

AGRICULTURAL AND FISHING VILLAGES IMPROVEMENT ACT

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Act No. 10599, Apr. 14, 2011
Act No. 10833, Jul. 14, 2011
Act No. 10893, Jul. 21, 2011
Act No. 11020, Aug. 4, 2011
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Act No. 11319, Feb. 17, 2012
Act No. 11352, Feb. 22, 2012
Act No. 11501, Oct. 22, 2012
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Act No. 12963, Jan. 6, 2015
Act No. 13383, jun. 22, 2015
Act No. 13499, Aug. 28, 2015
Act No. 13805, Jan. 19, 2016
Act No. 14297, Dec. 2, 2016
Act No. 14480, Dec. 27, 2016
Act No. 14532, Jan. 17, 2017

Act No. 15386, Feb. 21, 2018
Act No. 16070, Dec. 24, 2018
Act No. 16228, Jan. 15, 2019
Act No. 16568, Aug. 27, 2019
Act No. 16542, Aug. 27, 2019
Act No. 16783, Dec. 10, 2019
Act No. 16972, Feb. 11, 2020
Act No. 17171, Mar. 31, 2020
Act No. 18027, Apr. 13, 2021
Act No. 18019, Apr. 13, 2021
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Act No. 18755, Jan. 11, 2022

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to improve and develop agricultural infrastructure, living environments in rural communities, tourism and resort resources and marginal farmland in rural communities comprehensively and systematically; to raise the competitiveness of the agricultural and fisheries industries; and to facilitate the improvement of living environments in rural communities, thereby contributing to the construction of environment-friendly and modern rural communities and balanced national development. <Amended on Dec. 10, 2019>

Article 2 (Definitions)

The terms used in this Act are defined as follows: <Amended on Jul, 14, 2011; Feb. 17, 2012; Jan. 6, 2015; Jun. 22, 2015; Jan. 15, 2019; Feb. 11, 2020>

1. The term "rural community" means a rural community defined in subparagraph 5 of Article 3 of the Framework Act on Agriculture, Rural Community and Food Industry and a fishing village defined in subparagraph 6 of Article 3 of the Framework Act on Fisheries and Fishing Villages Development;
2. The term "quasi rural community" means any area other than a rural community in a Gu, being a local government under the jurisdiction of a Metropolitan City (hereinafter referred to as "autonomous Gu in a Metropolitan City"), which is an agricultural promotion area designated under the Farmland Act

or a development restriction zone designated under the Act on Special Measures for Designation and Management of Development Restriction Zones;

3. The term "rural water" means water used for domestic purposes, agricultural purposes, industrial purposes, and fisheries purposes, and water used for preventing environmental pollution, which are needed in rural areas;

4. The term "rural improvement project" means each of the following:

(a) An agricultural infrastructure improvement project to develop and expand agricultural infrastructure;

(b) A project to improve the living environments in rural communities;

(c) A project to foster rural industries;

(d) A project to develop rural tourism and resort resources;

(e) A project to improve marginal farmland, etc.;

5. The term "agricultural infrastructure improvement project" means the following:

(a) A project to develop rural water;

(b) A project to rehabilitate agricultural infrastructure, such as adjusting arable land, improving drainage, altering and repairing agricultural infrastructure, and dredging;

(c) A project to expand and develop farmland by means of reclamation, filling, land clearing, etc. mainly for agricultural and fisheries industries;

(d) A project to create an agro-production complex and to expand agricultural facilities;

(e) A project to prevent water pollution and improve water quality of lakes, such as reservoirs [*referring to facilities for storing or controlling river water, river zones, coastal areas, etc. for securing rural water, and the surface of water and land at a level below the flood level (the maximum level of river water); hereinafter the same shall apply*] and freshwater lakes, and marshes;

(f) A farmland soil improvement project;

(g) Other projects necessary for developing and using farmland;

6. The term "agricultural infrastructure" means facilities for using underground water, such as reservoirs, pumping stations, and wells; installations, such as drainage stations, diversion weirs (water storage facilities designed to attract irrigation waters into waterways in a river), irrigation channels, drainage channels, puddles, roads (including farm roads, such as agricultural roads referred to in Article 4 of the Act on the Maintenance and Improvement of Road Networks in Agricultural and Fishing Villages; hereinafter the same shall apply), tide embankments, and levees; facilities appurtenant thereto; and agricultural facilities, such as facilities for producing, processing, storing and distributing agricultural or fisheries products, which are built through agricultural infrastructure improvement projects or used for preserving farmland and for agricultural production;

7. The term "safety inspection" means an activity conducted by a person having experience and expertise to examine defects, etc. in agricultural infrastructure either visually or using inspection devices, etc.;

8. The term "full safety examination" means examining, measuring, and assessing the structural safety of a facility, the causes of defects in the facility, etc., and subsequently proposing plans for the repair, reinforcement, etc. of such facility, in order to take prompt and appropriate measures for physical or functional defects found in agricultural infrastructure through a safety inspection;

9. The term "safety control" means all activities for ensuring the safety of agricultural infrastructure, including safety inspections, full safety examinations, maintenance, mending, repair, restrictions on use, and removal;

10. The term "living environment improvement project" means the following projects to comprehensively improve the living environments and to expand residential infrastructure, convenience facilities, welfare facilities, etc. in a rural area and a quasi rural area, and to improve the welfare of farmers, fishermen, etc.:

(a) A project to build a new rural village equipped with grouped rural houses, communal facilities, etc.;

(b) A project to re-develop a rural village in order to rearrange land, houses, etc. in the existing village rationally;

(c) A project to improve scattered villages;

(d) A project to prevent rural water pollution, such as installation of small scale water supply systems, village sewerage (referring to public sewerage installed in each village of rural areas, among public sewerage systems defined in subparagraph 4 of Article 2 of the Sewerage Act), and wastewater and sewage treatment facilities;

(e) A settlement area development project focusing on the development of an area serving as the focal point for residents' living;

(f) A project to improve unoccupied houses (referring to a project to remove, rehabilitate, utilize, and efficiently manage unoccupied houses and the like);

(g) A project to supply and manage rental houses to rural areas;

(h) A project to improve and expand national territory conservation facilities, such as erosion control and afforestation;

(i) A project to rehabilitate rural houses (referring to construction, expansion, remodeling, and substantial repair; hereinafter the same shall apply);

(j) A project to dismantle, remove, and dispose of slate (referring to slate containing asbestos; hereinafter the same shall apply) from installations, such as rural houses and communal facilities;

(k) Other projects necessary for improving the living environments in rural areas and quasi rural areas;

11. The term "rural house" means a building (including structures and land appurtenant thereto) located in a rural area or quasi rural area, which has a structure of enabling a long-term independent dwelling;

12. The term "unoccupied house" means a rural house or building unoccupied or unused by anyone for at least one year as of the date the head of a Si (referring to the Special Self-Governing City Mayor in

cases of the Special Self-Governing City and a Special Self-Governing Province Governor in cases of a Special Self-Governing Province; hereinafter the same shall apply), Gun, or Gu (the head of a Gu refers to the head of an autonomous Gu in a Metropolitan City; hereinafter the same shall apply) has verified that the rural house or building was inhabited or used;

13. The term "village improvement zone" means a zone designated and publicly notified pursuant to Article 101 to implement a rural improvement project comprehensively and systematically in a rural area or quasi rural area;

