (Implementation of Urgent Forest Protection Projects)

"Circumstances prescribed by Presidential Decree" in Article 23 (4) 3 of the Act means any of the following cases: <Amended by Presidential Decree No. 20838, Jun. 20, 2008>

1. Where restoration or any other emergency measure is required after a landslide, earthquake, or tidal wave;
2. Where necessary to prevent or extinguish a forest fire.

Article 23-2 (Requirements for Registration of National Forest Management Associations)

"Requirements for registration prescribed by Presidential Decree" in the former part of Article 23-2 (3) of the Act means the following: <Amended by Presidential Decree No. 25422, Jun. 30, 2014; Presidential Decree No. 29310, Nov. 27, 2018>

1. A national forest management association shall have not less than 6 but not more than 30 members;
2. The percentage of forest management technicians of craft grade II or higher specified in attached Table 3 of the Enforcement Decree of the Act on Promotion and Management of Forestry Technology shall not be smaller than that classified as follows:
 - (a) Where the number of members is not less than 6 but not more than 10: 60 percent;
 - (b) Where the number of members is not less than 11 but not more than 30: 50 percent;
3. A national forest management association shall have, among its members, at least one forest management technician of primary or higher technology grade specified in attached Table 3 of the Enforcement Decree of the Act on Promotion and Management of Forestry Technology.

[This Article Newly Inserted by Presidential Decree No. 24211, Nov. 30, 2012]

Article 24 (Modification, etc. to Registered Information on Forest Project Corporations)

(1) "Type of a forest project prescribed by Presidential Decree" in the former part of Article 24 (1) of the Act, with the exception of its subparagraphs, means the following: <Newly Inserted by Presidential Decree No. 29953, Jul. 9, 2019>

1. A project implemented to plan forest management and conduct a forest research;
2. A project implemented to tend a forest and prevent forest diseases and pests;
3. A project regarding forest public works;
4. A project to create natural recreational forests, etc.;
5. A project to create urban forests, etc.;
6. A project implemented to create and manage forest trails.

(2) "Important matters prescribed by Presidential Decree" in the latter part of Article 24 (1) of the Act, with the exception of its subparagraphs, means the following: <Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 29953, Jul. 9, 2019>

1. The name of a corporation;
2. The representative of a corporation;
3. The location (address) of a corporation;
4. Types or the number of qualified technicians.

Article 25 (Requirements for Registration of Forest Project Corporations)

"Requirements prescribed by Presidential Decree" in Article 24 (1) 2 of the Act means the requirements for registration specified in attached Table 1. <Amended by Presidential Decree No. 20838, Jun. 20, 2008>

Article 25-2 (Persons Eligible to Implement Forest Projects without Registration as Forest Project Corporations)

"Person prescribed by Presidential Decree" in Article 24 (7) 5 of the Act means a person who has registered as a solid wood-producing business provided for in subparagraph 1 of attached Table 2 of the Enforcement Decree of the Act on the Sustainable Use of Timbers.

[This Article Newly Inserted by Presidential Decree No. 25599, Sep. 11, 2014]

Article 26 Deleted. <by Presidential Decree No. 29310, Nov. 27, 2018>

Article 27 (Standards, etc. for Designating Special Forest Project Zones)

- (1)"Scale determined by Presidential Decree" in Article 28 (2) 1 of the Act means a forest where the area of a single special forest project zone is not less than 300 hectares.
<Amended by Presidential Decree No. 20838, Jun. 20, 2008>
- (2)"Standards determined by Presidential Decree" in Article 28 (2) 2 of the Act means the following: <Amended by Presidential Decree No. 20838, Jun. 20, 2008>
- 1.The area for creating resources (including afforestation, regeneration of species of trees, thinning, and other forest tending activities) shall be at least 50 percent of the relevant forest;
 - 2.At least 70 percent of the relevant special forest project zone shall be an area available for forest management.
- (3)The Minister of the Korea Forest Service or a Mayor/Do Governor shall determine a designation period of up to 70 years when designating a special forest project zone pursuant to Article 28 of the Act. The same shall also apply to the extension of such period. <Amended by Presidential Decree No. 24211, Nov. 30, 2012>
- (4)A person who intends to obtain the designation of a special forest project zone pursuant to Article 28 of the Act shall submit an application therefor to the Minister of the Korea Forest Service or the competent Mayor/Do Governor, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 20696, Feb. 29, 2008; Presidential Decree No. 24211, Nov. 30, 2012; Presidential Decree No. 24452, Mar. 23, 2013>

Article 28 (Standards for Preparation of Special Forest Project Plans)

A special forest project plan referred to in Article 28 (1) of the Act shall include the following:

- 1.Objectives of the project;
- 2.The status of a target area for the project;
- 3.The project area and quantity for each type of forest project;
- 4.An annual project plan.

Article 29 (Rescission of Designation as Special Forest Project Zones)

- (1)"Official or public facilities determined by Presidential Decree" in Article 29 (1) 3 of the Act means the following facilities: <Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 21025, Sep. 22, 2008>
- 1.Broadcasting and communications facilities;
 - 2.Petroleum stockpile and storage facilities;
 - 3.Waterworks established under the Water Supply and Waterworks Installation Act;
 - 4.Sewerage established under the Sewerage Act;
 - 5.Military installations established under the Protection of Military Bases and Installations Act.

SECTION 6 Forest Management Technicians, etc.

Article 30 Deleted. <by Presidential Decree No. 29310, Nov. 27, 2018>

Article 31 (Forest Management Technicians)

- (1)A forest management technician referred to in Article 31 (4) of the Act shall meet the following qualification requirements: <Amended by Presidential Decree No. 29381, Dec. 18, 2018>

1. A person who has qualifications for an industrial engineer for forest product processing, forest technician, forest seeds and seedlings technician, wood processing technician, pulp and paper technician, or landscape architecture technician prescribed in the National Technical Qualifications Act, or higher qualifications;
- 1-A person who graduated from school prescribed in each subparagraph of Article 2 of the Higher Education Act with a forestry or landscape architecture major or a person who is deemed to have equivalent academic qualifications under statutes or regulations;
2. A person who graduated from specialized high school in the agricultural sector prescribed in Article 91 of the Enforcement Decree of the Elementary and Secondary Education Act with a forestry-related major;
3. Any of the following persons who graduated from high school or who are deemed to have equivalent or higher academic qualifications:
 - (a) A person who has engaged in the forestry technology field of a forestry cooperative or the National Forestry Cooperative Federation for at least two years;
 - (b) A person who has at least two years' practical experience at an organization related to forest projects designated by the Minister of the Korea Forest Service;
4. A person who has engaged in the forestry technology field of a forestry cooperative or the National Forestry Cooperative Federation for at least three years, or a person who has at least three years' practical experience in an organization related to forest projects designated by the Minister of the Korea Forest Service.
- (2) Standards for posting forest management technicians and other related matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

<Amended by Presidential Decree No. 24452, Mar. 23, 2013>

[This Article Wholly Amended by Presidential Decree No. 22293, Jul. 21, 2010]

SECTION 7 Surveys of Forest Resources and Technology Development

Article 32 (Formulation, Implementation, etc. of Master Plans for Forest Science and Technology)

- (1) A master plan for forest science and technology formulated and implemented pursuant to Article 34 (1) of the Act shall include the following matters:
 1. Status of, and long-term prospects for, forest science and technology;
 2. Objectives of the development of forest science and technology, and measures to accomplish the objectives;
 3. Enhancement of competitiveness of forest science and technology, and schemes to promote the utilization of forest science and technology;
 4. Collection, classification, processing, and dissemination of information on forest science and technology;
 5. Other matters deemed necessary by the Minister of the Korea Forest Service for the development of forest science and technology.
- (2) The master plan for forest science and technology referred to in paragraph (1) shall be deliberated on by the Presidential Advisory Council on Science and Technology under the Presidential Advisory Council on Science and Technology Act. <Amended by Presidential Decree No. 24452, Mar. 23, 2013; Presidential Decree No. 28799, Apr. 17, 2018>

(3)The Minister of the Korea Forest Service shall formulate and execute an implementation plan each year according to the relevant master plan for forest science and technology, and shall prepare a report on the results of the implementation and announce such results.

(4)Deleted. <by Presidential Decree No. 21087, Oct. 20, 2008>

(5)The head of a research institute under the Korea Forest Service shall formulate its own medium and long-term plan for technology development according to the relevant master plan for forest science and technology, and implement such plan after obtaining approval thereof from the Minister of Korea Forest Service.

Article 33 (Projects Eligible for Joint Research)

(1)Projects eligible for joint research referred to in Article 34 (4) of the Act shall be as follows: <Amended by Presidential Decree No. 20838, Jun. 20, 2008>

- 1.Development of new technology in the field of forestry, and a research and development project to commercialize developed technology;
- 2.A research and development project for commercialization through technical cooperation between forestry and other industrial sectors;
- 3.A project to develop technology deemed to necessitate commercialization that is implemented at the request of the head of any other central administrative agency or local government;
- 4.An international research project implemented jointly with any foreign research institute, international research institute, international body, or foreign university to facilitate the development of domestic forest science and technology;
- 5.A basic or base research project laying a foundation for the projects specified in subparagraphs 1 through 4;
- 6.Any other project to develop technology joint research of which is deemed necessary by the Minister of the Korea Forest Service.

(2)To select projects eligible for joint research referred to in paragraph (1), the Minister of the Korea Forest Service shall formulate a joint research and development plan each year, and publicly invite tendering to such projects: Provided, That the Minister of the Korea Forest Service may select joint research tasks internally and authorize a person qualified for, and capable of, conducting such tasks to implement the joint research project where deemed specifically necessary to implement any joint research project efficiently.

