

ENFORCEMENT DECREE OF THE ACT ON CONSTRUCTION AND MANAGEMENT OF DAMS AND ASSISTANCE TO THEIR ENVIRONS

Presidential Decree No. 31154, Nov. 10, 2020
Amended by Presidential Decree No. 32231, Dec. 16, 2021
Presidential Decree No. 32697, jun. 14, 2022

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Decree is to prescribe matters mandated by the Act on Construction and Management of Dams and Assistance to Their Environs and matters necessary for enforcing said Act. *<Amended on Sep. 10, 2009; Jun. 14, 2022>*

Article 2 (Scope of Application)

"Persons prescribed by Presidential Decree" in Article 3 (1) 4 of the Act on Construction and Management of Dams and Assistance to Their Environs (hereinafter referred to as the "Act") means the Korea Water Resources Corporation established pursuant to the Korea Water Resources Corporation Act (hereinafter referred to as the "Korea Water Resources Corporation"). *<Amended on Jun. 14, 2022>*

CHAPTER II CONSTRUCTION AND MANAGEMENT OF DAMS

SECTION 1 Management of Dams

Article 3 (Basic Plans for Dam Management)

(1) "Matters prescribed by Presidential Decree" in Article 4 (1) 5 of the Act means the following:

1. Matters regarding the sustainable and environment-friendly use of dams and their environs;
2. Matters necessary to formulate an infrastructure management plan under Article 9 of the Framework Act on Sustainable Infrastructure Management;

3. Matters regarding support for surveys, research, and technology development related to dam management;
4. Matters regarding the smart management of dam facilities (referring to the collection and analysis of necessary information by utilizing artificial intelligence, big data analysis, etc. and the systematic and efficient operation and management of dam facilities by linking and integrating with information and communications technology; hereinafter the same shall apply) and informatization of such facilities;
5. Other matters necessary to be included in a basic plan for dam management provided in Article 4 (1) of the Act (hereinafter referred to as "basic plan for dam management") for the effective dam management, on which the Minister of Environment consults with the head of the relevant central administrative agency, the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, a Do Governor, or a Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor").

(2) Where the Minister of Environment formulates or modifies a basic plan for dam management pursuant to Article 4 (1) or (2) of the Act, he or she shall give public notice of the following relevant matters in the Official Gazette:

1. The following matters where the basic plan for dam management is formulated:
 - (a) Purposes of formulating the basic plan for dam management;
 - (b) Matters referred to in the subparagraphs of Article 4 (1) of the Act;
 - (c) Matters regarding perusal of the basic plan for dam management;
2. The following matters where the basic plan for dam management is modified:
 - (a) Purposes of modifying the basic plan for dam management;
 - (b) Modifications to the basic plan for dam management;
 - (c) Matters regarding perusal of the modified basic plan for dam management.

Article 4 (Detailed Implementation Plans for Dam Management)

(1) A detailed implementation plan for dam management (hereinafter referred to as "detailed implementation plan for dam management") that shall be formulated by a person who manages a dam referred to in the subparagraphs of Article 3 (2) of the Act with respect to a dam under his or her jurisdiction pursuant to Article 4-2 (1) of the Act shall include the following:

1. Purposes of and direction-setting for executing the detailed implementation plan for dam management;
2. Analysis of conditions for executing the detailed implementation plan for dam management;
3. A plan for managing the facilities of the dam under the jurisdiction;
4. A plan for operating the water stored in the dam under the jurisdiction;
5. Matters regarding the conservation and sustainable and environment-friendly use of the dam under the jurisdiction and its environs (limited to a dam under Article 3 (2) 1 of the Act);

6. Matters prescribed in the subparagraphs of Article 4 (1) of the Enforcement Decree of the Framework Act on Sustainable Infrastructure Management;
 7. Matters regarding the smart management and informatization of facilities of the dam under the jurisdiction;
 8. Other matters necessary to efficiently operate and manage the dam under the jurisdiction, which are determined and publicly notified by the Minister of Environment.
- (2) "Where any modification is to be made to minor matters prescribed by Presidential Decree" in the proviso of Article 4-2 (2) and (3) of the Act means the following cases, respectively:
1. Where any well-grounded modification is to be made to matters that do not affect the purposes of and direction-setting for executing a detailed implementation plan for dam management;
 2. Where any modification is to be made in order to reflect the details of enacting, amending, or repealing statutes or regulations following such enactment, amendment, or repeal;
 3. Where any correction is to be made to a miscalculation, a clerical error, an omission, or any other error equivalent thereto.
- (3) Where a person who manages a dam referred to in the subparagraphs of Article 3 (2) of the Act formulates or modifies a detailed implementation plan for dam management under Article 4-2 (1) through (3), he or she shall disclose the following relevant matters in a daily newspaper, the Official Gazette, or the public gazette, on the website of the relevant institution, or by other effective means:
1. The following matters where the detailed implementation plan for dam management is formulated:
 - (a) Matters referred to in the subparagraphs of paragraph (1);
 - (b) Matters regarding perusal of the detailed implementation plan for dam management;
 2. The following matters where the detailed implementation plan for dam management is modified:
 - (a) Purposes of modifying the detailed implementation plan for dam management;
 - (b) Modifications to the detailed implementation plan for dam management;
 - (c) Matters regarding perusal of the modified detailed implementation plan for dam management.
- (4) Except as provided in paragraphs (1) through (3), matters necessary for procedures, etc. for formulating and modifying a detailed implementation plan for dam management shall be determined and publicly notified by the Minister of Environment.

Article 5 (Entrustment of Dam Management)

(1) When the Minister of Environment, a Mayor/Do Governor, or the head of a Si/Gun (hereinafter referred to as "dam management agency") entrusts affairs related to dam management to a person granted a right to use the dam under Article 5 (2) of the Act (hereinafter referred to as "dam usage right-holder"), or to a public institution established pursuant to the Act on the Management of Public Institutions that performs affairs related to the establishment and operation of dams, he or she shall clarify the scope of such entrusted affairs. <Amended on Mar. 23, 2013; Jun. 8, 2018; Jun. 14, 2022>

(2) The Minister of Environment shall entrust the Korea Water Resources Corporation with the affairs related to the management of dams constructed by the Minister of Environment or the Korea Water Resources Corporation under Article 5 (2) of the Act. In such cases, the affairs shall be deemed entrusted, when the completion of dam construction is publicly notified pursuant to Article 16 (1) or (2) of the Act.

<Amended on Jun. 14, 2022>

[Moved from Article 16; previous Article 5 moved to Article 11 *<Jun. 14, 2022>*]

Article 6 (Dam Management Regulations)

(1) A dam management agency or a person to whom dam management is entrusted by the relevant dam management agency under Article 5 (2) of the Act (hereinafter referred to as "dam custodian") shall prepare dam management regulations under Article 7 (1) or (2) of the Act without delay, when the completion of dam construction is publicly notified under Article 16 (1) or (2) of the Act. *<Amended on Jun. 14, 2022>*

(2) The dam management regulations under Article 7 (1) and (2) of the Act shall include the following: *<Amended on Jun. 14, 2022>*

1. Matters regarding storing water, controlling water level, and discharging water, as necessary to operate the dam appropriately, based upon such considerations as the flood season, irrigation season, and dry season;
2. Matters regarding operating, inspecting, and maintaining facilities, equipment, machines, instruments, etc., necessary for managing the dam;
3. Matters regarding measures to be taken at the time of conducting weather observations and hydrologic measurements and discharging water stored in the dam;
4. Matters necessary for preserving the quality of water stored in the dam;
5. Matters regarding surveys on changes caused by constructing the dam to weather, ecosystem, etc.;
6. Matters regarding safety inspections of the dam;
7. Matters regarding expenses incurred in managing the dam;
8. Other matters necessary for managing the dam.