14. The term "substitute lot" means a newly improved lot designated in replacement of a pre-project lot by implementing a rural improvement project;

15. The term "rural industry" means manufacturing industries, such as food processing, and service industries, such as cultural tourism, which utilize the tangible and intangible resources of rural areas, such as specialties, traditional culture, and landscape;

16. The term "rural tourism and resort business" means the following:

(a) Rural tourism and resort complex business: Business of having exhibition halls, education halls, local specialty sales facilities, sports facilities, youth training facilities, resort facilities, etc. and enabling people to use them, or of providing accommodation facilities such as resort condominiums, meals, etc., utilizing the pleasant natural environment, specialties, etc. of rural areas;

(b) Tourist farm business: Business of providing local specialty sales facilities, agricultural experience facilities, sports facilities, resort facilities, accommodation facilities, meals or services, or of having other annexed facilities and enabling people to use them, utilizing the natural resources and agro-fishery infrastructure of rural areas;

(c) Weekend farm business: Business of leasing farmland or providing services to those who desire to participate in weekends farming and farming experience and of having other annexed facilities and enabling people to use them;

(d) Rural bed and breakfast business: Business of providing accommodations, cooking facilities, breakfast, etc. to guests, using houses owned and inhabited by residents of rural areas or quasi rural areas, for the purpose of boosting the income of rural areas;

17. The term "marginal farmland" means farmland which meets the criteria prescribed by Presidential Decree and has a low productivity due to unfavorable farming conditions, among farmland located outside an agriculture promotion area designated under Article 28 of the Farmland Act;

18. The term "project to improve marginal farmland, etc." means a project to develop marginal farmland in rural areas, surrounding mountainous areas, and other land (hereinafter referred to as "marginal farmland, etc.") into land used for agriculture, forestry, and fisheries, land for tourism and resort resources, land for multipurpose, etc.

CHAPTER II SURVEY AND UTILIZATION OF RESOURCES TO IMPROVE RURAL COMMUNITIES

Article 3 (Resource Survey)

- (1) The Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries may survey resources necessary for using and developing land, villages and waters adjacent to the coast in order to improve rural communities. *<Amended on Mar. 23, 2013; Feb. 11, 2020>*
- (2) Resource surveys to improve rural communities shall be conducted for rural areas.
- (3) Items of resource surveys, scope of waters adjacent to the coast and other necessary matters shall be prescribed by Presidential Decree. *<Amended on Feb. 11, 2020>*

Article 4 (Comprehensive Plan for Improving Rural Communities)

- (1) The Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries shall formulate a comprehensive plan for improving rural communities in consultation with the heads of relevant Ministries in order to develop and improve agricultural infrastructure, living environments in rural communities, rural industries, rural tourism and resort resources, marginal farmland, etc. based on the findings from the resource survey conducted under Article 3. *<Amended on Mar. 23, 2013>*
- (2) The comprehensive plan for improving rural communities referred to in paragraph (1) shall be formulated in accordance with the plan to develop agriculture, rural communities and the food industry referred to in Article 14 of the Framework Act on Agriculture, Rural Community and Food Industry and the master plan to develop fisheries and fishing villages referred to in Article 7 of the Framework Act on Fisheries and Fishing Villages Development and shall include the following: *<Amended on Mar. 23, 2013; Jun. 22, 2015>*
 1. Objectives of, and basic direction-setting for, policies of rural improvement projects;
 2. Current state of target areas;
 3. Details of major rural improvement projects;
 4. Estimated project cost.
- (3) The head of a local government shall utilize the findings from the resource survey conducted under Article 3, if he or she intends to formulate, supplement or develop a regional development plan.

Article 5 (Preservation and Management of Rural Landscapes)

- (1) The Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries may formulate and implement basic policies for preserving, creating, and managing landscapes (hereinafter referred to as "rural landscape management") in order to implement rural improvement projects in consideration of the characteristics of rural areas. *<Amended on Mar. 23, 2013>*
- (2) The implementer of a rural improvement project may formulate and implement a plan for managing rural landscapes (hereinafter referred to as "rural landscape management plan") in the target areas of the rural improvement project, as prescribed by Presidential Decree.

(3) Residents in a rural community or other interested persons may propose the formulation of a rural landscape management plan to the implementer of the relevant rural improvement project, and the implementer in receipt of the proposal shall notify the proposer of the results of the processing such proposal.

(4) Except as provided in paragraph (3), the proposal of rural landscape management plans, the processing of proposals and other necessary matters shall be prescribed by Presidential Decree.

CHAPTER III IMPROVEMENT OF AGRICULTURAL INFRASTRUCTURE

SECTION 1 Implementation of Agricultural Infrastructure Improvement Project

Article 6 (Principles of Implementing Agricultural Infrastructure Improvement Projects)

Agricultural infrastructure improvement projects shall be performed comprehensively and systematically considering the following matters in order to raise agricultural productivity by efficiently utilizing farmland, rural water, and other resources: *<Amended on Dec. 10, 2019; Feb. 11, 2020>*

1. Soil quality, earth, gradient, and climate of the area in which the relevant project is implemented and disaster prevention in the area;
2. Cultivated crops;
3. Economic feasibility and rural landscapes;
4. Consent of persons holding rights in land referred to in Article 9 (3);
5. Building environment-friendly agricultural infrastructure.

Article 7 (Agricultural Infrastructure Improvement Plan and Survey of Prearranged Areas)

(1) The Minister of Agriculture, Food and Rural Affairs shall formulate and implement an agricultural infrastructure improvement plan by region and type, such as rice farming, dry-field farming and greenhouse farming, based on the findings from the resource survey conducted under Article 3 and the comprehensive plan for improving rural communities formulated under Article 4. *<Amended on Mar. 23, 2013>*

(2) The Minister of Agriculture, Food and Rural Affairs shall conduct a survey in the relevant prearranged area in accordance with the agricultural infrastructure improvement plan formulated under paragraph (1), if: *<Amended on Mar. 23, 2013>*

1. A person who intends to implement an agricultural infrastructure improvement project applies;
2. The Minister of Agriculture, Food and Rural Affairs recognizes the necessity of the agricultural infrastructure improvement project.

Article 8 (Formulation of Master Plan for Agricultural Infrastructure Improvement Projects)

(1) If an agricultural infrastructure improvement project is determined feasible based on the findings from the survey of the prearranged areas conducted under Article 7 (2), the Minister of Agriculture, Food and Rural Affairs shall conduct a basic survey of the relevant area and shall formulate a master plan for the agricultural infrastructure improvement project: Provided, That the following persons shall conduct a basic survey and formulate a master plan for the agricultural infrastructure improvement project with respect to a project for adjusting arable land, improving drainage, mending and repairing agricultural infrastructure, and dredging referred to in subparagraph 5 (b) of Article 2: <Amended on Mar. 23, 2013; Jan. 15, 2019>

1. Where the project area is located in one Metropolitan City, Special Self-Governing City, Do, or Special Self-Governing Province (hereinafter referred to as "City/Do"): The competent Metropolitan City Mayor, Special Self-Governing City Mayor, Do Governor, or Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor");

2. Where the project area spans at least two Cities/Dos: The Mayor/Do Governor designated by the Minister of Agriculture, Food and Rural Affairs in consultation with the competent Mayors/Do Governors.