Article 34 (Conclusion of Joint Research and Development Agreement)

(1)The Minister of the Korea Forest Service shall enter into a joint research and development agreement with a person responsible for research and development in a joint research and development project selected pursuant to Article 33 (2).

(2)The agreement provided for in paragraph (1) shall include the following:

- 1.The name of the relevant joint research and development task, scope of development, method of performing the task, and person responsible for research;
- 2.Time and method of payment of research funds;
- 3.Use and management of research funds;
- 4.Reporting on research and development results;
- 5.Vesting and use of research and development results;

6. Evaluation of research and development results;
7. Amendment and cancellation of the agreement;
8. Matters concerning breach of the agreement;
9. Any other matters necessary for implementing the relevant joint research and development project.

(3) The head of a joint research institute or the person responsible for research and development in a joint research and development project that receives research funds shall submit a report on the administration of the research funds to the Minister of the Korea Forest Service within three months after the end of the relevant fiscal year or the completion of the relevant project.

(4) Matters regarding the method of payment and management of research funds referred to in paragraph (2) 2 and 3 shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 20696, Feb. 29, 2008; Presidential Decree No. 24452, Mar. 23, 2013>

Article 35 (Use of Joint Research and Development Outcomes)

Where an enterprise, etc. that has participated in joint research and development pursuant to Article 35 (1) of the Act intends to use outcomes of that joint research and development (excluding state-owned patents registered in connection with in-service inventions; hereinafter the same shall apply), the enterprise shall enter into a contract with the Minister of the Korea Forest Service on the use of the outcomes and shall pay royalties, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: Provided, That the Minister of the Korea Forest Service may grant exemption from royalties, if it is deemed that the outcomes of joint research and development constitute any of the following cases: <Amended by Presidential Decree No. 20696, Feb. 29, 2008; Presidential Decree No. 24452, Mar. 23, 2013>

1. Where the outcomes need to be promptly disseminated nationwide to increase income of persons engaging in forestry;
2. Where the outcomes are necessary for domestic industrial development, including export promotion, and import substitution;
3. Where the outcomes need to be disseminated nationwide to preserve the forest environment;
4. Where the outcomes are necessary to promote Government policies, such as supporting and nurturing small and medium enterprises;
5. Any other circumstances deemed by the Minister of the Korea Forest Service specifically necessary to enhance the competitiveness of forestry and relevant industries.

Article 36 (Paying Remuneration)

Articles 16 through 20, and 22 of the Regulations on Disposal and Management of Public Officials' In-Service Inventions and Remuneration, Etc. shall apply to granting permission for the use of joint research and development outcomes or any in-service invention for which a patent (including utility models; hereinafter the same shall apply) application has been filed (hereinafter referred to as "patent pending in-service invention") as well as to paying remuneration in connection with patent registrations. <Amended by Presidential Decree No. 20838, Jun. 20, 2008>

Article 37 (Use of Patent Pending In-Service Inventions)

- (1) Any person who intends to industrialize a patent pending in-service invention pursuant to Article 35 (3) of the Act shall enter into a contract with the Minister of the Korea Forest Service on the use of such invention, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 20696, Feb. 29, 2008; Presidential Decree No. 24452, Mar. 23, 2013>
- (2) The Minister of the Korea Forest Service may determine matters concerning the collection of, and exemption from, royalties by applying mutatis mutandis Article 35 thereto when entering into a contract under paragraph (1).
- (3) Articles 10 through 12 of the Regulations on Disposal and Management of Public Officials' In-Service Inventions and Remuneration, Etc. shall apply to the principles, method, etc. of disposing of patent pending in-service inventions. <Amended by Presidential Decree No. 20838, Jun. 20, 2008>

Article 38 (Contract Term and Computation of Royalties)

- (1) Where a contract is entered into to use joint research and development outcomes under Article 35 or a patent pending in-service invention under Article 37, the contract term shall not exceed three years.
- (2) Where a contract is entered into to use joint research and development outcomes under Article 35 or a patent pending in-service invention under Article 37, the method of computing royalties shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 20696, Feb. 29, 2008; Presidential Decree No. 24452, Mar. 23, 2013>

Article 39 (Consultation with Commissioner of Korean Intellectual Property Office)

The Minister of the Korea Forest Service shall consult with the Commissioner of the Korean Intellectual Property Office on the following matters to conclude a contract on joint research and development outcomes for which a patent application has been filed or on a patent pending in-service invention:

1. Succession of the contract, if the State succeeds to such outcomes or invention;
2. Exemption from royalties referred to in Articles 35 and 37;
3. Any other matters necessary for a contract on joint research and development outcomes for which a patent application has been filed, or on a patent pending in-service invention.

SECTION 8 Dissemination and Management of Rose of Sharon

Article 39-2 (Detailed Promotion Plans for Rose of Sharon)

- (1) "Matters prescribed by Presidential Decree" in Article 35-2 (2) 6 of the Act means the following:
 1. Creation and management of Rose of Sharon hills, streets, etc.;
 2. Development of, and education on, Rose of Sharon planting and management techniques;
 3. Enhancement of the status of Rose of Sharon and publicity therefor;
 4. Annual projects to be implemented and fund-raising therefor;
 5. Any other matters necessary to promote Rose of Sharon.

[This Article Newly Inserted by Presidential Decree No. 28062, May 29, 2017]

Article 39-3 (Formulation of Annual Implementation Plans)

- (1) The Minister of the Korea Forest Service shall formulate an annual implementation

plan for the relevant year by January 31 each year pursuant to Article 35-3 (1) of the Act.

(2)The annual implementation plan referred to in paragraph (1) shall include the following:

- 1.Projects to be implemented in the relevant year in accordance with the promotion plan for Rose of Sharon referred to in Article 35-2 of the Act (hereinafter referred to as "promotion plan for Rose of Sharon");
- 2.Calculation of expenses incurred in implementing relevant projects, and fund-raising therefor;
- 3.Evaluation of project performance for the preceding year;
- 4.Any other matters necessary to execute the annual implementation plan referred to in paragraph (1).

(3)Upon formulating an annual implementation plan pursuant to paragraph (1), the Minister of the Korea Forest Service shall notify the heads of relevant administrative agencies and the Mayors/Do Governors of such plan. In such cases, the heads of relevant administrative agencies and the Mayors/Do Governors so notified shall provide cooperation for the smooth implementation of the annual plan.

(4)Where a Mayor/Do Governor formulates an annual implementation plan pursuant to Article 35-3 (2) of the Act, he/she shall formulate an annual implementation plan for the following year and submit it to the Minister of the Korea Forest Service by December 31 of the preceding year, except in extenuating circumstances.

(5)A Mayor/Do Governor shall submit outcomes of executing the annual implementation plan submitted pursuant to paragraph (4) to the Minister of the Korea Forest Service by December 31 of the relevant year.

[This Article Newly Inserted by Presidential Decree No. 28062, May 29, 2017]
Article 39-4 (Scope, etc. of Fact-Finding Surveys)

(1)The scope of a fact-finding survey on the status, etc. of the dissemination and management of Rose of Sharon referred to in Article 35-4 (1) of the Act (hereinafter referred to as "fact-finding survey") is as follows:

- 1.Status of planting, disseminating, and managing Rose of Sharon;
- 2.Status of the production base for Rose of Sharon;
- 3.Any other matters necessary to formulate and implement the promotion plan for Rose of Sharon as well as the annual implementation plan referred to in Article 35-3 (1) of the Act.

(2)The Minister of the Korea Forest Service shall conduct a fact-finding survey according to the following classifications:

- 1.Regular survey: A survey conducted every five years in order to use the results thereof in formulating and implementing the promotion plan for Rose of Sharon;
- 2.Occasional survey: A survey conducted occasionally, whenever deemed necessary by the Minister of the Korea Forest Service to effectively formulate and execute the annual implementation plan, etc. referred to in Article 35-3 (1) of the Act.

(3)The Minister of the Korea Forest Service shall conduct a fact-finding survey by means of an on-site survey, statistical survey, written survey, etc. and may use an electronic means, such as information and communications networks or e-mails.

[This Article Newly Inserted by Presidential Decree No. 28062, May 29, 2017]

Article 39-5 (Scope of Private Organizations, etc. Eligible for Subsidization)

"Corporation or organization prescribed by Presidential Decree" in Article 35-6 of the Act means any of the following corporations or organizations relating to the dissemination, management, research, and development of Rose of Sharon:

1. A national or public research institute;
2. A university, industrial university, junior college, or technical college prescribed in the Higher Education Act;
3. A non-profit corporation or organization established to disseminate, manage, research, or develop Rose of Sharon.

[This Article Newly Inserted by Presidential Decree No. 28062, May 29, 2017]

CHAPTER III USE OF FOREST RESOURCES

Article 40 (Alteration of Matters Permitted for Felling Standing Timber, etc.)

(1) "Important matters prescribed by Presidential Decree" in the latter part of Article 36 (1) of the Act means the following: <Amended by Presidential Decree No. 20838, Jun. 20, 2008>

1. Area of the relevant zone;
2. Felling, extraction, or collection area;
3. Quantity permitted (limited to cases where at least 30 percent of the relevant forest is altered for felling).

Article 41 (Areas Subject to Restrictions on Felling Standing Timber, etc.)