[Moved from Article 17; previous Article 6 deleted *<Jun. 14, 2022>*]

Article 7 (Measures to Prevent Hazards)

(1) Where discharging water stored in a dam is expected to result in a substantial change in the downstream toe of such dam, the relevant dam management agency or dam custodian shall notify the relevant Mayor/Do Governor of the following matters and shall inform the general public of the date and time of discharge and precautions to take by means of broadcasting, siren, etc. under Article 8 of the Act:

<Amended on Jun. 14, 2022>

1. The date and time of discharge;

2. The volume of water to be discharged;
 3. The projected water-level rise by discharge at the downstream toe of the dam.
- (2) In order to prevent hazards caused by discharging water stored in a dam, the relevant dam management agency or dam custodian shall install warning signs prescribed by Ordinance of the Ministry of Environment at the downstream toe of the dam. *<Amended on Mar. 23, 2013; Jun. 8, 2018>*
[Moved from Article 18 *<Jun. 14, 2022>*]

Article 8 (Projects for Dam Management)

- (1) In cases of projects for managing the water environment in an area upstream of a dam under subparagraph 3 of Article 9 of the Act, Article 14 of the Enforcement Decree of the Korea Water Resources Corporation Act shall apply to the scope of an area upstream of the dam and types of projects for managing the water environment. *<Newly Inserted on Nov. 10, 2020; Jun. 14, 2022>*
- (2) Where a dam management agency or a dam custodian intends to implement a project for managing the dam pursuant to Article 9 of the Act, the agency or custodian shall formulate a project plan including the following, and shall consult with the waterworks business operator under the Water Supply and Waterworks Installation Act or the dam usage right-holder: *<Amended on Nov. 10, 2020; Jun. 14, 2022>*
1. An overview of the project;
 2. The project implementation period;
 3. Financing methods.
- (3) When a dam custodian intends to implement a project for managing the dam pursuant to Article 9 of the Act, the custodian shall obtain approval therefor from the relevant dam management agency prior to the consultation under paragraph (2). *<Amended on Nov. 10, 2020; Jun. 14, 2022>*
[Moved from Article 18-2 *<Jun. 14, 2022>*]

Article 9 (Conducting Evaluations of Dams)

- (1) The matters subject to the evaluation of a dam under Article 9-2 (1) of the Act shall be as follows: *<Amended on Jun. 14, 2022>*
1. Water supply capacity: The volume of water the dam can supply to the extent of satisfying the irrigation safety of the dam;
 2. Flood control capacity: The highest water level at the dam based on the projected flood volume of the dam.
- (2) Where the Minister of Environment intends to formulate a river basin water resource management plan under Article 18 (1) of the Act on the Investigation, Planning, and Management of Water Resources (hereinafter referred to as "river basin water resource management plan") in consideration of changes in the inflow rate, changes in the environment for irrigation or flood control, or similar changes, he or she shall require the relevant dam management agency to evaluate a dam under Article 9-2 (1) of the Act: Provided, That in any of the following cases, an evaluation of the dam need not be conducted: *<Amended*

on Jun. 8, 2018; Jun. 14, 2022>

1. Where changes in the inflow rate, changes in the environment for irrigation or flood control, or similar changes constitute minor changes determined by the Minister of Environment;
 2. Where 10 years have not passed since the date of completing the dam construction project.
- (3) Except as provided in paragraphs (1) and (2), matters necessary for evaluating a dam under Article 9-2 (1) of the Act shall be determined and publicly notified by the Minister of Environment. <Amended on Jun. 8, 2018; Jun. 14, 2022>
- [Moved from Article 18-3 <Jun. 14, 2022>]

Article 10 (Examination of Appropriateness of Dam Construction)

- (1) "Matters prescribed by Presidential Decree" in Article 10 (1) 8 of the Act means the following:
1. A factor hindering a project and measures to address such factor;
 2. A plan for operating and managing a dam.
- (2) The Minister of Environment shall disclose on the website of the Ministry of Environment the results of gathering opinions from local residents and of reflecting a river basin water resource management plan pursuant to Article 10 (3) of the Act.

Article 11 (Composition and Operation of Preliminary-Review Council)

- (1) A Preliminary-Review Council established pursuant to Article 10 (4) of the Act (hereinafter referred to as the "Preliminary-Review Council") shall be comprised of up to 30 members, including one chairperson: Provided, That the Preliminary-Review Council may be comprised of up to 40 members, if at least two Sis/Guns have interests in the same dam.
- (2) Members of the Preliminary-Review Council shall be appointed or commissioned by the Minister of Environment considering gender equality, from among either of the following persons:
1. A person who is appointed by the head of the agency to which he or she belongs, from among public officials of Grade IV or higher of the relevant central administrative agency, public officials of Grade IV or higher of the Special Metropolitan City, a Metropolitan City, a Special Self-Governing City, a Do, or a Special Self-Governing Province (hereinafter referred to as "City/Do"), and public officials of Grade V or higher of a Si/Gun;
 2. A person with extensive knowledge of and experience in the field of water resources, rivers, the environment, culture, economics, agriculture, etc., who is recommended by the head of the relevant central administrative agency, a local government, a public institution, or a civic group.
- (3) The chairperson of the Preliminary-Review Council (hereafter in this Article referred to as "chairperson") shall be elected by and from among its members, and if the chairperson is unable to perform his or her duties due to any unavoidable cause, the member designated by the chairperson in advance shall act on behalf of the chairperson.

(4) "Matters deemed necessary to determine whether to implement a dam project" in Article 10 (4) 4 of the Act means the following:

1. Environmental changes caused to the environs by constructing a dam;
2. The impact of dam construction on local communities and culture.

(5) The Preliminary-Review Council shall prepare a comprehensive recommendation on whether to implement the relevant project after conducting an on-site inspection, gathering opinions from interested parties, and undergoing other procedures, and shall submit the recommendation to the Minister of Environment.

(6) Except as provided in paragraphs (1) through (5), matters necessary for the composition and operation of the Preliminary-Review Council shall be determined by the Minister of Environment.

[Moved from Article 5 <Jun. 14, 2022>]

Article 12 (Public Notice of Basic Plans for Constructing Dams)

(1) Where the Minister of Environment or a Mayor/Do Governor formulates a basic plan for constructing a dam under the main clause, with the exception of the subparagraphs, of Article 11 (1) of the Act (hereinafter referred to as "basic plan for constructing a dam") or approves such basic plan under paragraph (2) of that Article, he or she shall give public notice of the matters referred to in the subparagraphs of paragraph (1) of that Article in the Official Gazette or the public gazette of the relevant City/Do pursuant to paragraph (4) of that Article. <Amended on Jun. 14, 2022>

(2) "Modification of minor matters prescribed by Presidential Decree" in Article 11 (5) of the Act means the following: <Amended on Jun. 14, 2022>

1. An increase or decrease in the cost of constructing a dam due to price fluctuation;
2. An increase or decrease in the original construction cost of a dam by up to 10/100, due to any cause or event other than price fluctuation;
3. A reduction or extension of the original project period by up to two years;
4. An increase or decrease in the original project area by up to 3/100.

Article 13 (Formulation of Implementation Plans for Constructing Dams)

(1) An implementation plan for constructing a dam under Article 12 (1) of the Act (hereinafter referred to as "implementation plan for constructing a dam") shall include the following: <Amended on Mar. 23, 2013; Jun. 2, 2017; Jun. 8, 2018; Jun. 14, 2022>

1. The name of the project;
2. The name (if the person is a corporation, the name of the corporation and the name of its representative) and address of the person who intends to construct a dam (hereinafter referred to as "implementer of a dam construction project");
3. The objectives and an overview of the project;

4. The location and area of the project site;
 5. The project implementation period (including a process plan);
 6. A financing plan;
 7. Working drawings and specifications (details about the seismic design determined by the Minister of Environment shall be included therein);
 8. A plan for managing and disposing public facilities;
 9. Measures for relocating residents;
 10. A plan for supplying water to each region;
 11. Other matters necessary for implementing the project.
- (2) "Modification of minor matters prescribed by Presidential Decree" in Article 12 (4) of the Act means the following: *<Amended on Jun. 2, 2017; Jun. 14, 2022>*
1. A change in the name (if the implementer is a corporation, the name of the corporation and the name of its representative) and address of the implementer of a dam construction project;
 2. An amendment to a process plan (limited to an amendment not accompanied by a change in the project implementation period).