(2) Notwithstanding paragraph (1), the basic survey may be omitted for any agricultural infrastructure improvement project prescribed by Presidential Decree and not exceeding the specified scale, among those determined feasible based on the findings from the survey of the prearranged areas conducted under Article 7 (2).

Article 9 (Formulation of Implementation Plan for Agricultural Infrastructure Improvement Project)

(1) The Minister of Agriculture, Food and Rural Affairs or a Mayor/Do Governor shall designate the implementer of each agricultural infrastructure improvement project, which is determined feasible and included in the master plan for agricultural infrastructure improvement projects formulated under Article 8. <Amended on Mar. 23, 2013>

(2) To implement an agricultural infrastructure improvement project in accordance with the master plan for agricultural infrastructure improvement projects, its implementer shall prepare a detailed design for the relevant area and formulate an implementation plan for the agricultural infrastructure improvement project.

(3) The implementer of an agricultural infrastructure improvement project shall publicly announce the implementation plan for the agricultural infrastructure improvement project (excluding agricultural infrastructure rehabilitation projects prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as altering or repairing reservoirs); make the implementation plan available for inspection by persons holding rights in land referred to in Article 11, and obtain consent from at least 2/3 of such persons. <Amended on Mar. 23, 2013>

(4) Where the implementer of an agricultural infrastructure improvement project is unable to obtain consent as prescribed in paragraph (3) due to special circumstances prescribed by Ordinance of the

Ministry of Agriculture, Food and Rural Affairs, it shall obtain consent from the landowners equivalent to at least 2/3 of the area benefitting from the agricultural infrastructure improvement project in the relevant area. *<Amended on Mar. 23, 2013>*

(5) Where a person holding a right in land or similar has an objection to the implementation plan for the agricultural infrastructure improvement project publicly announced pursuant to paragraph (3), he or she may file an objection with the implementer of the agricultural infrastructure improvement project within 30 days from the date of public announcement. In such cases, the implementer of the agricultural infrastructure improvement project shall inform the person who has filed the objection of the results of reviewing the objection within 30 days of receipt of the objection; and shall reflect the relevant matters to the implementation plan for the agricultural infrastructure improvement project, if the objection filed is reasonable.

(6) After formulating the implementation plan for an agricultural infrastructure improvement project, the implementer of the agricultural infrastructure improvement project shall apply for approval of the implementation plan to the Minister of Agriculture, Food and Rural Affairs along with the documents prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: Provided, That he or she shall apply for approval of an implementation plan to the relevant Mayor/Do Governor, if the implementation plan pertains to a project for adjusting arable land, improving drainage, altering and repairing agricultural infrastructure, and dredging referred to in subparagraph 5 (b) of Article 2. *<Amended on Mar. 23, 2013>*

(7) The Minister of Agriculture, Food and Rural Affairs or a Mayor/Do Governor shall give public notice after approving the implementation plan for an agricultural infrastructure improvement project. *<Amended on Mar. 23, 2013>*

(8) The implementer of an agricultural infrastructure improvement project shall obtain approval from the Minister of Agriculture, Food and Rural Affairs or the relevant Mayor/Do Governor to amend the approved implementation plan for the agricultural infrastructure improvement project. *<Amended on Mar. 23, 2013>*

(9) Where the Minister of Agriculture, Food and Rural Affairs or a Mayor/Do Governor approves any modification to the implementation plan for an agricultural infrastructure improvement project pursuant to paragraph (8), he or she shall publicly notify the details thereof: Provided, That the foregoing shall not apply to minor matters prescribed by Presidential Decree. *<Amended on Mar. 23, 2013>*

Article 10 (Implementer of Agricultural Infrastructure Improvement Project)

Agricultural infrastructure improvement projects shall be implemented by the State, local governments, the Korea Rural Community Corporation established under the Korea Rural Community Corporation and Farmland Management Fund Act (hereinafter referred to as the "Korea Rural Community Corporation") or landowners: Provided, That cooperatives defined in Article 2 of the Agricultural Cooperatives Act may also implement projects to create an agro-production complex and to expand agricultural facilities referred

to in subparagraph 5 (d) of Article 2. <Amended on Feb. 11, 2020>

Article 11 (Persons Holding Rights in Land)

Persons whose consent is required as prescribed in Article 9 (3) means person who hold any of the following rights in the land in the area where the relevant project is implemented (hereinafter referred to as "landowners and rights holders"):

1. A landowner using or benefitting from the land for agricultural purposes;
2. A person holding a real right in the land (including a registered leasehold; hereinafter the same shall apply), other than ownership, for using or benefitting from the land for agricultural purposes;
3. A landowner using or benefitting from the land for other than agricultural purposes;
4. A person holding a real right in the land, other than ownership, for using or benefitting from the land for other than agricultural purposes;
5. Other persons prescribed by Presidential Decree.

Article 12 (Promotion of Enlargement and Aggregation of Farmland)

(1) The implementer of an agricultural infrastructure improvement project shall implement the agricultural infrastructure improvement project by which farmland is enlarged and aggregated in order to rationalize agricultural management and to prevent subdivision of farmland.

(2) The implementer of an agricultural infrastructure improvement project may designate a substitute lot pursuant to Article 34, if necessary to secure a site, etc. for a specific purpose.

Article 13 (Efficient Performance of Filling, Reclamation or Land Clearing)

(1) A person who performs a filling project or reclamation project principally for agricultural or fishery purposes shall formulate a comprehensive land use plan that includes farmland, grassland, rural water supply facilities, rural roads, farming and fishing villages, agricultural convenience facilities, agro-industrial complexes, sewerage, drainage, sediment treating facilities and similar facilities.

(2) Farmland created through a filling project or reclamation project principally for agricultural or fishery purposes shall be developed to be suitable for agricultural mechanization and enlargement of farmland.

(3) The Public Waters Management and Filling Act shall apply to licenses, authorization, public notice, etc. related to the filling projects or reclamation projects principally for agricultural or fishery purposes.

<Amended on Apr. 15, 2010>

(4) The State may take measures related to farmland development, such as inspections, determinations, public notice, etc. related to target areas of land clearing, if necessary to enlarge farmland.

Article 14 (Management and Disposal of Property Developed by Implementing Agricultural Infrastructure Improvement Project)

(1) Of the property developed by implementing an agricultural infrastructure improvement project, land, such as filled land, reclaimed land, cleared land, and borrow-pits, and other things (hereinafter referred to as "filled land, etc.") that are not provided for agricultural infrastructure shall be managed and disposed of by the implementer of an agricultural infrastructure improvement project through the following methods, as prescribed by Presidential Decree:

1. Lease;
2. Sale;
3. Direct use;
4. Temporary use.

(2) The implementer of an agricultural infrastructure improvement project shall obtain approval from the Minister of Agriculture, Food and Rural Affairs in order to manage or dispose of filled land, etc. pursuant to paragraph (1); and the following matters necessary therefor shall be prescribed by Presidential Decree:

<Amended on Mar. 23, 2013; Jan. 15, 2019>

1. Lease period, criteria for calculating rents, procedures and methods for lease, and filled land, etc. eligible for rent reduction and exemption;
2. Persons entitled to sale, and procedures and methods for sale;
3. Other necessary matters, such as special cases for lease and sale, and qualifications for direct use and temporary use.