(1) "Areas prescribed by Presidential Decree" in the main sentence of Article 36 (2) of the Act means a place of scenic beauty, historic site, resort, amusement park, and any other area publicly announced by the head of a Si/Gun/Gu or the director general of a regional office of forest service to preserve natural sceneries as well as an area vulnerable to landslides referred to in Article 8 (4) of the Enforcement Decree of the Mountainous Districts Management Act. <Amended by Presidential Decree No. 20838, Jun. 20, 2008>

(2) To publicly announce an area subject to restrictions on felling standing timber pursuant to paragraph (1), the head of a Si/Gun/Gu or the director general of a regional office of forest service shall specify the map on a scale of 1:25,000, the lot number and area; and shall notify the relevant forest owner of such fact. The same shall also apply to any change to the publicly announced area or cancellation of such public announcement.

Article 42 (Felling Standing Timber, etc. after Obtaining Permission or Filing Report)

(1) Felling activities are permitted pursuant to the proviso to Article 36 (2) of the Act in any of the following circumstances:

1. Felling activities to prevent or relieve damage by blight and harmful insects;
2. Felling activities on forest land damaged by a forest fire, landslide, or any other disaster;
3. Felling activities for forest tending, such as growing young trees and thinning.

(2) A person may fell standing timber, etc. under the former part of Article 36 (1) of the Act upon reporting such activity to the head of the competent Si/Gun/Gu or the director general of the competent regional office of forest service pursuant to Article 36 (4) of

the Act in any of the following cases: <Amended by Presidential Decree No. 20696, Feb. 29, 2008; Presidential Decree No. 22513, Dec. 7, 2010; Presidential Decree No. 24452, Mar. 23, 2013; Presidential Decree No. 25599, Sep. 11, 2014>

1. Where the person inevitably fells additional standing timber to implement a project sought, etc., within the period for changing the form and quality, in an area other than the area the form and quality of which will be changed upon obtaining permission to convert the relevant mountainous area under Article 14 of the Mountainous Districts Management Act; reporting on conversion of the mountainous area under Article 15 of the same Act; or upon obtaining permission for or reporting on the temporary use of the mountainous area under Article 15-2 of the same Act (including cases where a mountainous area is converted or temporarily used, after an administrative disposition is taken by which permission for or a report on the temporary use of such mountainous area is deemed granted, filed or excluded pursuant to other statutes);
2. Where the person fells standing timber that has fallen or branches of which are broken due to blight and harmful insects, a forest fire, damage from wind or snow or any other natural disaster in an area where felling of standing timber is unlikely to cause soil or sand erosion, landslides or any other disaster;
3. Where the person fells timber to alter species of trees in an inferior forest;
4. Any other minor felling or extracting activities prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 43 (Arbitrarily Felling Standing Timber, etc.)

A person may fell standing timber, etc. without permission or reporting required under Article 36 (7) of the Act in any of the following cases: <Amended by Presidential Decree No. 20205, Jul. 27, 2007; Presidential Decree No. 20696, Feb. 29, 2008; Presidential Decree No. 22513, Dec. 7, 2010; Presidential Decree No. 24211, Nov. 30, 2012; Presidential Decree No. 24452, Mar. 23, 2013; Presidential Decree No. 25599, Sep. 11, 2014; Presidential Decree No. 26416, Jul. 20, 2015; Presidential Decree No. 29381, Dec. 18, 2018>

1. Where the person fells timber for grass-cutting, tree-pruning or growing young trees;
- 1-Where the person plants trees on the land that is classified under a land category other than forest land, and frequently fells timber within a period of five years to produce wood pellets, wood chips, or other forest biomass energy;
2. Where the person has obtained approval of a management plan for state forests under Article 9 of the State Forest Administration and Management Act;
3. Where the person has obtained approval of a plan to develop a natural recreational forest under Article 14 of the Forestry Culture and Recreation Act;
4. Where the person has obtained approval of a plan to create an arboretum under Article 7 of the Act on the Creation and Furtherance of Arboreturns and Gardens, in connection with the relevant forest;
5. Where a research institute under the Korea Forest Service implements a project necessary for testing and research in a state forest under its jurisdiction;
6. Where the Administrator of the Cultural Heritage Administration implements a project to protect cultural heritage in a state forest under his/her jurisdiction;
7. Where a person who has obtained permission to convert or temporarily use a mountainous area under Article 14 or 15-2 (1) of the Mountainous Districts

Management Act or has reported the conversion or temporary use of a mountainous area under Article 15 or 15-2 (2) of the same Act (including persons who have received an administrative disposition by which permission or a report is deemed granted, filed, or excluded pursuant to other statutes or regulations), intends to fell standing timber, etc. that is an activity accompanying the conversion of such mountainous area;

8. Where any of the following persons intends to fell standing timber, etc. that is an activity accompanying the extraction or collection of soil or stone:

- (a) A person who has obtained permission to collect soil or stone pursuant to Article 25 (1) of the Mountainous Districts Management Act, or has reported on quarrying pursuant to Article 30 (1) of the same Act;
 - (b) A person who has reported on the collection of soil or sand pursuant to Article 25 (2) of the Mountainous Districts Management Act;
 - (c) A person to whom soil or stone is sold or gratuitously granted in a mountainous area of a state forest pursuant to Article 35 of the Mountainous Districts Management Act;
9. Any other activities for the convenience of the general public that are prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 44 (Designation of Economic Forest Development Complexes)

(1) Upon designating an economic forest development complex pursuant to Article 37 (2) of the Act, the Minister of the Korea Forest Service shall prepare the following data to efficiently manage such complex:

- 1. A topographical map which indicates the area of that economic forest development complex (including digital topographic maps);
- 2. The details of land included in the area of that economic forest development complex, such as its location and area by parcel of land.

(2) Upon preparing the data specified in each subparagraph of paragraph (1), the Minister of the Korea Forest Service shall notify the Mayors/Do Governors, the heads of Sis/Guns/Gus (excluding a Special Self-Governing City Mayor and a Special Self-Governing Province Governor), or the director generals of regional offices of forest service thereof to utilize the data for forest management, etc., and shall publicly announce the data on the website of the Korea Forest Service if any private land is included in the area of the economic forest development complex in question.

<Amended by Presidential Decree No. 28999, Jun. 26, 2018>

[This Article Wholly Amended by Presidential Decree No. 28468, Dec. 12, 2017]

Article 45 (Management of Corporate Forests)

"Business prescribed by Presidential Decree" in Article 38 (1) of the Act means the following: <Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 24211, Nov. 30, 2012; Presidential Decree No. 25422, Jun. 30, 2014; Presidential Decree No. 28919, May 28, 2018>

- 1. Pulp business;
- 2. Coal mining business;
- 3. Business of using or processing domestic solid wood of at least 3,000 cubic meters as raw materials annually;
- 4. Business of manufacturing particle boards;
- 5. Business of manufacturing wood chips;

6. Business of manufacturing wood pellets;

7. Business of applying a new technology for timber products designated pursuant to Article 18 (1) of the Act on the Sustainable Use of Timbers.

Article 45-2 (Rescission of Designation of Corporate Forest Management Zones)

"Official or public facilities prescribed by Presidential Decree, such as industrial facilities or military facilities" in Article 38-2 (1) 3 of the Act means any of the following facilities:

<Amended by Presidential Decree No. 25456, Jul. 14, 2014; Presidential Decree No. 26416, Jul. 20, 2015; Presidential Decree No. 26438, Jul. 24, 2015; Presidential Decree No. 27403, Jul. 28, 2016; Presidential Decree No. 27972, Mar. 29, 2017>

1. Factories defined in subparagraph 1 of Article 2 of the Industrial Sites and Development Act; facilities for industries defined in subparagraphs 2 through 5 of Article 2 of the same Act; resource-stockpiling facilities defined in subparagraph 6 of Article 2 of the same Act; or logistics facilities defined in subparagraph 7 of Article 2 of the same Act;
2. Military installations defined in subparagraph 2 of Article 2 of the Protection of Military Bases and Installations Act;
3. Erosion control facilities defined in subparagraph 3 of Article 2 of the Erosion Control Work Act; or river facilities defined in subparagraph 3 of Article 2 of the River Act;
4. Roads defined in subparagraph 1 of Article 2 of the Road Act; railroad facilities defined in subparagraph 2 (a) through (d) of Article 3 of the Framework Act on Railroad Industry Development; electric power source facilities defined in subparagraph 1 of Article 2 of the Electric Power Source Development Promotion Act; petroleum-stockpiling facilities defined in subparagraph 1 of Article 2 of the Petroleum and Alternative Fuel Business Act; gas supply facilities defined in subparagraph 5 of Article 2 of the Urban Gas Business Act; airport facilities defined in subparagraph 7 of Article 2 of the Airport Facilities Act; or storage facilities for the obligation to stockpile liquefied petroleum gas referred to in Article 20 of the Safety Control and Business of Liquefied Petroleum Gas Act;
5. Tramway facilities defined in subparagraph 3 of Article 2 of the Tramway Transportation Act, which are built by the State or local governments;
6. Windproof facilities or fireproof facilities;
7. Observation facilities defined in Article 2 (2) 3 of the Weather Observation Standardization Act;
8. Official buildings established by the State or local governments;
9. Facilities for testing and research of forestry owned by the State or local governments;
10. Facilities required to maintain and manage experimental forests referred to in Article 47 (1) of the Act;
11. Facilities to improve the functions of ecological woods or forest ecosystem centers referred to in Article 18 of the Forest Protection Act;
12. Arboretums defined in subparagraph 1 of Article 2 of the Act on the Creation and Furtherance of Arboretums and Gardens; or gardens defined in subparagraph 1-2 of Article 2 of the same Act;
13. Forest baths defined in subparagraph 3 of Article 2 of the Forestry Culture and Recreation Act;
14. National communications facilities or telecommunications facilities and equipment

defined in subparagraph 2 of Article 2 of the Framework Act on Telecommunications;
 15. Wind power facilities within the 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.