Article 14 (Joint Council for Legal Fiction of Authorization or Permission)

(1) Where the Minister of Environment or a Mayor/Do Governor intends to hold a meeting of a joint council (hereafter in this Article referred to as "joint council") to discuss agenda items, such as permission, reporting, cancellation, consultation, approval, authorization, or designation (hereafter in this Article referred to as "authorization, permission, etc.") pursuant to Article 13-2 (1) of the Act, he or she shall inform the heads of the relevant administrative agencies prescribed in Article 13 (3) of the Act of the holding of the meeting no later than seven days before the meeting is held. *<Amended on Mar. 23, 2013; Jun. 8, 2018; Jun. 14, 2022>*

(2) The heads of the relevant administrative agencies under Article 13 (3) of the Act shall present their opinions on agenda items, such as authorization, permission, etc. at a meeting of the joint council: Provided, That the heads of the relevant administrative agencies under Article 13 (3) of the Act may submit their opinions on the relevant authorization, permission, etc. within five days from the date the meeting is held, where it is impracticable for them to submit such opinions because they need to conduct an additional review for the examination of statutes or regulations, the verification of facts, etc. *<Amended on Jun. 14, 2022>*

(3) Except as provided in paragraphs (1) and (2), matter necessary for the operation, etc. of the joint council shall be determined by the Minister of Environment or a Mayor/Do Governor. *<Amended on Mar. 23, 2013; Jun. 8, 2018; Jun. 14, 2022>*

[Moved from Article 13-2; previous Article 14 moved to Article 15 *<Jun. 14, 2022>*]

Article 15 (Application for Authorization for Completion of Dam Construction Projects)

(1) The implementer of a dam construction project who intends to obtain authorization for the completion of such project under Article 16 (2) of the Act shall submit an application for authorization for the completion of the dam construction project to the Minister of Environment (referring to the relevant Mayor/Do Governor, if the head of a Si/Gun is the implementer of a dam construction project; hereafter in this Article the same shall apply), as prescribed by Ordinance of the Ministry of Environment. *<Amended on Mar. 23, 2013; Jun. 2, 2017; Jun. 8, 2018; Jun. 14, 2022>*

(2) Upon receipt of an application for authorization for the completion of a dam construction project under paragraph (1), the Minister of Environment shall examine whether the dam has been constructed in accordance with the implementation plan for constructing the dam, and shall issue the applicant with a certificate of authorization for the completion of the dam construction project prescribed by Ordinance of the Ministry of Environment, if he or she deems that the dam has been constructed in accordance with the implementation plan for constructing the dam. *<Amended on Mar. 23, 2013; Jun. 8, 2018; Jun. 14, 2022>*

[Moved from Article 14; previous Article 15 moved to Article 17 *<Jun. 14, 2022>*]

Article 16 (Application for Approval for Use of Dam Prior to Publicly Notifying Completion of Dam Construction Projects)

(1) Where the implementer of a dam construction project, who is neither the Minister of Environment nor a Mayor/Do Governor, intends to obtain approval for the use of the dam prior to publicly notifying the completion of the dam construction project under the proviso of Article 16-2 (2) of the Act, the implementer shall determine the scope of the use of the dam and submit an application for approval for the use of the dam prior to publicly notifying the completion of the dam construction project to the Minister of Environment (referring the relevant Mayor/Do Governor, if the head of a Si/Gun is the implementer of a dam construction project; hereafter in this Article the same shall apply), along with a written review of whether such use adversely affects the implementation of the project, as prescribed by Ordinance of the Ministry of Environment. *<Amended on Jun. 8, 2018; Jun. 14, 2022>*

(2) Upon receipt of an application for approval for use under paragraph (1), the Minister of Environment shall examine the urgency, appropriateness, etc. of use; and where the Minister approves such use, he or she shall issue the applicant with a certificate of approval for the use of the dam prior to publicly notifying the completion of the dam construction project prescribed by Ordinance of the Ministry of Environment. *<Amended on Jun. 8, 2018>*

[Moved from Article 14-2; previous Article 16 moved to Article 5 *<Jun. 14, 2022>*]

Article 17 (Scope of Public Facilities)

The scope of the public facilities referred to in Article 17 (5) of the Act shall be as follows: *<Amended on Jun. 2, 2017; Dec. 16, 2021; Jun. 14, 2022>*

1. Roads;
2. Rivers;
3. Embankments;
4. Ditches;
5. Retarding reservoirs;
6. Waterworks and sewerage systems;
7. Utility tunnels (referring to facilities established underground to accommodate utility lines such as electricity, gas, and water, communications facilities, sewerage facilities, and other underground buried structures all together);
8. Parks;
9. Railroads;
10. Facilities for preventing mining damage from active mines, inactive mines, and abandoned mines under subparagraph 3 of Article 11 of the Mining Damage Prevention and Restoration Act.

[Moved from Article 15; previous Article 17 moved to Article 6 <Jun. 14, 2022>]

Article 18

[Previous Article 18 moved to Article 7 <Jun. 14, 2022>]

SECTION 2 Special Cases concerning Construction and Management of Multipurpose Dams

Article 19 (Scope of Costs of Multipurpose Dam Construction)

The scope of the costs of constructing a multipurpose dam under Article 20 of the Act shall be costs and expenses necessary to construct the multipurpose dam, which include the construction cost, expenses for compensation, survey and design and administrative expenses, interest payable on loans borrowed during the construction period, and the cost of the projects on the improvement of dam environs which shall be borne by the implementer of the dam construction project under Article 42 (2) of the Act.

Article 20 (Costs of Multipurpose Dam Construction to Be Borne by Grantees of Dam Usage Rights)

(1) The costs of constructing a multipurpose dam which shall be borne by the grantees of dam usage rights under Article 20 (1) of the Act, shall be calculated by applying the separable costs-remaining benefits method specified in subparagraph 1 of attached Table 1: Provided, That if it is deemed significantly unreasonable to apply the separable costs-remaining benefits method, the Minister of Environment may use the alternative justifiable expenditure method, the priority expenditure method, or the priority alternative justifiable expenditure method specified in subparagraphs 2 through 4 of attached Table 1 to calculate the construction cost, in consultation with the heads of the relevant administrative agencies.

<Amended on Mar. 23, 2013; Jun. 8, 2018>

(2) Detailed matters necessary for the methods of determining the amount to be borne by a grantee of dam usage rights under paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment. <Amended on Mar. 23, 2013; Jun. 8, 2018>

Article 21 (Method of Paying Contributions)

(1) A grantee of dam usage rights shall pay the contribution under Article 20 (1) of the Act in annual installments during the dam construction period according to the payment method determined by the Minister of Environment. <Amended on Mar. 23, 2013; Jun. 8, 2018>

(2) Upon completing a multipurpose dam construction, the Minister of Environment shall settle the contribution paid by a grantee of dam usage rights under paragraph (1), without delay. <Amended on Mar. 23, 2013; Jun. 8, 2018>

(3) The rate of the interest payable on the contribution to be returned under the main clause of Article 20 (4) of the Act shall be specified by Ordinance of the Ministry of Environment, based upon the interest rate that the banks defined in the Banking Act apply to time deposits maturing in one year. <Amended on Mar. 23, 2013; Jun. 8, 2018>

Article 22 (Interest for Period of Suspension of Returning Contribution)

@Article 21 (3) shall apply mutatis mutandis to the interest for the period of suspension of returning the contribution under Article 20 (5) of the Act.

Article 23 (Cost-Bearing by Local Governments)

(1) When the Minister of Environment intends to require a local government to bear a portion of the cost necessary for constructing a multipurpose dam under Article 22 of the Act, he or she shall give written payment notice to the head of the local government, specifying the amount of the cost to be borne, the grounds for calculating the amount to be borne, the deadline for payment, etc. <Amended on Mar. 23, 2013; Jun. 8, 2018>

(2) When the Minister of Environment intends to require a local government to bear a portion of the cost necessary for constructing a multipurpose dam under paragraph (1), he or she shall seek the opinion of the local government that is expected to bear the cost. <Amended on Mar. 23, 2013; Jun. 8, 2018>

Article 24 (Method of Calculating Beneficiary Contributions)

(1) Deleted. <Jun. 2, 2017>

(2) The beneficiary contributions under Article 23 of the Act shall be 50 percent of the expected increased profit of each electricity generation business entity as a result of constructing a multipurpose dam (referring to the expected increased profit during the period equivalent to the dam construction period after completing the dam construction), but the total amount of the contributions to be paid by each beneficiary shall not exceed 1/2 of the cost of construction works for constructing the dam.

(3) The Minister of Environment shall collect the contributions under paragraph (2) in annual installments during the dam construction period. <Amended on Mar. 23, 2013; Jun. 8, 2018>

(4) When the Minister of Environment determines and imposes a beneficiary contribution, he or she shall notify the person who shall pay the contribution under Article 23 (1) of the Act, of the amount of contribution, the place for payment, and the deadline for payment. <Amended on Mar. 23, 2013; Jun. 8, 2018>

Article 24-2 (Method of Paying Beneficiary Contributions)

(1) The beneficiary contributions under Article 23 of the Act may be paid in cash or by credit card, debit card, etc. (hereinafter referred to as "credit card, etc.") through either of the following institutions (hereinafter referred to as "payment service provider"): <Amended on Jun. 8, 2018>

1. The Korea Financial Telecommunications and Clearings Institute established pursuant to Article 32 of the Civil Act with permission from the Financial Services Commission;
2. The institution designated and publicly notified by the Minister of Environment, based upon such considerations as facilities, the capability of performing services, and the amount of capital, among institutions providing services for payment by credit card, etc. through information and communications networks.