(3) Where filled land, etc. are disposed of pursuant to paragraph (1), the sale price thereof shall be used for the following purposes: <Amended on Mar. 23, 2013>

1. Redeeming debts prescribed by Presidential Decree and creating financial resources for agricultural infrastructure maintenance projects, etc.;
2. Implementing rural improvement projects;
3. Purposes stipulated by other statutes and regulations, articles of association, or regulations;
4. Other purposes prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(4) Where filled land, etc. created through an agricultural infrastructure improvement project implemented by the State (including projects financed from the Farmland Management Fund pursuant to Article 34 of the Korea Rural Community Corporation and Farmland Management Fund Act; hereafter the same shall apply in this Article), the sale price thereof shall be transferred to the Farmland Management Fund established under Article 31 of the Korea Rural Community Corporation and Farmland Management Fund Act, notwithstanding paragraph (3).

(5) Paragraphs (1) through (3) shall not apply to pebbles, sand, and other by-products that are generated through dredging work for the agricultural infrastructure managed by the Korea Rural Community Corporation without budgetary support from the State or local governments.

Article 14-2 (Temporary Use of Land Being Developed as Reclaimed Land)

The implementer of an agricultural infrastructure improvement project may temporarily use land exposed after the breakwater construction work of an agricultural infrastructure improvement project is completed, or allow farmers, fishermen, etc. to use the land, as prescribed by Presidential Decree until filling work begins insofar as the temporary use does not hinder such work.

Article 15 (Plan for Rationalizing Rural Water Use)

(1) The Minister of Agriculture, Food and Rural Affairs shall formulate and implement a plan for rationalizing rural water use for such purposes as efficiently developing, using and preserving rural water.

<Amended on Mar. 23, 2013>

(2) The Minister of Agriculture, Food and Rural Affairs may designate and operate rural water zones in order to systematically develop and rationally use rural water and to control and preserve rural water quality. *<Amended on Mar. 23, 2013>*

(3) Where the rural water zones are designated pursuant to paragraph (2), the Minister of Agriculture, Food and Rural Affairs shall inform the Mayors/Do Governors of such designation to publicly notify such rural water zones: Provided, That the rural water zone spanning at least two Cities/Dos shall be publicly notified by the Minister of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

(4) The formulation and implementation of the plan for rationalizing rural water use under paragraph (1), the designation and operation of the rural water zones under paragraph (2) and other necessary matters shall be prescribed by Presidential Decree.

(5) Paragraph (3) shall apply mutatis mutandis where the Minister of Agriculture, Food and Rural Affairs intends to amend the plan for rationalizing rural water use. *<Amended on Mar. 23, 2013>*

Article 15-2 (Fact-Finding Surveys of Rural Water in Island Areas)

(1) The Minister of Agriculture, Food and Rural Affairs shall conduct a fact-finding survey of rural water supply every year for the areas (including island areas) which are highly likely to suffer damage from droughts due to insufficient supply, etc. of rural water.

(2) The Minister of Agriculture, Food and Rural Affairs may provide special support, within the scope of measures and budget necessary for the improvement of supply to an area where rural water is noticeably in short supply as a result of an investigation conducted under paragraph (1).

(3) Where necessary for conducting a fact-finding survey under paragraph (1), the Minister of Agriculture, Food and Rural Affairs may request the head of a relevant administrative agency or the head of a local government to submit relevant data or present opinions. Upon receipt of such request, he or she shall cooperate unless there is a compelling reason not to do so.

(4) Matters necessary for the scope and methods of a fact-finding survey under paragraph (1) and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

SECTION 2 Management of Agricultural Infrastructure

Article 16 (Management and Transfer of Control of Agricultural Infrastructure Built by State)

(1) The implementer of an agricultural infrastructure improvement project shall manage the agricultural infrastructure built through the project upon completion of such project.

(2) Notwithstanding paragraph (1), the Minister of Agriculture, Food and Rural Affairs may decide to authorize the Korea Rural Community Corporation to acquire and manage agricultural infrastructure that comes within the following categories. In such cases, the Minister of Agriculture, Food and Rural Affairs shall hear opinions of the Korea Rural Community Corporation in advance: *<Amended on Mar. 23, 2013>*

1. Agricultural infrastructure built through an agricultural infrastructure improvement project implemented by the State;

2. Of the agricultural infrastructure managed by a local government or landowner, the agricultural infrastructure for which the local government or landowner requests the Minister of Agriculture, Food and Rural Affairs to authorize the Korea Rural Community Corporation to acquire and manage it.

(3) The Korea Rural Community Corporation that has acquired agricultural infrastructure pursuant to paragraph (2) shall become a universal successor to the rights and obligations of the State, local government or landowner, which are generated in connection with the agricultural infrastructure.

(4) Notwithstanding paragraph (1), the Minister of Agriculture, Food and Rural Affairs may decide in advance to authorize the Korea Rural Community Corporation to acquire and manage agricultural infrastructure built through an agricultural infrastructure improvement project in the following circumstances. In such cases, the Minister of Agriculture, Food and Rural Affairs shall hear opinions of the Korea Rural Community Corporation before making such decision, and the Korea Rural Community Corporation may register the land that the State, a local government or a landowner purchased to build the agricultural infrastructure as its possession in advance: *<Amended on Mar. 23, 2013>*

1. If the State implements the agricultural infrastructure improvement project;

2. If requested by the local government or landowner that implements the agricultural infrastructure improvement project.

(5) Paragraph (3) shall apply mutatis mutandis to succession to rights and obligations by the Korea Rural Community Corporation that acquires agricultural infrastructure according to the decision made under paragraph (4).

Article 17 (Registration of Agricultural Infrastructure)

A person who manages agricultural infrastructure pursuant to Article 16 (hereinafter referred to as "agricultural infrastructure manager") shall register the agricultural infrastructure he or she manages with the relevant Mayor/Do Governor or the head of the relevant Si/Gun/Gu according to the following classification, as prescribed by Presidential Decree: *<Amended by Feb. 17, 2012>*

1. A Mayor/Do Governor: The following agricultural infrastructure:
 - (a) Reservoirs, pumping stations, drainage stations, tide embankments and levees among agricultural infrastructure;
 - (b) Agricultural infrastructure that spans two or more Sis or Guns, or autonomous Gus in a Metropolitan City;
2. The head of a Si/Gun/Gu: Agricultural infrastructure, other than the agricultural infrastructure referred to in subparagraph 1.

Article 18 (Management of Agricultural Infrastructure)

(1) An agricultural infrastructure manager shall always manage the agricultural infrastructure in good faith and shall formulate a safety management plan for agricultural infrastructure, as prescribed by Presidential Decree.

(2) An agricultural infrastructure manager shall take such measures as maintaining agricultural infrastructure, altering and repairing facilities, and shall conduct safety inspections and full safety examinations in accordance with the safety management plan he or she formulates pursuant to paragraph (1).

(3) No person shall engage in any of the following activities without just cause prescribed by Presidential Decree, such as cases where an emergency measure is needed for preventing damage caused by a natural disaster or for lifesaving:

1. Hindering the original purpose or use of agricultural infrastructure by destroying a major structural part of the agricultural infrastructure;
2. Hindering the use and management of rural water by operating a floodgate or being supplied with water without the permission of the relevant agricultural infrastructure manager;
3. Illegally occupying or using agricultural infrastructure.