[This Article Newly Inserted by Presidential Decree No. 24211, Nov. 30, 2012]

Article 46 Deleted. <by Presidential Decree No. 24539, May 22, 2013>

Article 47 (Restrictions, etc. on Distribution of Forest Products)

Forest products, the distribution, production or use of which may be restricted under the former part of Article 40 (1) of the Act, are as follows:

1. Deleted; <by Presidential Decree No. 28468, Dec. 12, 2017>

2. Pine needles.

CHAPTER IV PROMOTION OF PUBLIC FUNCTIONS OF FORESTS

SECTION 1 Preservation, etc. of Forests

Article 48 (Establishment of Master Plans for Forest Biodiversity)

(1) The Minister of the Korea Forest Service shall establish a master plan for forest biodiversity under Article 42 (1) of the Act every five years and the plan shall include the following matters:

1. Objectives of, basic direction-setting for, and implementation of policies to preserve diversity of forest life (referring to biological resources within the forest resources defined in subparagraph 2 of Article 2 of the Act; hereinafter the same shall apply);
2. Surveys, protection, propagation, research and development of forest life;
3. Any other matters necessary for the preservation and management of forest biodiversity.

(2) The Minister of the Korea Forest Service shall consult with the Minister of Environment prior to the establishment of the plan under paragraph (1); and upon the establishment of the plan, the Minister shall notify the Mayors/Do Governors or the director generals of regional offices of forest service thereof.

(3) "Projects determined by Presidential Decree" in Article 42 (2) of the Act means the following projects: <Amended by Presidential Decree No. 20838, Jun. 20, 2008>

1. A project to create ecological forests and arboretums;
2. A project to survey and manage forest life;
3. A project to protect and propagate forest life;
4. A project to research and develop forest life;
5. Any other projects deemed by the Minister of the Korea Forest Service necessary to preserve and manage forest biodiversity.

(4) Matters necessary for implementing the projects referred to in paragraph (3) shall be determined by the Minister of the Korea Forest Service.

Article 48-2 (Formulation, etc. of Master Plans for Forest Restoration)

(1) Where the Minister of the Korea Forest Service, the head of a local government, or the director general of a regional office of forest service formulates and implements, or amends a master plan for forest restoration under Article 42-3 (1) of the Act, an annual implementation plan under paragraph (5) of the same Article (hereinafter referred to as "implementation plan"), or an annual regional plan under paragraph (9) of the same Article (hereinafter referred to as "regional plan"), he/she shall reflect the results of a

fact-finding survey on damaged forests under Article 42-5 (1) of the Act (hereinafter referred to as "fact-finding survey").

- (2) Where an implementation plan is formulated or amended, a Mayor/Do Governor or the director general of a regional office of forest service shall formulate or amend a regional plan for each area under his/her jurisdiction (hereinafter referred to as "wide-sphere regional plan") according to the implementation plan.
- (3) Where a Mayor/Do Governor or the director general of a regional office of forest service formulates or amends a wide-sphere regional plan pursuant to paragraph (2), he/she shall notify such fact without delay to the head of a Si/Gun/Gu or the head of a national forest management office under the jurisdiction of the relevant regional office of forest service.

[This Article Newly Inserted by Presidential Decree No. 29953, Jul. 9, 2019]

Article 48-3 (Announcement of Master Plans and Implementation Plans for Forest Restoration)

Where the Minister of the Korea Forest Service formulates or amends a master plan for forest restoration under Article 42-3 (1) of the Act or an implementation plan, he/she shall announce such fact on the website of the Korea Forest Service pursuant to Article 42-3 (7) of the Act.

[This Article Newly Inserted by Presidential Decree No. 29953, Jul. 9, 2019]

Article 48-4 (Details, etc. of Fact-Finding Surveys on Sites Subject to Forest Restoration)

- (1) The details of a fact-finding survey shall be as follows:
 1. The actual status of damaged forests, such as location, area, and topography;
 2. Surrounding conditions, such as the actual status of houses, farmland, and factories adjacent to damaged forests;
 3. The causes, types, and level of forest damage;
 4. Whether forest restoration is needed or not.
- (2) A fact-finding survey shall be conducted once every year, but it may be frequently conducted if necessary for the head of a local government and the director general of a regional office of forest service to efficiently formulate and implement an implementation plan and a regional plan.
- (3) The method of a fact-finding survey shall be based on a field survey in principle but may be conducted concurrently with any of the following survey methods:
 1. A written survey (including electronic means, such as the information and communications network) through data about the actual status of forest;
 2. Aerial exploration using unmanned aerial devices or aircraft;
 3. Remote exploration using artificial satellites, etc.
- (4) The head of a local government and the director general of a regional office of forest service shall report the results of a fact-finding survey to the Minister of the Korea Forest Service until December 31 of each year, as prescribed by Ordinance of the Ministry of Agriculture, Food, and Rural Affairs.

[This Article Newly Inserted by Presidential Decree No. 29953, Jul. 9, 2019]

Article 48-5 (Standards, etc. for Evaluating Feasibility of Forest Restoration Projects)

- (1) Where the head of a local government or the director general of a regional office of forest service evaluates the feasibility of a forest restoration project pursuant to Article

42-6 (1) of the Act, he/she shall comprehensively evaluate the urgency and effectiveness of the forest restoration project, connectivity to a master plan, the causes and level of damage in sites subject to forest restoration, the actual status of the forest ecosystem, etc.

- (2) The head of a local government or the director general of a regional office of forest service shall prepare a list of sites subject to feasibility evaluation under Article 42-6 (1) of the Act (hereinafter referred to as "feasibility evaluation") after reflecting the results of a fact-finding survey and shall conduct the feasibility evaluation of forest restoration projects in order of priority.
- (3) The feasibility evaluation shall be conducted concurrently with data analysis and a field survey.
- (4) Except as provided in paragraphs (1) through (3), detailed matters regarding the standards, methods, procedures, etc. for feasibility evaluation shall be determined and publicly notified by the Minister of the Korea Forest Service.

[This Article Newly Inserted by Presidential Decree No. 29953, Jul. 9, 2019]

Article 48-6 (Preparation of Forest Restoration Project Plans)

A forest restoration project operator referred to in Article 42-7 (2) of the Act shall prepare a plan for implementing a forest restoration project under the same paragraph, if the forest restoration project is deemed feasible based on a result of the feasibility evaluation.

[This Article Newly Inserted by Presidential Decree No. 29953, Jul. 9, 2019]

Article 48-7 (Procedures, etc. for Follow-Up Monitoring of Forest Restoration Sites)

- (1) "Scale prescribed by Presidential Decree" in the proviso of Article 42-8 (1) of the Act means 660 square meters.
- (2) A monitoring agency designated pursuant to Article 42-8 (2) of the Act (hereinafter referred to as "monitoring agency") shall submit a plan for follow-up monitoring to the Minister of the Korea Forest Service and the head of a local government before conducting follow-up monitoring under paragraph (1) of the same Article (hereinafter referred to as "follow-up monitoring").
- (3) Follow-up monitoring shall be conducted as follows:
 1. Step 1 monitoring: The first and second years after the completion of a forest restoration project;
 2. Step 2 monitoring: The fifth and tenth years after the completion of a forest restoration project.
- (4) Notwithstanding paragraph (3), additional follow-up monitoring may be conducted in the third or fourth year after the completion of a forest restoration project, in any of the following cases:
 1. Where any matter regarding the forest restoration project is supplemented or amended;
 2. Where disturbance occurs in the forest ecosystem;
 3. Where a species intended to be restored is a species subject to special forest conservation under Article 18-2 (1) of the Forest Protection Act;
 4. Other cases where the Minister of the Korea Forest Service or the head of a local government deems that additional follow-up monitoring is necessary for the

management of forest restoration sites.

(5) The details of follow-up monitoring shall be as follows:

1. The basic environment of forest restoration sites and their neighboring areas, such as weather and topography;
 2. Whether biodiversity has increased or reduced;
 3. Change of field conditions, such as soil and mountain streams;
 4. Materials used for a forest restoration project and the status of facilities, etc. related to the forest restoration project.
- (6) A monitoring agency shall conduct follow-up monitoring pursuant to paragraphs (3) through (5) and submit a result report including plans for follow-up management to the Minister of the Korea Forest Service and the head of a local government.
- (7) The Minister of the Korea Forest Service and the head of a local government shall reflect the results of follow-up monitoring under paragraph (6) and maintain and manage forest restoration sites.
- (8) Except as provided in paragraphs (1) through (7), detailed matters regarding the standards, procedures, methods, etc. for follow-up monitoring shall be determined and publicly notified by the Minister of the Korea Forest Service.

[This Article Newly Inserted by Presidential Decree No. 29953, Jul. 9, 2019]

Article 48-8 (Materials, etc. for Forest Restoration)

- (1) The Minister of the Korea Forest Service and the head of a local government shall conduct a forest restoration project by using native plants and natural materials that meet the following standards, pursuant to Article 42-9 (1) of the Act:
1. Native plants: Plants shall be produced in arboretums defined in subparagraph 1 of Article 2 of the Act on the Creation and Furtherance of Arboretums and Gardens in areas surrounding the sites subject to forest restoration or by seeds and seedlings growers under Article 16 (1) of the Act, by using seeds collected in areas the altitude and climate zone of which are similar to those of sites subject to forest restoration or their neighboring areas;
 2. Natural materials: Materials, such as soil, stones, and trees, shall be collected in areas the altitude and climate zone of which are similar to those of sites subject to forest restoration or their neighboring areas.
- (2) Where it is impracticable to provide native plants or natural materials under each subparagraph of paragraph (1), the Minister of the Korea Forest Service and the head of a local government may consult institutions specialized in forest restoration, such as a research institute in the sector of forest restoration or a forest restoration support center under Article 42-11 (1) of the Act (hereinafter referred to as "support center") and replace them with other plants or materials.
- (3) Except as provided in paragraphs (1) and (2), detailed matters regarding the provision, etc. of native plants and natural materials shall be determined and publicly notified by the Minister of the Korea Forest Service.