(2) When a beneficiary contribution under paragraph (1) is paid by credit card, etc., the date of authorization by the payment service provider shall be deemed the date of payment of the beneficiary contribution.

(3) The Minister of Environment may revoke the designation of the payment service provider under paragraph (1) 2, if it falls under any of the following cases; and in such cases, the Minister of Environment shall give public notice of the revocation of such designation in the Official Gazette: <Amended on Jun. 8, 2018>

1. Where it is deemed impracticable for the payment service provider to continue to perform its obligation to provide payment services for beneficiary contributions in a normal condition, due to shrinkage of its facilities, a reduction of capital, etc.;
2. Where the payment service provider fails to perform its obligation to provide payment services for beneficiary contributions by credit card, etc. in a normal condition or is found, on any other ground, to have a problem in performing its services.

(4) The payment service provider may charge payment service fees on payers at a rate not exceeding 10/1,000 of each amount paid as the consideration for its payment services by credit card, etc.

(5) The payment service provider shall obtain approval from the Minister of Environment for the payment service fees under paragraph (4). In such cases, the Minister of Environment shall approve payment service fees, comprehensively considering operating expenses, etc. of the payment service provider. <Amended on Jun. 8, 2018>

(6) Except as provided in paragraphs (1) through (5), matters necessary for the payment of beneficiary contributions by credit card, etc. may be determined by the Minister of Environment. <Amended on Jun. 8,

Article 25 (Interest on Returned Beneficiary Contributions or Additional Dues)

"Interest prescribed by Presidential Decree" in the provisions, with the exception of its subparagraphs, of Article 23-2 (3) of the Act means the interest defined in Article 73 of the Enforcement Decree of the State Property Act.

Article 26 (Method of Calculating Charges)

A charge payable by a dam usage right-holder under Article 33 of the Act shall be calculated by subtracting the cost of facilities for exclusive use in attached Table 1 from the justifiable investment amount specified in the same Table.

Article 27 (Depreciation Cost)

The depreciation cost referred to in Article 34 (2) of the Act shall be calculated at a depreciation rate specified in attached Table 2.

Article 28 (Amount of Management Expenses to Be Borne)

(1) The amount of expenses to be borne by a dam usage right-holder for managing a multipurpose dam under Article 36 (2) of the Act shall be calculated by multiplying the management expenses that are computed according to the dam management regulations under Article 7 (1) or (2) of the Act, by the relevant ratio specified in either of the following: Provided, That if the dam management agency and the dam usage right-holder agree on a different ratio, as necessary for appropriately managing the dam, such agreed ratio shall apply: <Amended on Jun. 14, 2022>

1. Where the right to use a dam is granted under Article 24 (1) of the Act: The ratio of the amount payable by the dam usage right-holder under Article 33 of the Act to the cost of constructing the relevant multipurpose dam;
2. Where the right to use a dam is granted under Article 24 (4) of the Act: The ratio of the amount payable by the dam usage right-holder under Article 20 (1) of the Act to the cost of constructing the relevant multipurpose dam.

(2) The dam custodian entrusted with the management of a multipurpose dam under Article 5 (2) of the Act shall calculate expenses incurred in managing the multipurpose dam every year, report such expenses to the Minister of Environment, and then inform the dam usage right-holder thereof. <Amended on Mar. 23, 2013; Jun. 8, 2018; Jun. 14, 2022>

(3) Upon receiving the notice of the amount to be paid under paragraph (2), the dam usage right-holder shall pay the amount to the dam custodian by the payment deadline.

(4) If the amount borne by the dam usage right-holder falls short of expenses incurred in managing the multipurpose dam, the deficit shall be covered by the dam custodian's revenue under Article 45 (4) of the

Act; and if such revenue fails to fully cover the shortfall in expenses incurred in management, the difference shall be borne by the National Treasury.

Article 28-2 (Demands to Pay Contributions)

When the Minister of Environment demands the payment of a contribution, additional dues, or any other payment under Article 37 (1) of the Act, he or she shall issue a payment demand notice within 10 days after the payment deadline. *<Amended on Jun. 8, 2018>*

Article 29 (Granting of Rights to Use Dams to Dam Constructors)

(1) Any person who intends to be granted the right to use a dam under the latter part of Article 38 (1) of the Act shall file an application with the Minister of Environment. *<Amended on Mar. 23, 2013; Jun. 8, 2018>*

(2) Upon receiving an application under paragraph (1), the Minister of Environment shall grant the right to use a dam only if the applicant meets the requirements provided in the subparagraphs of Article 25 of the Act. *<Amended on Mar. 23, 2013; Jun. 8, 2018>*

(3) When the Minister of Environment grants the right to use a dam under paragraph (2), he or she shall clarify the following: *<Amended on Mar. 23, 2013; Jun. 8, 2018>*

1. The purpose of grant;
 2. The highest and lowest levels of stored water to be secured under the right to use the dam and the water storage volume.
- (4) It shall be ensured that the matters clarified under paragraph (3) 2 are sufficient to enable the relevant dam to optimize its utility.

Article 29-2 (Public Notice of Recognition of Multipurpose Dams)

The recognition of a multipurpose dam shall be publicly notified under Article 38 (2) of the Act by publishing such recognition in the Official Gazette.

Article 30 (Subsidies to Dam Constructors)

Any person who intends to be granted a subsidy or who intends to have a loan arranged under Article 38 (3) of the Act shall file an application with the Minister of Environment, together with a project plan and drawings and specifications. *<Amended on Mar. 23, 2013; Jun. 8, 2018>*

CHAPTER III SUPPORT FOR LOCAL RESIDENTS IN DAM CONSTRUCTION AREAS

Article 31 (Support for Persons Not Relocated to Designated Settlements)

(1) The implementer of a dam construction project may pay a relocation and settlement subsidy and a livelihood stabilization subsidy to persons eligible for support under Article 39 of the Act (limited to

persons who reside in the relevant area as at the time the relevant basic plan for constructing the dam is publicly notified). <Amended on Jun. 14, 2022>

(2) "Persons specified by Presidential Decree" in Article 39 of the Act means tenants or owners of a building built with no permission (including buildings built without filing a required report), who have continuously resided in the relevant area since at least three years before the date of publicly notifying the basic plan for constructing a dam. <Amended on Jun. 14, 2022>

(3) The following amounts shall be paid respectively as a relocation and settlement subsidy and a livelihood stabilization subsidy to each household or person eligible for support under paragraph (1):

1. The relocation and settlement subsidy: 20 million won per household;
2. The livelihood stabilization subsidy: 2.5 million won per household member: Provided, That such amount shall not exceed 10 million won per household.

(4) If any person eligible for support under paragraph (1) intends to receive a relocation and settlement subsidy and a livelihood stabilization subsidy, he or she shall file an application for payment with the implementer of the dam construction project at least seven days before the scheduled date of relocation.

Article 32 Deleted. <Jul. 30, 2002>

Article 33 Deleted. <Jul. 30, 2002>

Article 34 Deleted. <Jul. 30, 2002>

Article 35 (Support for Livelihood of Residents Relocated from Areas to Be Submerged)

(1) The head of the local government having jurisdiction over a dam construction area or over an area that benefits from constructing a dam for water supply may take the following measures to support the livelihood of residents relocated from the area to be submerged under Article 40 (3) of the Act:

1. For any person who wishes to change his or her occupation: Providing vocational training programs and job referral services;
2. For any person who wishes to continue farming: Arranging substitute land and providing educational programs for farming.

(2) Pursuant to Article 40 (3) of the Act, the person designated as a dam custodian may take the following measures to support the livelihood of residents relocated from the area to be submerged:

1. Assistance in operating fishing places by utilizing the water and land in the dam reservoir zone (excluding the dam reservoir zone of the area at which facilities for direct water intaking are installed or are planned to be installed for the purpose of conducting waterworks business);
2. Assistance in operating kiosks for selling local products, etc. (limited to cases where operating such kiosks is unlikely to adversely affect the management of the dam);

3. Preferential employment of residents relocated from the area to be submerged.

Article 36 (Dams Subject to Projects on Improvement of Dam Environs)

(1) "Dam that meets or exceeds the criteria prescribed by Presidential Decree" in Article 41 (1) of the Act means either of the following dams:

1. A dam with a water storage area of at least two million square meters;
2. A dam with a total water storage capacity of at least 20 million cubic meters.