Article 18-2 (Structure and Facility Standards for Agricultural Infrastructure)

Standards for the structure and facilities, maintenance and repair, and safety management of agricultural infrastructure shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, in a manner that minimizes the impairment of natural ecosystem and environmental damage to neighboring residents, etc. due to agricultural infrastructure improvement projects and that ensures the safety of facilities.

Article 18-3 (Establishment and Operation of Information System for Agricultural Production Infrastructure)

(1) The Minister of Agriculture, Food and Rural Affairs shall establish and operate an information system for agricultural production infrastructure in order to systematically manage and efficiently utilize information on agricultural infrastructure.

(2) The Minister of Agriculture, Food and Rural Affairs may request an agricultural infrastructure manager to provide data or information necessary for the establishment and operation of the information system for agricultural production infrastructure under paragraph (1). In such cases, the agricultural infrastructure manager requested to provide data or information shall comply with such request, unless there is a compelling reason not to do so.

(3) An agricultural infrastructure manager shall research, data, and keep the information registered in the information system for agricultural production infrastructure under paragraph (1) up-to-date each year.

(4) The scope of establishment and operation procedures of the information system for agricultural production infrastructure under paragraphs (1) through (3), and other necessary matters shall be prescribed by Presidential Decree.

Article 19 (Education on Safety Control)

The Minister of Agriculture, Food and Rural Affairs shall formulate and implement an education and training plan in order to improve the capability of those who engage in agricultural infrastructure safety control. *<Amended on Mar. 23, 2013>*

Article 20 (Formulation of Contingency Plan for Agricultural Infrastructure)

(1) A person who intends to construct agricultural infrastructure prescribed by Presidential Decree, such as constructing a reservoir, shall formulate a comprehensive contingency plan (hereinafter referred to as "contingency plan") necessary for preventing and reducing damage to the lives and property of the people, which may be caused by emergency circumstances, such as the collapse of agricultural infrastructure, within one year after he or she starts constructing the agricultural infrastructure. In such cases, he or she shall pre-consult with the heads of relevant administrative agencies.

(2) A person who has formulated a contingency plan shall notify the heads of relevant administrative agencies of the formulated contingency plan without delay. In such cases, the heads of relevant administrative agencies so notified shall take measures necessary for implementing the contingency plan.

(3) A person who has formulated a contingency plan shall amend the contingency plan, reflecting a change, if any significant change occurs in relation to agricultural infrastructure after the construction of the agricultural infrastructure is commenced or completed. The latter part of paragraph (1) and paragraph (2) shall apply mutatis mutandis to the modification to contingency plans.

(4) Matters to be included in contingency plans and further details necessary for formulating and amending the contingency plans shall be prescribed by Presidential Decree.

Article 21 (Prevention of Rural Water Pollution and Improvement of Water Quality)

(1) Where rural water is at risk of being polluted by flowing-in pollutants to impair the living environments in rural areas, the Minister of Agriculture, Food and Rural Affairs or an agricultural infrastructure manager may request the Minister of Environment or the head of the competent local

government to issue orders or to take measures prescribed in the following provisions: <Amended on Mar. 23, 2013; Mar. 24, 2014; Jan. 17, 2017; Apr. 13, 2021>

1. Articles 12, and 39 through 44 of the Water Environment Conservation Act;
2. Articles 25 (2), 33, 40 (1) and (2), and 41 (1) of the Sewerage Act;
3. Articles 10 (2), 17 (5), and 25 (10) of the Act on the Management and Use of Livestock Excreta;
4. Articles 16 and 16-3 of the Groundwater Act.

(2) The Minister of Environment or a Mayor/Do Governor shall not reject any request made under paragraph (1) without just cause.

(3) The Minister of Agriculture, Food and Rural Affairs may formulate and implement measures for improving the quality of rural water if any following pollution of rural water is at risk of impairing agriculture and the living environments in rural areas: <Amended on Mar. 23, 2013>

1. Pollution of water in lakes, such as reservoirs and freshwater lakes, and marshes;
2. Pollution of rural water by pollutants generated in or discharged from farmland;
3. Pollution of rural water by facilities causing groundwater pollution referred to in Article 16-2 of the Groundwater Act.

(4) The Minister of Agriculture, Food and Rural Affairs shall build and operate a nationwide rural water quality measuring network in consultation with the Minister of Environment in order to formulate measures to prevent rural water pollution and to improve water quality. In such cases, the Minister of Agriculture, Food and Rural Affairs shall notify the Minister of Environment of the plan for building and operating the rural water quality measuring network, and the Minister of Environment shall include such plan in the plan for building a measuring network determined and publicly notified under Article 9-2 of the Water Environment Conservation Act. <Newly Inserted on Jan. 6, 2015; Jan. 17, 2017>

(5) The Minister of Agriculture, Food and Rural Affairs shall furnish the outcomes of operating the rural water quality measuring network built under paragraph (4) to the Minister of Environment. <Newly Inserted on Jan. 6, 2015>

Article 22 (Restrictions on Construction of Factories in Up-Stream Areas of Reservoir)

(1) No factory defined in subparagraph 1 of Article 2 of the Industrial Cluster Development and Factory Establishment Act (hereafter referred to as "factory" in this Article) or industrial complex defined in subparagraph 8 of Article 2 of the Industrial Sites and Development Act (hereafter referred to as "industrial complex" in this Article) shall be established in the areas prescribed by Presidential Decree within the up-stream area of a reservoir for preserving the quality of rural water. <Amended on Aug. 4, 2011>

(2) Notwithstanding paragraph (1), the head of a Si/Gun/Gu may approve the establishment of any of the following factories or industrial complexes in an area prescribed by Presidential Decree, in consideration of the impacts, etc. on the water quality of a reservoir, from among areas in which the establishment of factories and industrial complexes is restricted: <Amended on Dec. 24, 2018>

1. A factory or industrial complex which meets the requirements prescribed by Presidential Decree to minimize impacts on water quality and in which a wastewater discharge facility prescribed in subparagraph 10 of Article 2 of the Water Environment Conservation Act (hereinafter referred to as "wastewater discharge facility") is not installed;
2. A factory or industrial complex which meets the requirements prescribed by Presidential Decree, such as installing facilities for preventing water pollution, to ensure that there is no impact on the water quality of a reservoir and in which a wastewater discharge facility is installed.
- (3) If a reservoir is located within the jurisdiction of the head of another Si/Gun/Gu, the head of a Si/Gun/Gu shall pre-consult with the head of the relevant Si/Gun/Gu about the establishment of a factory in an up-stream area of the reservoir.