[This Article Newly Inserted by Presidential Decree No. 29953, Jul. 9, 2019]

Article 48-9 (Procedures, etc. for Designation of Forest Restoration Support Center)

- (1) "Institution prescribed by Presidential Decree" in Article 42-11 (1) 2 of the Act means a public institution that meets all of the following requirements:

1. The institution shall have at least three persons with at least a master's degree in the area of forest restoration or persons with at least a forest technician's qualification under the National Technical Qualifications Act;
 2. The institution shall have equipment for forest restoration determined and publicly notified by the Minister of the Korea Forest Service, such as equipment to survey forest resources under Article 32 (1) of the Act;
 3. The institution shall have a team in the exclusive charge of forest restoration.
- (2) An institution or organization that intends to be designated as a support center shall submit an application for designation prescribed by Ordinance of the Ministry of Agriculture, Food, and Rural Affairs to the Minister of the Korea Forest Service, along with the following documents:
1. A business plan;
 2. Documents proving the requirements prescribed in each subparagraph of paragraph (1) (limited to institutions specified in Article 42-11 (1) 2 of the Act);
 3. Other documents prescribed by Ordinance of the Ministry of Agriculture, Food, and Rural Affairs.
- (3) Where the Minister of the Korea Forest Service upon receipt of an application under paragraph (2) reviews a business plan, etc. and it is deemed that an institution or organization that applied for designation as a support center is able to perform the duties specified in each subparagraph of Article 42-11 (2) of the Act, he/she may designate the institution or organization as a support center.
- (4) Where the Minister of the Korea Forest Service designates a support center pursuant to paragraph (3), he/she shall issue a certificate of designation as prescribed by Ordinance of the Ministry of Agriculture, Food, and Rural Affairs.

[This Article Newly Inserted by Presidential Decree No. 29953, Jul. 9, 2019]

Article 48-10 (Evaluation of Performance Records of Support Centers)

The Minister of the Korea Forest Service may evaluate the performance records of a support center every year.

[This Article Newly Inserted by Presidential Decree No. 29953, Jul. 9, 2019]

Articles 49 through 51 Deleted. <by Presidential Decree No. 22073, Mar. 9, 2010>

Article 52 (Designation, etc. of Experimental Forests)

- (1) The Minister of the Korea Forest Service or a Mayor/Do Governor may grant a subsidy for the following, within budgetary limits, pursuant to Article 47 (3) of the Act:

<Amended by Presidential Decree No. 22073, Mar. 9, 2010; Presidential Decree No. 25599, Sep. 11, 2014>

1. Installing facilities to protect and manage experimental forests;
 2. Maintaining and managing experimental forests.
- (2) "Official or public facilities determined by Presidential Decree" in Article 47 (4) 3 of the Act means the following facilities: <Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 28062, May 29, 2017>
1. Railroads, weather observation facilities, irrigation canals, national expressways, general national highways, harbors and aviation facilities;
 2. Power generation, communications or broadcasting facilities;
 3. Power transmission and distribution facilities.

Article 52-2 (Requirements, etc. for Designating Areas to Grow Special Species of Trees)

(1)The requirements for designating an area to grow special species of trees referred to in Article 51-2 (1) of the Act (hereinafter referred to as "area to grow special species of trees") shall be as follows:

- 1.A single species of trees shall grow collectively in a particular area;
- 2.The relevant species of trees shall have a historical, cultural, or resource value and therefore need intensive protection and cultivation.

(2)Upon designating an area to grow special species of trees, the Minister of the Korea Forest Service shall notify the competent Mayor/Do Governor having jurisdiction over the area of the following and publicly announce such designation on its web-site, etc.:

- 1.Name of the area to grow special species of trees;
- 2.Location and area of the area to grow special species of trees;
- 3.Date of designation of the area to grow special species of trees.

[This Article Newly Inserted by Presidential Decree No. 24211, Nov. 30, 2012]

Articles 52-3 through 52-6 Deleted. <by Presidential Decree No. 28062, May 29, 2017>

Article 52-7 (Rescission of Designation of Areas to Grow Special Species of Trees)

"Official or public facilities prescribed by Presidential Decree" in subparagraph 2 of Article 51-3 of the Act means the facilities specified in the subparagraphs of Article 45-2.

[This Article Newly Inserted by Presidential Decree No. 24211, Nov. 30, 2012]

Article 53 Deleted. <by Presidential Decree No. 22073, Mar. 9, 2010>

SECTION 2 (Articles 54 through 59) Deleted.

SECTION 3 Funds for Environmental Function of Forest

Article 60 (Resources and Use of Funds for Environmental Functions of Forests)

(1)Revenue referred to in Article 58 (3) 4 of the Act shall as follows: <Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 27403, Jul. 28, 2016>

- 1.Revenue accrued when the Korea Forest Welfare Institute established under Article 49 of the Forest Welfare Promotion Act (hereinafter referred to as the "Korea Forest Welfare Institute") uses, obtains profits from or rents any national or public facilities, goods, and other property free of charge pursuant to Article 63 of the Act;
- 2.Donations, monetary support, or any other revenue recognized by the Minister of the Korea Forest Service.

(2)"Projects prescribed by Presidential Decree" in Article 58 (4) 9 of the Act means the following: <Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 25599, Sep. 11, 2014; Presidential Decree No. 27057, Mar. 25, 2016; Presidential Decree No. 29953, Jul. 9, 2019>

- 1.Research, development, and publicity support in connection with the projects specified in Article 58 (4) 1 through 8 of the Act;
- 2.Subsidizing the creation and operation of ecological parks for wildlife;
- 3.International exchange and cooperation projects to promote the environmental functions of forests;
- 4.Subsidizing mutual aid projects in relation to forest disasters;
- 5.Projects necessary for forest conservation, such as preventing forest disasters and restoring mountainous areas;

6. Projects for managing and improving carbon sinks under the Act on the Management and Improvement of Carbon Sink;
7. Projects necessary for restoring the forests of the Korean Peninsula;
8. Scholarship projects for subsequent generations related to forestry as well as for children of persons engaging in forestry;
9. Projects for granting rewards to contributors to the fields of forestry or forest science and technology.

Article 61 (Subsidization)

"Agency or organization prescribed by Presidential Decree" in Article 58 (5) of the Act means the following agencies or organizations: <Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 27403, Jul. 28, 2016; Presidential Decree No. 29381, Dec. 18, 2018>

1. The Korea Forest Conservation Association established pursuant to Article 46 of the Mountainous Districts Management Act;
2. The Korea Forestry Promotion Institute established pursuant to Article 29-2 of the Forestry and Mountain Villages Development Promotion Act;
3. The Korea Association of Wood Culture established pursuant to Article 16 of the Act on the Sustainable Use of Timbers;
4. The Korea Institute of Arboretum Management established pursuant to Article 18-13 of the Act on the Creation and Furtherance of Arboreturns and Gardens;
5. A non-profit corporation the establishment of which has been permitted by the Minister of the Korea Forest Service pursuant to Article 4 of the Act on the Establishment and Operation of Public Interest Corporations.

Article 62 (Accounting, etc. of Green Fund)

- (1) The Minister of the Korea Forest Service shall establish an independent account (hereinafter referred to as "Green Fund account") for the creation, management and administration of the fund to promote the environmental functions of forests (hereinafter referred to as the "Green Fund") pursuant to Article 58 (6) of the Act and shall keep accounts of the accrual of revenue and expenditure of the Green Fund separately from increases, decreases or other changes in its assets on an accrual basis. <Amended by Presidential Decree No. 25599, Sep. 11, 2014>
- (2) The business year of the Green Fund account shall coincide with that of the Government.

Article 62-2 (Establishment and Administration of Green Fund Management Plans)

- (1) The Minister of the Korea Forest Service shall take account of the following when establishing the Green Fund management plan under Article 59 (1) of the Act (hereinafter referred to as "Green Fund management plan"):
 1. To ensure that the Green Fund can be managed to serve its purposes;
 2. To ensure that the Green Fund does not overlap with any other budget when it is provided;
 3. To ensure a balance between revenue and expenditure of the Green Fund;
 4. To secure stability, liquidity, and profitability of the Green Fund.
- (2) The Minister of the Korea Forest Service shall specify the following matters in the Green Fund management plan to administer the Green Fund in a transparent and

efficient manner and shall manage the Green Fund accordingly:

- 1.The criteria, method, etc. for selecting objects eligible for the Green Fund;
- 2.Execution management and evaluation of the Green Fund;
- 3.Management of idle resources of the Green Fund;
- 4.Matters necessary for the transparent and efficient administration of the Green Fund.