(2) The plan for a project on the improvement of dam environs under Article 41 (2) of the Act (hereinafter referred to as "plan for a project on the improvement of dam environs") shall include the following for each type of project under paragraph (4):

1. The purpose and an overview of the project;
2. The project cost and a plan for allocating the project cost to each financial resource;
3. An annual investment plan;
4. Details, the implementation period, and the implementer of the project;
5. Other matters necessary for the project.

(3) The scope of dam environs under Article 41 of the Act (hereinafter referred to as "zone for a project on the improvement of dam environs") shall be as follows:

1. The area within five kilometers from the designed flood water level line of the dam (if no designed flood water level line exists, the regular full water level line);
2. The area within the radius of two kilometers from the power plant at the dam;
3. The area that the Mayor/Do Governor who formulates the plan for a project on the improvement of dam environs determines as necessary for efficiently implementing the project on the improvement of dam environs or for the balanced development of areas, after consulting with the head of the relevant Si/Gun/Gu (the head of a Gu means the head of an autonomous Gu; hereinafter the same shall apply).

(4) The projects to be implemented as projects on the improvement of dam environs under Article 41 of the Act shall be divided into projects for the development of production infrastructure, projects for facilities for welfare and cultural activities, and projects for public facilities; and further details thereof shall be as prescribed in attached Table 3.

Article 37 (Submission of Reports on Implementation of Projects on Improvement of Dam Environs)

(1) The implementer of a project on the improvement of dam environs shall submit annual reports on results of the implementation of the project to the relevant Mayor/Do Governor by January 31 of the following year.

(2) Upon completing a project on the improvement of dam environs, the Mayor/Do Governor who formulated the plan for the project on the improvement of dam environs shall submit the final report on results, including the results of expenditure of the contributions paid by the implementer of the dam construction project and the head of the relevant Si/Gun/Gu under Article 38 (2) to the Minister of

Environment, without delay; and shall inform the implementer of the dam construction project thereof.
<Amended on Mar. 23, 2013; Jun. 8, 2018>

Article 38 (Financial Resources for Projects on Improvement of Dam Environs)

(1) The additional amount referred to in Article 42 (1) of the Act shall be calculated according to the guidelines prescribed in attached Table 4.

(2) 90/100 of the financial resources required for a project on the improvement of dam environs under Article 42 (2) of the Act shall be borne by the implementer of the dam construction project, and 10/100 thereof shall be borne by the head of a Si (in the case of a Special Self-Governing Province, referring to the Special Self-Governing Province Governor; hereinafter the same shall apply) or Gun/Gu (hereinafter referred to as the "head of a Si/Gun/Gu") implementing the relevant project on the improvement of dam environs.

(3) If two or more Sis/Guns or autonomous Gus (hereinafter referred to as "Sis/Guns/Gus") have jurisdiction over a zone for a project on the improvement of dam environs, the head of each Si/Gun/Gu shall pay the contribution under paragraph (2) according to the guidelines prescribed in attached Table 5: Provided, That where the heads of two or more Sis/Guns/Gus need to jointly implement a project, the relevant Mayor/Do Governor may adjust the guidelines for allocating contributions, in consultation with the heads of the Sis/Guns/Gus having jurisdiction over the project zone.

Article 39 (Management of Financial Resources for Projects on Improvement of Dam Environs)

(1) The implementer of a dam construction project and the head of a Si/Gun/Gu shall each pay their portion of the amount under Article 38 (2) and (3) to the Mayor/Do Governor according to the plan for the project on the improvement of dam environs.

(2) Article 38 (3) shall apply mutatis mutandis to the allocation of financial resources to be committed by the implementer of the dam construction project and the head of the Si/Gun/Gu respectively for the project on the improvement of dam environs under Article 42 of the Act.

(3) The Mayor/Do Governor shall set aside the amounts paid by the implementer of the dam construction project and the head of the Si/Gun/Gu as resources for the project on the improvement of dam environs to manage such funds in a separate account and shall disburse them to the head of the Si/Gun/Gu implementing a project on the improvement of dam environs according to the plan for the project on the improvement of dam environs.

Article 40 (Dams Subject to Projects for Supporting Dam Environs)

(1) "Dam specified by Presidential Decree" in Article 43 (1) of the Act means either of the following dams:

1. A dam with a water storage area of at least two million square meters;

2. A dam with a total water storage capacity of at least 20 million cubic meters.
- (2) Projects to be implemented as projects for supporting dam environs under Article 43 (1) of the Act shall be divided into projects for supporting local communities, projects for supporting residents, and other support projects; and further details shall be as prescribed in attached Table 6.
- (3) The implementation period of a project for supporting dam environs under Article 43 of the Act shall begin in the year immediately after the year in which revenue begins to accrue from power generation and from the sale of tap water and industrial water (in cases of a dam for flood control, referring to the year in which the completion of the construction of a dam is publicly notified under Article 16 (1) or (2) of the Act), and shall end in the year in which the dam ceases to function as a dam. *<Amended on Jun. 14, 2022>*
- (4) The implementer of each type of project for supporting dam environs under Article 43 (4) of the Act shall be as specified in the following: Provided, That if a separate agreement is made by and between the following implementers, as necessary to facilitate the implementation of projects for supporting dam environs, such agreement shall apply:
1. A project for supporting local communities: The head of the relevant Si/Gun/Gu;
 2. A project for supporting residents and other support projects: The dam management agency or dam custodian.

Article 41 (Formulation of Project Plans for Supporting Dam Environs)

(1) The scope of the area, for which a project plan for supporting dam environs under Article 43 (1) of the Act (hereinafter referred to as "project plan for supporting dam environs") shall be formulated (hereinafter referred to as "project zone for supporting dam environs"), shall be as follows: *<Amended on Nov. 10, 2020>*

1. The area within five kilometers from the designed flood water level line of the dam (if no designed flood water level line exists, the regular full water level line): Provided, That in cases of a plan for a project subsidized with fees for the use of water stored in the dam, the area within the jurisdiction of the relevant Special Self-Governing Province or Si/Gun/Gu;
2. The area within the radius of two kilometers from the power plant at the dam;
3. The area that the council for projects for supporting dam environs under Article 42 determines as necessary for an efficient implementation of projects for supporting dam environs and for the balanced development of local communities;
4. The area that the dam management agency or dam custodian determines as necessary among the following areas:
 - (a) The areas in which fishery operations have suffered loss due to flood water discharged through artificial spillways from the dam;
 - (b) The settlement area of residents relocated from the area to be submerged;
 - (c) Other areas that need support as being directly affected by the construction and operation of the dam.

(2) A project plan for supporting dam environs shall include the following:

1. The purpose of the project;
2. An overview of the project;
3. A quarterly financing plan (including the amounts of contribution to be paid quarterly by the dam management agency, the dam usage right-holder, or the waterworks business entities supplying tap water or industrial water from the dam; and the time to pay such amounts);
4. A plan for investment in each project;
5. The implementation period, implementer, and details of each project;
6. Other matters necessary for the project.

(3) A dam management agency or a dam custodian shall hear the opinions of residents in dam environs and formulate the next year's project plan for supporting dam environs by October 10 of each year, and shall finalize the plan by November 10 of the same year through deliberation by the council for projects for supporting dam environs under Article 42. <Amended on Jun. 2, 2017; Nov. 10, 2020>

(4) When a project plan for supporting dam environs is finalized, the dam management agency or dam custodian shall, without delay, notify the plan to the Mayor/Do Governor having jurisdiction over the dam environs and the head of a Si/Gun/Gu implementing the project for supporting dam environs, and shall submit the plan to the Minister of Environment. <Amended on Mar. 23, 2013; Jun. 8, 2018; Nov. 10, 2020>

(5) Paragraphs (1) through (4) shall apply mutatis mutandis to amendments to a project plan for supporting dam environs: Provided, That the deliberation by the council for projects for supporting dam environs under paragraph (3) may be omitted in any of the following cases:

1. Reducing or extending the originally planned project period by up to six months;
2. Increasing or decreasing the originally planned project area by up to 10/100;
3. Modifying details of the project within the scope of purposes of the project.