Article 23 (Permission for Use of Agricultural Infrastructure)

- (1) Where an agricultural infrastructure manager intends to use agricultural infrastructure or water other than for its original purpose or to permit a third person to use it, he or she shall obtain permission for use from the head of the competent Si/Gun/Gu: Provided, That the foregoing shall not apply where the agricultural infrastructure manager is the Korea Rural Community Corporation, and in cases of minor matters prescribed by Presidential Decree within the extent the maintenance or management of the agricultural infrastructure is not hindered. *<Amended on Dec. 27, 2016>*
- (2) Permission for use under paragraph (1) shall be granted to the extent the original purpose or use is not hindered. In such cases, an agricultural infrastructure manager shall hear the opinions of relevant residents in advance. *<Amended on Dec. 27, 2016; May 18, 2021>*
- (3) An agricultural infrastructure manager may collect all or some expenses incurred in maintaining or repairing agricultural infrastructure as usage fees from persons who use the agricultural infrastructure or water with permission for use: Provided, That where agricultural production infrastructure is used for public purposes, all or part of user fees may be exempted as prescribed by Presidential Decree. *<Amended on Dec. 27, 2016; May 18, 2021>*
- (4) In collecting usage fees from users under paragraph (3), such fees may be collected in the same manner as delinquent local taxes are collected. *<Amended on Dec. 27, 2016>*
- (5) Procedures for, period and scope of, permission for use, percentages of usage fees to be collected, the scope for using collected usage fees, procedures for hearing opinions of relevant residents, and other necessary matters shall be prescribed by Presidential Decree. *<Amended on Dec. 27, 2016; May 18, 2021>*

Article 24 (Disuse of Agricultural Infrastructure)

- (1) An agricultural infrastructure manager may disuse all or part of agricultural infrastructure registered under Article 17 after obtaining approval from the relevant City Mayor/Do Governor or the head of the relevant Si/Gun/Gu, if: *<Amended on Feb. 17, 2012>*

1. Farmland, etc. benefitting from the agricultural infrastructure to be disused is diverted for other purposes;
 2. A facility replacing the agricultural infrastructure to be disused is available;
 3. Repairing the agricultural infrastructure destroyed by a natural disaster or other force majeure event is not economically feasible.
- (2) Where an entity responsible for the management of agricultural production infrastructure fails to file an application for disusing the agricultural production infrastructure despite the occurrence of any of the causes prescribed in the subparagraphs of paragraph (1), a Mayor/Do Governor or the head of a Si/Gun/Gu may request the entity to disuse the relevant agricultural production infrastructure, if necessary. *<Newly Inserted by Apr. 13, 2021>*
- (3) An agricultural infrastructure manager in receipt of a request for disuse pursuant to paragraph (2) shall file an application therefor or present his or her opinion thereon within six months after receipt of such request. In such cases, the range of disuse, the procedures for hearing, hearing opinions of related residents, and other necessary matters shall be prescribed by Presidential Decree. *<Newly Inserted by Apr. 13, 2021>*
- (4) The sale price of agricultural infrastructure to be disused pursuant to paragraphs (1) and (3) shall be used in the same manner as prescribed in Article 14 (3). *<Amended on Apr. 13, 2021>*

SECTION 3 Substitute Lots, Land Exchange, Division, or Consolidation

Article 25 (Plan for Providing Substitute Lots)

- (1) Where necessary to implement an agricultural infrastructure improvement project, the implementer of the agricultural infrastructure improvement project shall formulate a plan for providing substitute lots to determine post-project land replacing pre-project land, and to financially settle an imbalance in interests which results therefrom.
- (2) A substitute lot included in a plan for providing substitute lots shall correspond to the pre-project land and substitute lots provided by implementing an agricultural infrastructure improvement project shall be designated collectively in order to contribute to rationalizing agricultural management.
- (3) A person entitled to receive a substitute lot shall be a landowner registered in the Land Register.
- (4) A plan for providing substitute lots shall include the following matters, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: *<Amended on Mar. 23, 2013>*
1. A plan for providing a substitute lot and a cash settlement for each landowner;
 2. Details of pre-project land and post-project land by lot;
 3. Details of land for which no substitute lot is designated and other land eligible for special treatment;
 4. Other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.
- (5) Substitute lots provided by implementing an agricultural infrastructure improvement project shall be designated as farmland in principle: Provided, That substitute lots may be designated as non-farmland if a

landowner requests or consenter thereto when such project is implemented concurrently with a living environment improvement project.

(6) The area of a substitute lot designated for each landowner shall increase or decrease within 20/100 of the area of land calculated as prescribed by Presidential Decree: Provided, That where 20/100 of the area of land so calculated does not exceed 1,000 square meters, it may be increased or decreased up to 1,000 square meters.

(7) If the category of land is a ditch, road, river, levee, or puddle which is not actually cultivated among State-owned land or public land or land not owned by the Korea Rural Community Corporation; and if a person owns land less than 1,000 square meters in a zone where substitute lots are to be designated, a cash settlement shall be provided with respect to such land without designating a substitute lot: Provided, That where a resolution is passed by the general meeting of beneficiaries referred to in Article 40 (including where a resolution by the board of representatives replaces a resolution by the general meeting of beneficiaries), a substitute lot may be also designated for a person who owns land less than 1,000 square meters.

(8) If any right other than ownership exists or a restriction on disposal is imposed for all or some of pre-project land, the implementer of an agricultural infrastructure improvement project shall designate a portion of land that becomes the object of the right other than ownership and the restriction of disposal in the land to be exchanged with the pre-project land in the plan for providing substitute lots formulated pursuant to paragraph (1).

Article 26 (Authorization of Plan for Providing Substitute Lots)

(1) The implementer of an agricultural infrastructure improvement project shall formulate a plan for providing substitute lots for the area in which the agricultural infrastructure improvement project is implemented, and shall obtain authorization thereof from the relevant Mayor/Do Governor without delay after completing the agricultural infrastructure improvement project, if necessary considering the nature of the project: Provided, That, if an agricultural infrastructure improvement project benefits at least 30 million square meters, its implementer shall obtain authorization from the Minister of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>

(2) To obtain authorization pursuant to paragraph (1), the implementer of an agricultural infrastructure improvement project shall publicly announce an outline of the plan for providing substitute lots and other necessary matters for at least 14 days; give notice individually to landowners and rights holders in the relevant area; and obtain consent from at least 2/3 of the landowners and rights holders.

(3) Where a person who has an interest in the plan for providing substitute lots publicly announced pursuant to paragraph (2) has an objection to such plan, the person may file an objection with the implementer of the relevant agricultural infrastructure improvement project within 15 days after the expiration of the period for public announcement.

(4) Upon receipt of an objection filed under paragraph (3), the implementer of the agricultural infrastructure improvement project shall apply for ruling to the competent Mayor/Do Governor, along with his or her opinion on the propriety of such objection within 15 days after the expiration of the period for filing objections: Provided, That an application for ruling shall be filed with the Minister of Agriculture, Food and Rural Affairs if an agricultural infrastructure improvement project is implemented by the State or a Mayor/Do Governor or is authorized by the Minister of Agriculture, Food and Rural Affairs pursuant to the proviso of paragraph (1). *<Amended on Mar. 23, 2013>*

(5) Where no one files an objection pursuant to paragraph (3) or a ruling is rendered pursuant to paragraph (4), the implementer of an agricultural infrastructure improvement project shall apply for approval of a plan for providing substitute lots to the Minister of Agriculture, Food and Rural Affairs or to the relevant Mayor/Do Governor, along with necessary documents prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

(6) Upon granting approval under paragraph (5), the Minister of Agriculture, Food and Rural Affairs or a Mayor/Do Governor shall publicly notify such fact without delay and inform the head of the relevant Si/Gun/Gu and registry office of such fact. *<Amended on Mar. 23, 2013>*

(7) Paragraphs (1) through (6) shall apply mutatis mutandis where the implementer of an agricultural infrastructure improvement project intends to correct or amend the authorized plan for providing substitute lots: Provided, That the project implementer shall correct or amend any of the following matters and then inform the Authority to grant authorization of such fact:

1. A clerical error in, and omission of, minor matters to be entered which do not affect any third person's interest, such as address, name, number of land lot and land category;
2. Change of ownership of previous land, and change or establishment of any right other than ownership and restrictions on disposal of previous land, which do not affect any third person's interest.