[This Article Newly Inserted by Presidential Decree No. 22293, Jul. 21, 2010]

Article 63 (Entrusted Management and Administration of Green Fund)

(1)The Minister of the Korea Forest Service shall entrust the following affairs to the Korea Forest Welfare Institute pursuant to Article 60 (1) of the Act: <Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 27403, Jul. 28, 2016>

- 1.Management and administration of the Green Fund referred to in Article 58;
- 2.Deleted; <by Presidential Decree No. 22293, Jul. 21, 2010>
- 3.Support for the operation of the Green Fund Management Council established under Article 61 of the Act (hereinafter referred to as the "Council");
- 4.Matters which need to be operated by the Korea Forest Welfare Institute as determined by the Council, among projects subsidized pursuant to Article 58 (4) of the Act;
- 5.Guidance and supervision for the projects subsidized by the Green Fund, and any other matters deemed necessary by the Minister of the Korea Forest Service.

(2)The Korea Forest Welfare Institute shall annually formulate a Green Fund administration plan for the following fiscal year according to the relevant Green Fund management plan and shall obtain approval thereof from the Minister of the Korea Forest Service. The same shall also apply to any amendment to such plan. <Amended by Presidential Decree No. 22293, Jul. 21, 2010; Presidential Decree No. 27403, Jul. 28, 2016>

(3)The Korea Forest Welfare Institute shall submit to the Minister of the Korea Forest Service the details on the execution of the Green Fund administration plan as well as the management of surplus funds, within five days after the end of each quarter. <Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 22293, Jul. 21, 2010; Presidential Decree No. 27403, Jul. 28, 2016>

(4)The Korea Forest Welfare Institute shall prepare a report on the settlement of the Green Fund each fiscal year and submit the report accompanied by the following documents to the Minister of the Korea Forest Service, within one month after the end of the relevant fiscal year, and the Minister of the Korea Forest Service shall examine and approve the report: <Amended by Presidential Decree No. 20838, Jun. 20, 2008; Presidential Decree No. 27403, Jul. 28, 2016; Presidential Decree No. 29950, Jul. 2, 2019>

- 1.A document on the summary and analysis of the settlement of the Green Fund;
- 2.A statement of financial position, a statement of profit or loss, and other financial statements;
- 3.A statement on revenue and expenditure of cash;
- 4.A document on the status and performance of Green Fund projects implemented in the preceding year;
- 5.Any other documents necessary to clarify the details of the settlement of the Green Fund.

- (5) Where any profit accrues from the settlement of the Green Fund account, such profit shall be used to offset deficits carried over, and the remainder shall be transferred to the Green Fund.
- (6) The Korea Forest Welfare Institute shall prepare guidelines, etc. for the administration of the Green Fund and obtain approval thereof from the Minister of the Korea Forest Service to enhance the efficiency and public benefits of the Green Fund. The same shall also apply to any amendment to such guidelines. <Amended by Presidential Decree No. 22293, Jul. 21, 2010; Presidential Decree No. 27403, Jul. 28, 2016>

Article 64 (Composition, Operation, etc. of Green Fund Management Council)

- (1) The Council shall consist of the following persons: <Amended by Presidential Decree No. 22293, Jul. 21, 2010; Presidential Decree No. 27403, Jul. 28, 2016>
1. One public official of the Korea Forest Service who is in charge of the Green Fund;
 2. One person recommended by the head of the National Forestry Cooperatives Federation from among its executive officers or executive officials;
 3. One director recommended by the Korea Forest Welfare Promotion Institute;
 4. Up to six persons commissioned by the Minister of the Korea Forest Service on the recommendation of the Korea Forest Welfare Promotion Institute from among persons who represent the forestry field, academia, the press, civic groups, etc.
- (2) The term of office of commissioned members shall be two years, and may be renewed only once: Provided, That the term of office of any member filling a vacancy shall be the remaining term of his/her predecessor.
- (3) A majority of the members of the Council shall constitute a quorum and any decision thereof shall require the concurring vote of at least a majority of those present: Provided, That where an organization to which a member of the Council belongs suggests any project, such member shall not exercise his/her voting right over the project.
- (4) The Council may have relevant experts, etc. attend any of its meetings to hear from them or may request relevant institutions, organizations, etc. to submit necessary data or opinions or to provide cooperation where deemed necessary to conduct business.
- (5) Any other matters necessary for the operation of the Council shall be determined by the chairperson after a resolution of the Council.

Article 64-2 (Dismissal, etc. of Council Members)

- (1) A person who has recommended any member of the Council pursuant to Article 64 (1) 2 or 3 may withdraw his/her recommendation if:
1. The member becomes unable to perform his/her duties due to any mental disorder on his/her part;
 2. The member has engaged in any misconduct in relation to his/her duties;
 3. The member is deemed unfit as a member of the Council due to neglect of his/her duties, injury to dignity or any other reason;
 4. The member voluntarily manifests his/her unfitness to perform the duties of his/her office.
- (2) The Minister of the Korea Forest Service may dismiss any Council member referred to in Article 64 (1) 4 if any subparagraph of paragraph (1) applies to such Council member.
- [This Article Newly Inserted by Presidential Decree No. 26844, Dec. 31, 2015]

Articles 65 through 67 Deleted. <by Presidential Decree No. 27403, Jul. 28, 2016>

CHAPTER V SUPPLEMENTARY PROVISIONS

Article 68 (Financial Support)

A loan or subsidy may be provided for any of the following forest projects to fully or partially cover the working expenses pursuant to Article 64 (1) of the Act: <Amended by Presidential Decree No. 22293, Jul. 21, 2010>

- 1.Preparing and amending a forest management plan;
- 2.Implementing a forest project;
- 3.Promoting technical guidance about forestry, afforestation (including mandatory afforestation) and forest tending;
- 4.Creating and managing forest management infrastructure;
- 5.Growing and developing seeds, seedlings and spawn;
- 6.Creating and managing forests for seed collection, forest genetic resources reserves and experimental forests and managing protected trees;
- 7.Business activities relating to special forest project zones;
- 8.Creating and managing urban forests and roadside trees;
- 9.Creating, managing, and operating natural recreational forests;
- 10.Securing, maintaining and managing facilities and equipment for preventing and extinguishing forest fire;
- 11.Preventing and exterminating forest fungi and harmful insects;
- 12.Operating forestry cooperatives and the National Forestry Cooperatives Federation and implementing relevant projects;
- 13.Business activities entrusted by the State to forestry organizations;
- 14.Business activities to develop and research overseas forests and development activities related thereto;
- 15.Afforestation activities to prevent yellow sand and desertification and relevant research and surveys;
- 16.Business activities to propagate, disseminate and manage Rose of Sharon and to facilitate the use thereof;
- 17.Any other activities deemed by the Minister of the Korea Forest Service to be necessary to manage and develop forests as well as to increase income from forestry.

Article 69 (Return of Forest Project Subsidies)

- (1)Return of a subsidy provided for in the main sentence of Article 65 (1) of the Act shall be made in accordance with the following classifications: Provided, That if the State or a local government intends to use the relevant forest for any purpose other than the original purpose of the relevant subsidized project to implement any official or public project, or if it is deemed inappropriate to maintain the relevant forest as an area for an afforestation or forest tending project or as a forest road due to a natural disaster or any other reason, the subsidy needs not be returned: <Amended by Presidential Decree No. 24211, Nov. 30, 2012; Presidential Decree No. 25599, Sep. 11, 2014>

- 1.In the case of a forest for which afforestation or forest tending has been conducted:
The relevant subsidy shall be returned only when the form and quality of a mountainous area or any other land have been changed in connection with the area for the afforestation or forest tending project and the amount to be returned shall be

determined by the ratio of the area of such mountainous area or other land, the form and quality of which have been changed, to the area for the afforestation or forest tending project;

2. In the case of a forest in which a forest road facility has been installed:

The relevant subsidy shall be returned only when any forest road facility is demolished and the amount to be returned shall be determined by the ratio of the demolished facility to the total distance of the forest road facility: Provided, That where the partial demolition of a forest road facility makes it impossible to use the remaining forest road, the return of a subsidy granted for the entire forest road facility may be required or the installation of a detour forest road may be required within the amount to be returned.

(2) The return of a subsidy pursuant to paragraph (1) shall be made where permission to change the form and quality of a mountainous area or any other land is granted within five years from the completion date.

(3) Where a subsidy is returned pursuant to Article 65 (2) of the Act, the interest prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs from the payment date to the return date of the subsidy shall be added to the amount to be returned. In such cases, such interest shall be calculated on a daily basis. <Amended by Presidential Decree No. 20696, Feb. 29, 2008; Presidential Decree No. 24452, Mar. 23, 2013; Presidential Decree No. 25599, Sep. 11, 2014>

Article 70 (Reporting, Inspections, etc.)