Article 42 (Council for Projects for Supporting Dam Environs)

(1) In order to discuss the following matters regarding projects for supporting dam environs under Article 43 of the Act, a council for projects for supporting dam environs (hereinafter referred as "council for support projects") shall be established for each dam for which a project for supporting dam environs shall be implemented:

1. A project plan for supporting dam environs;
2. Distribution of subsidies for projects for supporting dam environs under Article 44;
3. Other matters that the chairperson of a council for support projects requests to discuss as he or she deems necessary.

(2) The Vice Governor of the Special Self-Governing Province or the deputy head of the Si/Gun/Gu, having jurisdiction over a project zone for supporting dam environs, shall serve as the chairperson of the council for support projects; and members of the council shall consist of the following persons: Provided, That if a project zone for supporting dam environs is within the jurisdiction of two or more Sis/Guns/Gus,

the deputy head of the Si/Gun/Gu having jurisdiction over the largest part of the project zone for supporting dam environs shall serve as the chairperson of the council for support projects:

1. One person appointed by the head of each local council, from among members of the local council of the relevant Special Self-Governing Province or Si/Gun/Gu, having jurisdiction over the project zone for supporting dam environs;
 2. One person appointed by the head of the dam management office, from among employees of the dam management office;
 3. One person appointed by the head of each local government, from among public officials of the City/Do or Si/Gun/Gu, having jurisdiction over the project zone for supporting dam environs;
 4. One person appointed by the head of each office of education having jurisdiction over the project zone for supporting dam environs, from among public officials of the office of education;
 5. Not more than four persons commissioned by the chairperson of the council for support projects, from among persons who have abundant experience in the development of local communities or public health and welfare or persons who can represent residents, such as the heads of a Tong/Ri.
- (3) The term of office of each council member under paragraph (2) 5 shall be three years.
- (4) The chairperson shall represent the council for support projects, convene meetings of the council, and preside over such meetings: Provided, That if the chairperson is unable to perform his or her duties due to any unavoidable cause or reason, the council member designated by the chairperson shall act on behalf of the chairperson.
- (5) A majority of the current members shall constitute a quorum, and any resolution thereof shall require the concurring vote of a majority of those present.
- (6) A council for support projects shall have one executive secretary who shall be appointed by the chairperson of the council for support projects, from among employees of the dam management office recommended by the head of the dam management office.
- (7) Allowances may be paid to council members who attend a meeting, within budgetary limits: Provided, That the same shall not apply where a council member appointed from among public officials attends a meeting in direct connection with his or her duties.

Article 43 (Submission of Reports on Results of Implementation of Projects for Supporting Dam Environs)

- (1) The implementer of a project for supporting dam environs shall submit a biannual report on the implementation of the project to the dam management agency or dam custodian within 20 days after the end of each half year.
- (2) A dam management agency or dam custodian shall submit an annual report on results of the implementation of projects for supporting dam environs for the relevant year to the Minister of Environment by the end of February of the following year. *<Amended on Mar. 23, 2013; Jun. 8, 2018>*

Article 44 (Calculation and Distribution of Subsidies for Projects for Supporting Dam Environs)

- (1) A subsidy for a project for supporting dam environs under Article 44 of the Act (hereinafter referred to as "subsidy") shall be calculated according to the guidelines prescribed in attached Table 7.
- (2) A dam management agency or dam custodian shall distribute the subsidy calculated under paragraph (1) to the head of each Si/Gun/Gu having jurisdiction over a project zone for supporting dam environs, according to the guidelines prescribed in attached Table 8.

Article 45 (Granting of Subsidies for Projects for Supporting Dam Environs)

- (1) When the implementer of a project for supporting dam environs intends to receive a subsidy distributed under Article 44, such implementer shall apply for the payment of the fund required quarterly according to the project plan for supporting dam environs with the dam management agency or dam custodian managing financial resources for financing projects for supporting dam environs, at least 10 days before the beginning of each quarter.
- (2) Upon receiving an application under paragraph (1), a dam management agency or dam custodian shall grant the subsidy to the applicant within 10 days after the beginning of each quarter.
- (3) The implementer of a project for supporting dam environs shall manage the subsidies granted under paragraphs (1) and (2) in a separate account.

Article 45-2 (Implementation of Projects for Supporting Dam Environs)

- (1) Except as provided in Articles 40 through 45, the Minister of Environment may determine and publicly notify details necessary to implement a project for supporting dam environs, such as the formulation of a project plan for supporting dam environs and the application for and provision of subsidies.
- (2) Where the Minister of Environment intends to give public notice under paragraph (1), he or she shall hear the opinion of the implementer of a project for supporting dam environs in advance under Article 40 (4).

[Previous Article 45-2 moved to Article 45-3 <Dec. 16, 2021>]

Article 45-3 (Creation of Environment-Friendly Spaces in Dam Environs)

When the head of a Si/Gun/Gu intends to implement a project for creating environment-friendly spaces in multipurpose dam environs pursuant to Article 44-2 (1) of the Act, he or she shall submit a project plan including the following matters, to the dam management agency:

1. The name of the project;
2. The purpose and an overview of the project;
3. The location and area of the project site;
4. The project implementation period;

5. A financing plan;

6. Analysis of the impact of implementing the project on water quality and measures for reducing damage to the environment.

[Moved from Article 45-2 <Dec. 16, 2021>]

CHAPTER IV SUPPLEMENTARY PROVISIONS

Article 46 (Dispositions That May Be Made by Dam Custodians)

(1) Where managing a dam is entrusted under the proviso of Article 45 (1) of the Act, a dam custodian may make dispositions, etc. provided in the subparagraphs of Article 45 (1) of the Act (excluding those delegated to a Mayor/Do Governor under Article 48 (2)), subject to hearings thereon under Article 47 of the Act.

(2) When a dam custodian intends to make a disposition, etc. under paragraph (1), he or she shall have a prior consultation with the heads of the following relevant administrative agencies under Article 45 (2) of the Act: <Amended on Nov. 10, 2020>

1. Permission to use water from a river, among the dispositions referred to in Article 45 (1) 1 of the Act: The head of the competent flood control office;
2. A disposition under Article 45 (1) 4 of the Act or subparagraph 5 (b) of that paragraph: The head of the competent Si/Gun/Gu;
3. Other dispositions: The head of the management agency for a river where a dam is constructed (hereinafter referred to as "river management agency") and the head of the competent regional environmental agency.

Article 47 (Collection of Rents or Usage Charges by Dam Custodians for Occupancy or Use of River)

(1) Where a dam custodian collects rents or usage charges for a river under Article 45 (4) of the Act, he or she shall collect the full amount of such rents or usage charges for each year in advance: Provided, That where occupancy or usage is permitted for cultivation, rents or usage charges may be collected by June 30 of the following year, and in special circumstances, rents or usage charges may be collected in quarterly installments after the commencement of occupancy or use.

(2) Rents or usage charges under paragraph (1) shall be calculated according to the guidelines prescribed in attached Table 9.

(3) Matters necessary for the procedures, etc. for collecting rents or usage charges under paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment. <Amended on Mar. 23, 2013; Jun. 8, 2018>

(4) A dam custodian shall appropriate rents or usage charges collected under paragraph (1) for expenses for managing the multipurpose dam under Article 28 (4), and shall transfer the remainder, if any, to the National Treasury.

Article 48 (Delegation of Authority)

(1) The authority of the Minister of Environment over the following matters shall be delegated to the head of each regional environmental agency pursuant to Article 48 (1) of the Act: <Amended on Mar. 23, 2013; Jun. 2, 2017; Jun. 8, 2018; Nov. 10, 2020; Jun. 14, 2022>

1. Formulation, approval, modification, abolition, public notice, and notification of an implementation plan for constructing a dam under Article 12 (1) through (4) of the Act;
2. Authorization for the completion of a project and issuance of a certificate of authorization for the completion of a project under Article 16 (2) of the Act and public notice of the matters specified in the subparagraphs of Article 16 (1) of the Act;
3. Approval for the use of a dam prior to publicly notifying the completion of a dam construction project under the proviso of Article 16-2 (2) of the Act;
4. The following authority among the authority over management of State property related to dams:
 - (a) Determination on contributed acceptance under Article 13 of the State Property Act;
 - (b) Removal of illegal facilities or other necessary measures under Article 74 of the State Property Act;
 - (c) Approval, etc. for excavating buried articles under Article 4 of the Regulations on Excavation of Articles Buried in State Property;
5. Imposition and collection of administrative fines under Article 53 of the Act (excluding dams built by a Mayor/Do Governor).