(8) Where the Minister of Agriculture, Food and Rural Affairs or a Mayor/Do Governor is notified by the implementer of an agricultural infrastructure improvement project of the correction or modification of the plan for providing substitute lots pursuant to the proviso of paragraph (7), he or she shall publicly notify the details thereof without delay and inform the project implementer, the head of the relevant Si/Gun/Gu and registry office of the details thereof. *<Amended on Mar. 23, 2013>*

Article 27 (Land Substitution by Agent)

Where the implementer of an agricultural infrastructure improvement project intends to establish a plan for providing substitute lots, he or she may have any of the following entities to perform land substitution work as an agent in order to ensure fairness in such land substitution work:

1. Korea Rural Community Corporation;
2. A corporation employing three regular rural surveyors or more.

Article 28 (Qualification of Rural Surveyors)

(1) Rural surveyors referred to in subparagraph 2 of Article 27 shall be certified rural surveyors who have passed the Qualifying Examination for Rural Surveyors conducted by the Minister of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

(2) Matters necessary for the Qualifying Examination for Rural Surveyors referred to in paragraph (1) shall be prescribed by Presidential Decree.

(3) No rural surveyor shall allow another person to use his or her title or lend his or her qualification certificate to any other person. *<Newly Inserted on Dec. 10, 2019>*

(4) No one shall use the title of a rural surveyor or borrow said qualification certificate without qualification nor shall he or she arrange for the use of the title or lending of the qualification certificate. *<Newly Inserted on Dec. 10, 2019>*

Article 29 (Grounds for Disqualification as Rural Surveyors)

None of the following persons shall become a rural surveyor: *<Amended on Mar. 18, 2014>*

1. A person who is under adult guardianship or limited guardianship;
2. A person for whom his or her imprisonment without labor or greater punishment declared by a court in connection with land substitution work was not completely executed (including cases where the execution of such punishment is deemed to have been terminated) or the execution of such sentence was not exempted;
3. A person who is under suspension of the execution of his or her imprisonment without labor or greater punishment declared by a court in connection with land substitution work.

Article 30 (Revocation of Qualification of Rural Surveyors)

(1) Where a person who has been qualified as a rural surveyor pursuant to Article 28 falls under any of the following, the Minister of Agriculture, Food and Rural Affairs may revoke the qualification or suspend the qualification for a period not exceeding three years: Provided, That in any case falling under subparagraphs 1 through 3, the qualification shall be revoked: *<Amended on Mar. 23, 2013; Dec. 10, 2019>*

1. Where he or she has acquired qualification by fraud or other improper means;
2. Where he or she performs his or her business during the period of suspension of qualification;
3. Where he or she allows another person to use his or her title of a rural surveyor or lends his or her qualification certificate to another person, in violation of Article 28 (3);
4. Where he or she arranges for the use of a rural surveyor title or the lending of his or her qualification certificate, in violation of Article 28 (4).

(2) Where a rural surveyor falls under any subparagraph of Article 29, he or she shall be disqualified. *<Newly Inserted on Dec. 10, 2019>*

(3) The standards for the revocation or suspension of qualification under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, taking into consideration the cause

of such disposition, severity of such violation, etc. <Newly Inserted on Dec. 10, 2019>

Article 31 (Registration of Land Substitution Agency)

A corporation that intends to conduct land substitution work as an agent pursuant to subparagraph 2 of Article 27 shall be registered as a land substitution agency with the Minister of Agriculture, Food and Rural Affairs, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

<Amended on Mar. 23, 2013>

Article 32 (Revocation of Registration of Land Substitution Agency)

(1) In any of the following circumstances, the Minister of Agriculture, Food and Rural Affairs may revoke the registration of a corporation registered as a land substitution agency or may issue a business suspension order for a period not exceeding three years: Provided, That the Minister of Agriculture, Food and Rural Affairs shall revoke the relevant registration if subparagraph 1 or 2 applies: <Amended on Mar. 23, 2013>

1. Where the corporation completes its registration under Article 31 by fraud or other improper means;
2. Where the corporation conducts land substitution work during the business suspension period;
3. Where the corporation does not hire an additional rural surveyor within three months from the date it fails to have the required number of regular rural surveyors as prescribed in subparagraph 2 of Article 27.

(2) Detailed criteria for revoking registration and for issuing business suspension orders pursuant to paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs in consideration of the cause of the relevant disposition, severity of the relevant violation and other factors.

<Amended on Mar. 23, 2013>

Article 33 (Reporting on Change in Rights)

Where any restriction has imposed on transferring, establishing, changing or extinguishing a right in land in an area where an agricultural infrastructure improvement project is implemented before authorization is granted pursuant to Article 26 (1), the relevant persons shall report such fact to the implementer of the agricultural infrastructure improvement project.

Article 34 (Substitute Lots Designated for Specific Purposes)

(1) The implementer of an agricultural infrastructure improvement project may designate land necessary for the following purposes, which are specified in the relevant project plan, as substitute lots:

1. Land for agricultural infrastructure newly built for implementing the project;
2. Land for facilities for rationalizing agricultural management and improving agricultural structure, such as a rice processing complex and joint collection center;

3. Land for other facilities prescribed by Presidential Decree for developing rural areas and improving the welfare of farmers and fishermen.

(2) In designating substitute lots pursuant to paragraph (1), the substitute lots shall be designated for a person who has given prior consent among the State, a local government, the implementer of an agricultural infrastructure improvement project, and those prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: Provided, That where land for agricultural infrastructure is designated as a substitute lot for the implementer of an agricultural infrastructure improvement project, such consent is not required. <Amended on Feb. 17, 2012; Mar. 23, 2013>

(3) In designating substitute lots pursuant to paragraph (1), cash settlements shall be provided except for those prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, and the method and time for paying and collecting the relevant amounts shall be determined in the relevant plan for providing substitute lots. <Amended on Mar. 23, 2013>

(4) Substitute lots acquired pursuant to paragraph (2) shall be managed and disposed of, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>

(5) Where pre-project land is used for a specific purpose, other than farmland, in a zone where substitute lots are to be provided, a substitute lot for the pre-project land shall be designated so that the specific purpose, other than farmland, is ensured in the specific purpose zone specified in the relevant project plan: Provided, That the foregoing shall not apply where the relevant landowner has given consent.

(6) Where a landowner requests or consents, the implementer of an agricultural infrastructure improvement project may designate all or part of a building, including a site created by implementing the project as a substitute lot in replacement of pre-project land.

Article 35 (Special Cases concerning Non-Designation of Substitute Lot)

(1) Where an owner of pre-project land requests or consents at the time of determining a plan for providing substitute lots, a substitute lot may be designated in excess of the limits prescribed in Article 25 (6) and a cash settlement may be provided without designating a substitute lot for such pre-project land. In such cases, the method and time for paying and collecting the relevant amounts shall be specified in the plan for providing substitute lots.

(2) Where a person holds a surface right, leasehold, a right granted under a loan for use agreement or any other right for using and benefitting from pre-project land for which no substitute lot is designated pursuant to paragraph (1), the person's consent shall be obtained.