Where the head of a Si/Gun/Gu inspects the quality of seeds and seedlings for a forest pursuant to Article 67 (3) of the Act, he/she shall comply with the criteria prescribed by the Minister of the Korea Forest Service in relation to the quality of and standards for the seeds and seedlings. <Amended by Presidential Decree No. 24211, Nov. 30, 2012; Presidential Decree No. 25599, Sep. 11, 2014; Presidential Decree No. 29953, Jul. 9, 2019>

Article 71 (Delegation and Entrustment of Authority)

(1) Deleted. <by Presidential Decree No. 29310, Nov. 27, 2018>

(2) The Minister of the Korea Forest Service shall delegate the following authority to the head of the National Forest Seed Variety Center pursuant to Article 70 (1) of the Act:

1. Authority over the establishment, etc. of infrastructure for forest management under Article 9 of the Act;
2. Authority over the examination of plant varieties under the main sentence of Article 18 (1) of the Act;
3. Authority over the publication of applications for plant variety protection and public announcement of the registration of plant varieties under Article 18 (2) of the Act;
4. Authority over the designation, protection, and management of forests for seed collection, etc. and creation of arboretums for seed collection or arboretums for gene collection under Article 19 (1) of the Act;
5. Authority over the rescission of designation of the whole or part of a forest for seed collection, etc. under Article 19 (3) of the Act;
6. Authority over the receipt of reports on felling timber to tend forests and on extracting and gathering forest products under the proviso of Article 19 (5) of the Act, with the exception of its subparagraphs;
7. Authority over the operation of national forest management associations under Article

- 23-2 of the Act (limited to arboretums for seed collection, arboretums for gene collection, forests for seed collection, and experimental forests managed by the National Forest Seed Variety Center);
8. Authority over the designation, etc. of experimental forests under Article 47 of the Act.
- (3) The Minister of the Korea Forest Service shall delegate the following authority to the President of the National Institute of Forest Science pursuant to Article 70 (1) of the Act: <Amended by Presidential Decree No. 29953, Jul. 9, 2019>
1. Authority over the operation of national forest management associations referred to in Article 23-2 of the Act (limited to authority over experimental forests under Article 47 (1) of the Act managed by the National Institute of Forest Science);
 2. Authority over the research and evaluation of climate impacts, conduct of a fact-finding survey, provision of data, and request for cooperation in conducting a fact-finding survey under Article 51-5 of the Act.
- (4) The Minister of the Korea Forest Service shall delegate the following authority to the President of the National Institute of Forest Science or to the head of the Korea National Arboretum pursuant to Article 70 (1) of the Act. In such case, approval from the Minister of the Korea Forest Service shall be obtained to grant exemption from royalties pursuant to Article 35 or 37:
1. Authority over the establishment, etc. of infrastructure for forest management under Article 9 of the Act;
 2. Joint research provided for in Article 34 (2) of the Act;
 3. Entering into a contract for the use of joint research and development outcomes under Article 35 (1) of the Act;
 4. Entering into a contract for the use of patent pending in-service inventions under Article 35 (3) of the Act;
 5. Authority over the designation, etc. of experimental forests under Article 47 of the Act.
- (5) The Minister of the Korea Forest Service shall delegate the following authority to the director general of a regional office of forest service pursuant to Article 70 (1) of the Act:
1. Authority over the establishment, etc. of infrastructure for forest management under Article 9 of the Act;
 2. Authority over the designation, protection, and management of forests for seed collection, etc. and creation of arboretums for seed collection or arboretums for gene collection under Article 19 (1) of the Act;
 3. Authority over the rescission of designation of the whole or part of a forest for seed collection, etc. under Article 19 (3) of the Act;
 4. Authority over the receipt of reports on felling timber to tend forests and extracting and gathering forest products under the proviso of Article 19 (5) of the Act, with the exception of its subparagraphs;
 5. Authority over the operation of national forest management associations under Article 23-2 of the Act (excluding arboretums for seed collection, arboretums for gene collection, forests for seed collection, experimental forests, and forests for breeding managed by the National Forest Seed Variety Center or the National Institute of Forest Science);

- 6. Authority over the designation, etc. of experimental forests under Article 47 of the Act;
- 7. Authority over the return of forest project subsidies under Article 65 of the Act.

(6) The director general of a regional office of forest service shall delegate the following authority to the head of a national forest management office under the jurisdiction of the relevant regional office of forest service pursuant to Article 70 (3) of the Act:

- 1. Permission to fell standing timber or to extract and gather forest products under Article 36 (1) of the Act;
- 2. Receipt of reports on felling standing timber or extracting and gathering forest products (limited to extracting and gathering forest products to conduct forest experiments or research) under Article 36 (4) of the Act.

(7) The Minister of the Korea Forest Service may entrust his/her duties relating to posting forest management technicians under Article 31 (1) of the Act to the President of the National Forestry Cooperative Federation pursuant to Article 70 (4) of the Act.

[This Article Wholly Amended by Presidential Decree No. 25599, Sep. 11, 2014]
Article 72 (Repayment of Price of Illegal Forest Products)

Articles 132 and 135 and the proviso to Article 219 of the Criminal Procedure Act shall apply mutatis mutandis to the repayment of the price of any illegal forest product generated under the proviso to Article 75 (1) of the Act.

Article 72-2 (Management of Personally Identifiable Information)

The Minister of the Korea Forest Service (including persons delegated with authority pursuant to Article 71 (1)), the director general of a regional office of forest service (including persons delegated with authority pursuant to Article 71 (6)), or the head of a Si/Gun/Gu (including persons delegated or entrusted with authority if such authority has been delegated or entrusted) may manage data that include resident registration numbers referred to in subparagraph 1 of Article 19 of the Enforcement Decree of the Personal Information Protection Act, if deemed essential in performing the following affairs: <Amended by Presidential Decree No. 24211, Nov. 30, 2012; Presidential Decree No. 25599, Sep. 11, 2014>

- 1. Affairs concerning the authorization of forest management plans under Article 13 of the Act;
- 2. Affairs concerning reporting on felling standing timber, etc. under Article 14 (3) of the Act;
- 2- Affairs concerning the registration of seeds and seedlings growers under Article 16 of the Act;
- 2- Affairs concerning application for plant variety protection and registration of the establishment of plant variety rights under Article 18 of the Act;
- 3. Deleted; <by Presidential Decree No. 29310, Nov. 27, 2018>
- 4. Affairs concerning permission to fell standing timber, etc. and reporting thereon under Article 36 of the Act.

[This Article Newly Inserted by Presidential Decree No. 23488, Jan. 6, 2012]
Article 72-3 (Re-Examination of Regulation)

The Minister of the Korea Forest Service shall examine the appropriateness of the following matters every three years, counting from the following relevant base date (referring to the period that ends on the day before the base date of every third year) and

- shall take necessary measures, such as making improvements: <Amended by Presidential Decree No. 26629, Nov. 11, 2015; Presidential Decree No. 28468, Dec. 12, 2017; Presidential Decree No. 29381, Dec. 18, 2018; Presidential Decree No. 29953, Jul. 9, 2019>
1. Standards, etc. for registering seeds and seedlings growers under Article 12: January 1, 2017;
 2. Deleted; <by Presidential Decree No. 28468, Dec. 12, 2017>
 - 2- The scope of important matters among registered matters of forest project corporations under Article 24 (2): January 1, 2016;
 3. Standards for registering forest project corporations under Article 25: January 1, 2017;
 4. and 5. Deleted; <by Presidential Decree No. 29310, Nov. 27, 2018>
 6. Deleted; <by Presidential Decree No. 28468, Dec. 12, 2017>
 7. The contract term where a contract is entered into to use joint research and development outcomes or a patent pending in-service invention under Article 38 (1): January 1, 2017;
 8. Areas subject to restrictions on felling standing timber, etc. under Article 41: January 1, 2017;
 9. Deleted. <by Presidential Decree No. 28468, Dec. 12, 2017>

[This Article Newly Inserted by Presidential Decree No. 25050, Dec. 30, 2013]
Article 73 (Criteria for Imposing Administrative Fines)

The criteria for imposing administrative fines under Article 79 (6) of the Act shall be as specified in attached Table 3.

[This Article Wholly Amended by Presidential Decree No. 20838, Jun. 20, 2008]

ADDENDA

Article (Enforcement Date)

This Decree shall enter into force on August 5, 2006.

Article 2 (Repeal of Other Acts)

The Enforcement Decree of the Forestry Act is hereby repealed.

Article 3 (Transitional Measures concerning Forest Management Technicians, Forest Public Works Technicians, and Wooden Structure Technicians)

Technicians in the left column of the following Table registered pursuant to the former Enforcement Decree of the Forestry Act at the time this Decree enters into force shall be deemed technicians in the right column registered under this Decree: <Amended by Presidential Decree No. 20838, Jun. 20, 2008>

Technicians prescribed in the former Enforcement Decree of the Forestry Act	Technicians prescribed in this Decree
1. Forest management technicians referred to in Article 15 (1)	1. Forest management engineers referred to in Article 30 (1)
2. Grade I forest public works technicians referred to in Article 15-2 (1)	2. Grade I forest engineering technicians referred to in Article 30 (1)
3. Grade II forest public works technicians referred to in Article 15-2 (1)	3. Grade II forest engineering technicians referred to in Article 30 (1)
4. Wooden structure management technicians referred to in Article 49-2 (1)	4. Wooden structure technicians (managing wooden structures) referred to in Article 30 (1)
5. Wooden structure construction	5. Wooden structure technicians (constructing

technicians referred to in Article 49-2 (1) wooden structures) referred to in Article 30 (1) Article 4 (Transitional Measures concerning Forestry Technology Advisors)
Forestry instructors and forestry advisors referred to in Article 13 (1) of the former Enforcement Decree of the Forestry Act at the time this Decree enters into force shall be deemed forest instructors and forest advisors referred to in Article 31 (1), respectively.
Article 5 Omitted.

Article 6 (Relations with Other Acts)

Any citation of the former Enforcement Decree of the Forestry Act or any provisions thereof in any other statute at the time this Decree enters into force shall be deemed a citation of this Decree or the corresponding provisions of this Decree in lieu of the former provisions if such corresponding provisions exist herein.

ADDENDUM <Presidential Decree No. 19943, Mar. 22, 2007>

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

ADDENDA <Presidential Decree No. 20205, Jul. 27, 2007>

Article (Enforcement Date)

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

Articles 2 through 11 Omitted.

ADDENDA <Presidential Decree No. 20222, Aug. 17, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDA <Presidential Decree No. 20581, Jan. 31, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on February 4, 2008.

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 20696, Feb. 29, 2008>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 20838, Jun. 20, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on June 22, 2008.