(2) The authority of the Minister of Environment over the following matters shall be delegated to a Mayor/Do Governor pursuant to Article 48 (1) of the Act: <Amended on Mar. 23, 2013; Jun. 2, 2017; Jun. 8, 2018; Nov. 10, 2020>

1. Permission to operate a vessel under Article 35 (1) 3 of the Enforcement Decree of the River Act, permission to do waterside activities for the purposes of water-related leisure business under Article 35 (1) 5 of the same Decree, and the permission under Article 33 (1) 3 and 4 of the River Act (limited to facilities for berthing or mooring vessels) in conjunction with permission to do aforesaid activities, among matters subject to the authority under Article 45 (1) 1 of the Act;
2. Dispositions made under Article 45 (1) 2 of the Act and subparagraph 5 (a) of the same paragraph in relation to the permission under subparagraph 1 and hearings held under Article 47 of the Act regarding such dispositions;
- 2-2. Authority under Article 45 (1) 3 of the Act;
3. Imposition and collection of administrative fines under Article 53 of the Act (limited to dams built by a Mayor/Do Governor).

(3) Where the head of a regional environment agency or a Mayor/Do Governor intends to exercise his or her authority over a matter referred to in the subparagraphs of paragraph (1) or (2), he or she shall seek an opinion from the dam custodian or the implementer of the dam construction project. <Amended on Jun. 8,

Article 48-2 (Entrustment of Business Affairs)

(1) Pursuant to Article 48 (2) of the Act, the Minister of Environment shall entrust the following business affairs, among those regarding the administration of State property related to dams, to the Korea Water Resources Corporation: <Newly Inserted on Nov. 10, 2020>

1. Administration of State property under Article 8 (3) of the State Property Act;
2. Public announcement related to acquisition of ownerless real estate and management of applications, etc. for registration of ownership under Article 12 of the State Property Act;
3. Receipt and management of statements of contributed acceptance under Article 13 of the State Property Act and Article 8 of the Enforcement Decree of that Act;
4. Registration and recording of acquired property and other necessary measures under Article 14 of the State Property Act;
5. Consultation on administrative conversion under Article 16 of the State Property Act, and transfer of documents related to decisions on administrative conversion and records of the relevant property under Article 11 of the Enforcement Decree of that Act;
6. Consultation on affairs regarding designation by the office of general administration of the head of the central government agency having jurisdiction over State property which is not under the jurisdiction of any head of a central government agency or of which the head of a central government agency having the jurisdiction is not obvious under Article 24 of the State Property Act;
7. Permission and approval for the use of State property under Article 30 of the State Property Act;
8. Collection, etc. of usage fees under Article 32 of the State Property Act;
9. Exemption from usage fees under Article 34 of the State Property Act;
10. Renewal of the period for permission for use under Article 35 of the State Property Act;
11. Cancellation and withdrawal of permission for use, compensation for loss caused by such withdrawal, and notification of the cancellation and withdrawal under Article 36 of the State Property Act;
12. Hearings under Article 37 of the State Property Act;
13. Collection of additional dues under Article 39 of the State Property Act;
14. Transfer of property, the use of which is abolished under Article 40 of the State Property Act;
15. Inspection of the actual status of State property and revision of an administrative registry under Article 66 of the State Property Act;
16. Reporting on destruction or removal under Article 70 of the State Property Act;
17. Collection of indemnities and overdue charges under Articles 72 and 73 of the State Property Act;
18. Consultation on determination and modification of an urban management plan with respect to State Property and on restrictions, etc. on use and preservation under Article 73-2 of the State Property Act;

19. Return of an overpayment or an erroneous payment under Article 75 of the State Property Act;
 20. Consultation on gratuitous transfer or gratuitous reversion to the implementer of a public facility project under other statutes.
- (2) A Mayor/Do Governor or the head of a Si/Gun shall entrust the following business affairs to the Korea Water Resources Corporation pursuant to Article 48 (2) of the Act: <Amended on Nov. 10, 2020>
1. Surveys on constructing dams;
 2. Research related to dams;
 3. Implementation of dam construction projects;
 4. Designing of dams.
- (3) Pursuant to Article 48 (2) of the Act, the Minister of Environment may authorize the Korea Water Resources Corporation to perform the business affairs referred to in paragraph (2) on his or her behalf. <Amended on Mar. 23, 2013; Jun. 8, 2018; Nov. 10, 2020>

Article 48-3 (Re-Examination of Regulation)

The Minister of Environment shall examine the appropriateness of the following matters every two years counting from each base date specified in the following (referring to the period that ends on the day before the base date of every second year) and shall take measures, such as making improvements: <Amended on Jun. 8, 2018>

1. Minor matters under Article 12 (2): January 1, 2015;
2. Formulation, etc. of implementation plans for constructing dams under Article 13: January 1, 2015;
3. Deleted. <Nov. 10, 2020>

CHAPTER V PENALTY PROVISIONS

Article 49 (Criteria for Imposing Administrative Fines)

Criteria for imposing administrative fines under Article 53 (1) of the Act shall be as prescribed in attached Table 10.

ADDENDA <Presidential Decree No. 16756, Mar. 13, 2000>

Article 1 (Enforcement Date)

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

Article 2 (Repeal of Other Statutes or Regulations)

The Enforcement Decree of the Specific Multi-Purpose Dams Act shall be hereby repealed.

Article 3 (Special Cases concerning Subsidies for Relocation and Settlement for Dams for Tap Water and Industrial Water under Construction)

For the purposes of applying Article 31 to any dam for tap water and industrial water under construction under any statute or regulation other than the previous Specific Multi-Purpose Dams Act as at the time

this Decree enters into force, the date of publicly notifying the implementation plan for the dam shall be deemed the date of designation and publicly notifying the area where constructing a dam is planned.

Article 4 (Special Cases concerning Projects for Improving Environs of Multipurpose Dams under Construction)

(1) The Minister of Land, Infrastructure and Transport may determine matters regarding the timing for formulating plans for projects on the improvement of dam environs implemented under Article 7 (3) of the Addenda to the Act and periods for implementing such projects. In such cases, the Minister of Land, Infrastructure and Transport shall pre-consult with Mayors/Do Governors.

(2) The contribution payable by the implementer of a dam construction project under Article 38 (2), among financial resources required for projects on the improvement of dam environs implemented under Article 7 (3) of the Addenda to the Act, shall not be included in calculating the cost of constructing a multipurpose dam to be borne by a grantee of dam usage rights under Article 20 of the Act.

Article 5 (Special Cases concerning Projects for Improving Environs of Dams for Tap Water and Industrial Water under Construction)

The Minister of Land, Infrastructure and Transport may determine matters regarding the timing for formulating plans for projects on the improvement of dam environs implemented under the proviso of Article 9 of the Addenda to the Act and periods for implementing such projects. In such cases, the Minister of Land, Infrastructure and Transport shall pre-consult with the relevant Mayors/Do Governors.

Article 6 Omitted.

Article 7 (Relationship to Other Statutes or Regulations)

A reference to the previous Enforcement Decree of the Specific Multi-Purpose Dams Act or to any provisions thereof by other statutes or regulations in force as at the time this Decree enters into force shall be deemed a reference to this Decree or to the relevant provisions of this Decree, if such corresponding provisions exist herein.

ADDENDA <Presidential Decree No. 17137, Feb. 24, 2001>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Presidential Decree No. 17302, Jul. 14, 2001>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 17696, Jul. 30, 2002>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Payment of Subsidies for Relocation and Settlement)

The amended provisions of Article 31 (1) and (3) shall begin to apply to the first dam for which the basic plan under Article 7 of the Act is formulated and publicly notified on and after January 1, 2001.

Article 3 (Applicability to Scope of Projects for Supporting Dam Environs)

The amended provisions of Articles 40 through 42 and 44 and attached Tables 7 and 8 shall begin to apply to the first project for supporting dam environs implemented on and after January 1, 2003.

Article 4 (Applicability to Details and Financial Resources for Projects on Improvement of Dam Environs)

(1) The amended provisions of attached Table 4 regarding details of projects on the improvement of dam environs shall also apply to the projects on the improvement of dam environs already being implemented as at the time this Decree enters into force.

(2) The amended provisions of attached Tables 5 and 6 regarding the guidelines for allocating financial resources for projects on the improvement of dam environs shall begin to apply to the first dam for which a basic plan under Article 7 of the Act is formulated and publicly notified on and after January 1, 2001.

Article 5 (Applicability to Amendment of Guidelines for Calculating Rents)

The amended provisions of attached Table 9 concerning the guidelines for calculating rents for the occupancy and use of land shall begin to apply to the first occupancy and use permitted after this Decree enters into force.

Article 6 (Existing Dams Subject to Projects on Improvement of Dam Environs and Formulation of Plans for Such Dams)

(1) The dams for which projects on the improvement of dam environs may be implemented (hereinafter referred to as "eligible dams"), among the dams specified in Article 4 (1) of the Addenda to the amendment to the Act on Construction of Dams and Assistance to Their Environs (Act No. 6587), shall be the dams falling under any subparagraph of Article 36 (1).

(2) The Mayor/Do Governor having jurisdiction over the area where the main body of an eligible dam is located shall formulate a plan for a project on the improvement of dam environs within 10 years from the enforcement date of this Decree, and shall obtain approval thereof from the Minister of Land, Infrastructure and Transport: Provided, That a dam built by a Mayor/Do Governor does not need to obtain approval.

(3) When a Mayor/Do Governor intends to formulate a plan for a project on the improvement of dam environs pursuant to paragraph (2), he or she shall pre-consult with the dam management agency, dam custodian, the head of the relevant Si/Gun/Gu, and the person who shall commit financial resources under paragraph (6).

(4) Article 36 (2) shall apply mutatis mutandis to matters that shall be included in a plan for a project on the improvement of dam environs for an eligible dam.

(5) Article 38 (1) and (2) shall apply mutatis mutandis to the amount of financial resources required for the project for improving environs of an eligible dam and the contribution of financial resources, and Article 38 (3) shall apply mutatis mutandis to the guidelines for allocating financial resources where the zone for a project on the improvement of dam environs is within the jurisdiction of two or more Sis/Guns/Gus.

(6) The cost to be borne by the implementer of a dam construction project for projects on the improvement of dam environs under paragraph (5) shall be borne by the dam management agency, the dam usage right-holder, or the waterworks business entity as follows:

1. In cases of a multipurpose dam, the project cost shall be borne by the dam management agency and the dam usage right-holder respectively, according to the proportions of the amounts borne or paid under Article 20 or 33 of the Act: Provided, That if an agreement is made through negotiations by and between the dam management agency and the dam usage right-holder on different ratios of contributions, such ratios shall apply;

2. In cases of a dam for tap water and industrial water, the project cost shall be borne by the waterworks business entity who uses the water stored in the dam as a source of tap water.

(7) Article 39 shall apply mutatis mutandis to the payment, distribution, management, and granting of financial resources required for a project for improving environs of an eligible dam. In such cases, "implementer of a dam construction project" shall be construed as "dam management agency, dam usage right-holder, or the waterworks business entity".

ADDENDA <Presidential Decree No. 17854, Dec. 30, 2002>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2003.

Articles 2 through 8 Omitted.

ADDENDA <Presidential Decree No. 18457, Jun. 29, 2004>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2004. (Proviso Omitted.)

Articles 2 through 4 Omitted.

ADDENDUM <Presidential Decree No. 18504, Jul. 30, 2004>

(1) (Enforcement Date)

This Decree shall enter into force on July 30, 2004.

(2) (Applicability to Dams Subject to Projects on Improvement of Dam Environs)

The amended provisions of Article 36 (3) and attached Table 6 shall begin to apply to the first dam for which a basic plan is formulated and publicly notified after this Decree enters into force.

(3) (Applicability to Dams Subject to Projects for Supporting Dam Environs)

The amended provisions of Articles 40 through 42, 44, and 45 and attached Tables 7, 8, and 8-2 shall begin to apply to the first project for supporting dam environs implemented on and after January 1, 2005.

(4) (Transitional Measures for Flood Control Dams under Construction)

In regard to flood control dams under construction under other statutes as at the time this Decree enters into force, Articles 36 through 39 shall apply mutatis mutandis to implementing projects on the improvement of dam environs pursuant to the proviso of paragraph (3) of the Addenda to the Act.

ADDENDA <Presidential Decree No. 19503, Jun. 7, 2006>

Article 1 (Enforcement Date)

This Decree shall enter into force on June 8, 2006. (Proviso Omitted.)

Articles 2 through 6 Omitted.

Article 7 (Transitional Measures Following Amendment of the Enforcement Decree of the Act on Construction of Dams and Assistance to Their Environs)

Notwithstanding the amended provisions of Article 31 of the Enforcement Decree of the Act on Construction of Dams and Assistance to Their Environs, as amended under Article 5 (8) of the Addenda, the previous provisions shall apply to areas where constructing dams is planned, which were designated under Article 5 of the previous Act on Construction of Dams and Assistance to Their Environs as at the time this Decree enters into force.

Article 8 Omitted.

ADDENDA <Presidential Decree No. 20722, Feb. 29, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That, the amendments to the Presidential Decrees to be amended pursuant to Article 6 of the Addenda, which were promulgated before this Decree enters into force but the enforcement dates of which have yet to arrive, shall enter

into force on the enforcement date of the relevant Presidential Decree.

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 20763, Apr. 3, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on April 7, 2008.

Articles 2 through 4 Omitted.

ADDENDUM <Presidential Decree No. 21724, Sep. 10, 2009>

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 48 (1) 8 and (2) 3 and Article 49 shall enter into force on October 2, 2009.

ADDENDA <Presidential Decree No. 22493, Nov. 15, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on November 18, 2010.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 22613, Jan. 4, 2011>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Payment of Subsidies for Relocation and Settlement)

The amended provisions of Article 31 (3) shall begin to apply to the first person eligible for the support for dams for which a plan for a project on the improvement of dam environs under Article 41 (2) of the Act is approved after this Decree enters into force.

ADDENDA <Presidential Decree No. 23331, Nov. 30, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on December 1, 2011.

Article 2 (Applicability to Detailed Matters of Projects for Supporting Dam Environs)

The amended provisions of attached Table 6 shall begin to apply to the first project for supporting dam environs implemented on and after January 1, 2012.

Article 3 (Applicability to Amendment of Guidelines for Calculating Rents for Occupancy and Use of Rivers)

The amended provisions of attached Table 9 shall begin to apply to the first occupancy and use permitted after this Decree enters into force.

ADDENDUM <Presidential Decree No. 23911, Jun. 29, 2012>

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

ADDENDA <Presidential Decree No. 24443, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 25840, Dec. 9, 2014>

Article 1 (Enforcement Date)

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

Articles 2 through 16 Omitted.

ADDENDUM <Presidential Decree No. 28096, Jun. 2, 2017>

This Decree shall enter into force on June 3, 2017.

ADDENDA <Presidential Decree No. 28947, Jun. 8, 2018>

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. 31154, Nov. 10, 2020>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 41 (3) shall enter into force on January 1, 2021.

Article 2 (Applicability to Formulation of Project Plans for Supporting Dam Environs)

The amended provisions of Article 41 (3) shall begin to apply to project plans for supporting dam environs formulated on or after the enforcement date prescribed in the proviso of Article 1 of the Addenda.

Article 3 (Applicability to Agencies with Which Dam Custodians Have Consultation on Permission to Use Water from River)

(1) The amended provisions of Article 46 (2) 1 shall begin to apply to applications for permission to use water from a river filed on or after the date this Decree enters into force.

(2) The amended provisions of Article 46 (2) 3 shall begin to apply to dispositions made on or after the date this Decree enters into force.

Article 4 Omitted.

ADDENDA <Presidential Decree No. 32231, Dec. 16, 2021>

Article 1 (Enforcement Date)

This Decree shall enter into force on December 16, 2011.

Article 2 (Applicability to Details of Projects for Supporting Dam Environs)

The amended provisions of attached Table 6 shall begin to apply to projects for supporting dam environs implemented on or after January 1, 2022.

Article 3 (Applicability to Changes in Standards for Calculation of Subsidies for Projects for Supporting Dam Environs)

The amended provisions of attached Table 7 shall begin to apply where subsidies for projects for supporting dam environs are calculated on or after January 1, 2022.

ADDENDA <Presidential Decree No. 32697, Jun. 14, 2022>

Article 1 (Enforcement Date)

This Decree shall enter into force on June 16, 2022.

Article 2 Omitted.

Article 3 (Relationship to Other Statutes or Regulations)

A citation of the previous Enforcement Decree of the Act on Construction of Dams and Assistance to Their Environs or the provisions thereof by other statutes or regulations as at the time this Decree enters into force shall be deemed a citation of this Decree or corresponding provisions thereof in lieu of the previous provisions, if such corresponding provisions exist therein.

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