Article 2 (Transitional Measures concerning Forest Project Corporations for Creation of Natural Recreational Forests)

Any forest project corporation for the creation of natural recreational forests registered under the former provisions at the time this Decree enters into force shall be deemed a forest project corporation for the creation of natural recreational forests and ecological mountain villages registered under the amended provisions in the column of subparagraph 5 of attached Table 1.

Article 3 (Transitional Measures concerning Administrative Fines)

Notwithstanding the amended provisions of attached Table 3, the former provisions shall apply to the imposition of an administrative fine for an offense committed before this Decree enters into force.

Article 4 Omitted.

ADDENDA <Presidential Decree No. 20962, Aug. 7, 2008>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Presidential Decree No. 21025, Sep. 22, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 21087, Oct. 20, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That Article 10 shall enter into force on November 1, 2008; Articles 24 through 26 shall enter into force on January 1, 2010; Article 29 shall enter into force on July 1, 2009; and Article 48 shall enter into force on January 1, 2013.

Article 2 (Transitional Measures concerning Amendment to the Decree on Disciplinary Action against Public Officials)

- (1) The First Central Disciplinary Committee and the Second Central Disciplinary Committee under the previous Decree on Disciplinary Action against Public Officials before it was amended as at the time this Decree enters into force shall be deemed the Central Disciplinary Committee under this Decree.
- (2) Written requests for disciplinary action which were received by the First Central Disciplinary Committee and the Second Central Disciplinary Committee pursuant to the previous Decree on Disciplinary Action against Public Officials before it was amended as at the time this Decree enters into force shall be deemed received by the Central Disciplinary Committee under this Decree.
- (3) Resolutions passed by the First Central Disciplinary Committee and the Second Central Disciplinary Committee pursuant to the previous Decree on Disciplinary Action against Public Officials before it was amended as at the time this Decree enters into force shall be deemed those passed by the Central Disciplinary Committee under this Decree.
- (4) The members of the Second Central Disciplinary Committee under the previous Decree on Disciplinary Action against Public Officials before it was amended as at the time this Decree enters into force shall be deemed appointed or commissioned under this Decree.

Article 3 (Transitional Measures concerning Amendment to the Enforcement Decree on the Framework Act on Logistics Policies)

The affairs conducted by the Minister of Land, Transport and Maritime Affairs on the basis of deliberations and resolutions thereon by the Committee of Examinations of Logistic Managers pursuant to the previous Enforcement Decree on the Framework Act on Logistics Policies before it is amended as at the time this Decree enters into force shall be deemed conducted by the Minister of Land, Transport and Maritime Affairs under this Decree.

Article 4 Omitted.

ADDENDA <Presidential Decree No. 21528, Jun. 9, 2009>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 21807, Nov. 2, 2009>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 21881, Dec. 14, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Presidential Decree No. 21887, Dec. 15, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 12 Omitted.

ADDENDA <Presidential Decree No. 22073, Mar. 9, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on March 10, 2010.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 22293, Jul. 21, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 26, 2010: Provided, That the amended provisions of Article 21 shall enter into force on January 26, 2015.

Article 2 (Transitional Measures concerning Green Fund Administration Plans, etc.)

(1) A plan for the creation, management, and administration of the Green Fund established under the former provisions at the time this Decree enters into force, shall be deemed a Green Fund administration plan established under the amended provisions of Article 63 (2).

(2) The guidelines for the management and administration of the Green Fund established under the former provisions at the time this Decree enters into force, shall be deemed the guidelines for the administration of the Green Fund established under the amended provisions of Article 63 (6).

ADDENDA <Presidential Decree No. 22513, Dec. 7, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDUM <Presidential Decree No. 23176, Sep. 29, 2011>

This Decree shall enter into force on September 30, 2011.

ADDENDA <Presidential Decree No. 23297, Nov. 16, 2011>

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. 23444, Dec. 30, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 26, 2012.

Articles 2 and 3 Omitted.

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.

ADDENDUM <Presidential Decree No. 23832, Jun. 5, 2012>

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

ADDENDA <Presidential Decree No. 24211, Nov. 30, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on December 2, 2012.

Article 2 (Applicability to Design and Supervision of Forest Projects)

The amended provisions of Article 26 (1) shall apply with commencement from the design and supervision of a project for felling timber or a forest road project ordered after this Decree enters into force.

Article 3 (Applicability to Arbitrarily Felling Standing Timber, etc.)

The amended provisions of subparagraph 1-2 of Article 43 shall apply with commencement from new afforestation performed to produce forest biomass energy after this Decree enters into force.

Article 4 (Transitional Measures concerning Criteria for Imposing Administrative Fines)

(1) For the purposes of the application of the criteria for imposing administrative fines to an offense committed prior to this Decree entering into force, the former provisions shall apply, notwithstanding the amended provisions of attached Table 3.

(2) The imposition of an administrative fine for an offense committed prior to this Decree entering into force, shall not be included in the calculation of the number of offenses under the amended provisions of attached Table 3.

ADDENDA <Presidential Decree No. 24452, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 24474, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Presidential Decree No. 24539, May 22, 2013>

Article 1 (Enforcement Date)

This Decree shall enter into force on May 24, 2013.

Articles 2 through 5 Omitted.

ADDENDUM <Presidential Decree No. 25050, Dec. 30, 2013>

This Decree shall enter into force on January 1, 2014. (Proviso Omitted.)

ADDENDUM <Presidential Decree No. 25422, Jun. 30, 2014>

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

ADDENDA <Presidential Decree No. 25456, Jul. 14, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 15, 2014.

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 25599, Sep. 11, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on September 12, 2014.

Article 2 (Transitional Measures concerning Registration of Forest Project Corporations)

A person registered as a forest project corporation to implement forest projects relating to the creation of natural recreational forests and ecological mountain villages under Article 24 (1) of the Act and the former provisions of subparagraph 5 of attached Table 1, shall be deemed registered as a forest project corporation to implement forest projects relating to the creation of natural recreational forests, etc. under the amended provisions of subparagraph 5 of attached Table 1.

Article 3 (Transitional Measures concerning Changes in Names of Technology Grades of Forest Technology Qualification)

Persons issued with certificates of qualification for forest technicians stated in the left column of the following Table under Article 30 (8) of the Act and former attached Table 2, prior to this Decree entering into force, shall be deemed issued with certificates of qualification for forest technicians stated in the right column of the same Table under the amended provisions of attached Table 2.

Special grade forest engineering technician	Forest engineering technician of special technology grade
Grade I forest engineering technician	Forest engineering technician of technology grade I
Grade II forest engineering technician	Forest engineering technician of technology grade II

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.

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. 26416, Jul. 20, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 21, 2015.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 26438, Jul. 24, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 29, 2015.

Articles 2 through 5 Omitted.

ADDENDUM <Presidential Decree No. 26629, Nov. 11, 2015>

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

ADDENDUM <Presidential Decree No. 26844, Dec. 31, 2015>

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

ADDENDA <Presidential Decree No. 27057, Mar. 25, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on March 28, 2016.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 27403, Jul. 28, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 30, 2016.

Article 2 (Transitional Measures concerning Afforestation Exclusion Areas)

The former provisions shall apply where an order for afforestation has been issued pursuant to Article 10 (2) 1 of the Act prior to this Decree entering into force, notwithstanding the amended provisions of Article 5 (1) 3.

Article 3 (Transitional Measures concerning Scope of Supervision of Erosion Control Projects)

Notwithstanding the amended provisions of the proviso to Article 26 (1) 3, the former provisions shall apply to erosion control projects ordered prior to this Decree entering into force.

Article 4 (Transitional Measures concerning Scope of Forest Projects Implemented by Forest Project Corporations)

Notwithstanding the amended provisions of subparagraph 4 of attached Table 1, the former provisions shall apply to the scope of forest projects of a corporation registered as a corporation eligible to conduct forest public works, among the types of forest projects, under the former provisions prior to this Decree entering into force.

Article 5 Omitted.

ADDENDA <Presidential Decree No. 27972, Mar. 29, 2017>

Article 1 (Enforcement Date)

This Decree shall enter into force on March 30, 2017.

Articles 2 through 10 Omitted.

ADDENDUM <Presidential Decree No. 28062, May 29, 2017>

This Decree shall enter into force on June 3, 2017: Provided, That the amended provisions of Article 52 (2) 3 shall enter into force on the date of its promulgation.

ADDENDUM <Presidential Decree No. 28243, Aug. 16, 2017>

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

ADDENDA <Presidential Decree No. 28468, Dec. 12, 2017>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Criteria for Imposing Administrative Fines)

The amended provisions of subparagraph 2 (d) and (e) of attached Table 3 shall begin to apply to the first offense committed after this Decree enters into force.

ADDENDA <Presidential Decree No. 28799, Apr. 17, 2018>

Article 1 (Enforcement Date)

This Decree shall enter into force on April 17, 2018.

Articles 2 through 7 Omitted.

ADDENDUM <Presidential Decree No. 28919, May 28, 2018>

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

ADDENDUM <Presidential Decree No. 28999, Jun. 26, 2018>

This Decree shall enter into force on June 28, 2018.

ADDENDA <Presidential Decree No. 29310, Nov. 27, 2018>

Article 1 (Enforcement Date)

This Decree shall enter into force on November 29, 2018.

Articles 2 through 5 Omitted.

ADDENDUM <Presidential Decree No. 29381, Dec. 18, 2018>

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

ADDENDUM <Presidential Decree No. 29950, Jul. 2, 2019>

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

ADDENDUM <Presidential Decree No. 29953, Jul. 9, 2019>

This Decree shall enter into force on July 9, 2019: Provided, That the amended provisions of Article 24 shall enter into force on the date of its promulgation.

PC Version

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