(3) Land for which no substitute lot is designated pursuant to paragraph (1) may be disposed of in the following order: <Amended on Mar. 23, 2013>

1. Designating a substitute lot pursuant to Article 34;

2. Designating a substitute lot to a person who wishing to enlarge his or her farm from among those prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs: Provided, That the area of the substitute lot may be increased in such cases, notwithstanding Article 25 (6).

Article 36 (Exchange of Sites for Public Facilities except for State or Publicly-Owned Land)

Land necessary for building a new facility replacing another facility which has been used for public purposes, such as agricultural infrastructure, on land owned by the Korea Rural Community Corporation because such facility is disused or altered shall be exchanged with the land on which the disused facility stands, and settlement procedures shall be taken as prescribed by the plan for providing substitute lots.

Article 37 (Effects of Disposition of Land Substitution and Cash Settlements)

(1) Where the disposition of land substitution is publicly notified, a substitute lot to be provided according to the relevant plan for providing substitute lots shall be deemed pre-project land from the date following the date such plan for providing substitute lots is publicly notified, and a right in the pre-project land for which no substitute lot is designated according to the plan for providing substitute lots shall be deemed extinguished on the date of the public notice.

(2) A substitute lot specified in the relevant plan for providing substitute lots pursuant to Article 34 shall be deemed acquired by the person for whom the substitute land is provided on the date following the date of the public notice under Article 26 (6).

(3) Land exchanged pursuant to Article 36 shall be deemed a substitute lot provided according to the relevant plan for providing substitute lots. Paragraph (1) shall apply mutatis mutandis in such cases.

(4) Paragraph (1) does not affect any right exclusive to pre-project land in accordance with administrative or judicial original transcripts.

(5) Where the public notice is given under Article 26 (6), the implementer of an agricultural infrastructure improvement project shall either pay or collect cash settlements according to the publicly notified plan for providing substitute lots. In such cases, the cash settlements shall be paid or collected within 90 days from the date of authorization of the plan for providing substitute lots.

(6) A surcharge not exceeding 5/100 of a cash settlement may be imposed on any person who fails to pay a cash settlement charged following the disposition of land substitution by the due date, by a resolution by the general meeting of beneficiaries referred to in Article 40 (including where a resolution by the board of representatives replaces a resolution by the general meeting of beneficiaries).

(7) Where a cash settlement charged following the disposition of land substitution is not paid by the due date, such cash settlement and a surcharge may be collected in the same manner as delinquent local taxes are collected. In such cases, the executive officers and employees of the Korea Rural Community Corporation that directly executing the disposition on default shall be deemed public officials.

Article 38 (Designation of Temporary Site)

(1) The implementer of an agricultural infrastructure improvement project may designate a temporary site in replacement of pre-project land in the area in which the relevant project is implemented, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, if necessary even before completing

the construction work for the project. In such cases, the implementer shall consider matters to be specified in the plan for providing substitute lots pursuant to Article 25. <Amended on Mar. 23, 2013>

(2) Where the implementer of an agricultural infrastructure improvement project designates a temporary site pursuant to paragraph (1), he or she shall give notice of the temporary site, pre-project land, the date for starting using the same and other relevant matters to persons who hold ownership of, or a surface right, leasehold or right granted under a loan for use agreement, in the temporary site or pre-project land.

(3) Where a temporary site is designated pursuant to paragraph (1), a person who holds any of the rights referred to in paragraph (2) in pre-project land may use or benefit from the temporary site, in whole or in part, under the same terms and conditions as those of the pre-project land in accordance with the details of the relevant right provided by Acts or contracts from date the person is notified to start using the temporary site to the date of the public notice under Article 26 (6).

(4) In cases falling under paragraph (1), a person who holds any of the rights referred to in paragraph (2) in pre-project land shall not use or benefit from the pre-project land.

(5) Where a temporary site is designated pursuant to paragraph (1), a person who holds any of the rights referred to in paragraph (2) in the temporary site shall not use or benefit from the temporary site from the date for starting using the temporary site notified under paragraph (2) to the date of the public notice under Article 26 (6).

(6) The implementer of an agricultural infrastructure improvement project shall compensate for losses that may be ordinarily incurred by designating a temporary site pursuant to paragraph (1). <Amended on Feb. 11, 2020>

(7) The implementer of an agricultural infrastructure improvement project may collect from a person who earns a profit from a temporary site designated pursuant to paragraph (1) an amount equivalent to the profit.

(8) Article 37 (7) shall apply mutatis mutandis to the collection of profits referred to in paragraph (7): Provided, That the foregoing shall not apply where a landowner implements an agricultural infrastructure improvement project.

Article 39 (Price appraisal of Land)

The price appraisal of pre-project land and the price appraisal of land to be provided as a substitute lot shall be determined, respectively, prior to the commencement of construction works and after the completion of construction works by conducting surveys. <Amended on Feb. 11, 2020>

Article 40 (General Meeting of Beneficiaries)

(1) The appraised price of pre-project and post-project land, land class, subdivision of substitute zones, etc. and other important matters not provided for in this Act shall be determined through a resolution by the general meeting of beneficiaries of the area in which the relevant agricultural infrastructure improvement project is implemented: Provided, That where the total number of beneficiaries of the area

exceeds 100, a resolution by the board of representatives referred to in paragraph (2) may replace a resolution by the general meeting of beneficiaries.

(2) The board of representatives shall be comprised of representatives elected at the general meeting of beneficiaries and the number of the representatives shall be at least 30 and 1 representative shall be additionally elected for every 20 beneficiary exceeding 100 persons.

(3) Matters concerning the composition and operation of the general meeting of beneficiaries and the board of representative shall be prescribed by Presidential Decree.

Article 41 (Land Substitution Deliberation Committee)

(1) The implementer of an agricultural infrastructure improvement project shall organize and operate a land substitution deliberation committee to effectively deal with civil petitions or mediate in disputes between interested parties on land substitution.

(2) Matters concerning the composition and operation of the land substitution deliberation committee shall be prescribed by Presidential Decree.

Article 42 (Registration Following Disposition of Land Substitution)

(1) Upon grant of authorization pursuant to Article 26 (1), the implementer of an agricultural infrastructure improvement project shall, without delay, request the registration of land and buildings related to the disposition of the relevant land substitution to the competent registry office.

(2) Where it is necessary to alter the description of registered land to request the registration of substitute lots, the implementer of an agricultural infrastructure improvement project shall request the registration for modification to the competent registry office in lieu of landowners. In such cases, such registration shall be deemed registration caused by an agricultural infrastructure improvement project.

(3) Matters necessary for registration following the disposition of land substitution shall be determined by the Supreme Court Regulations.

Article 43 (Exchange, Division and Consolidation)

(1) Where two or more owners of farmland file an application or landowners consent although owners of farmland has not filed an application, the head of the relevant Si/Gun/Gu or the Korea Rural Community Corporation may exchange, divide and consolidate rights in farmland, rights in land necessary for using the farmland, and rights to use agricultural infrastructure and rural water (hereinafter referred to as "exchange, division and consolidation").

(2) To conduct exchange, division and consolidation pursuant to paragraph (1), the head of a Si/Gun/Gu or the Korea Rural Community Corporation shall formulate an exchange, division and consolidation plan; obtain authorization thereof from the relevant Mayor/Do Governor; publicly notify a summary of the plan; and inform the head of the relevant Si/Gun/Gu and the registry office of such plan.

(3) Article 9 shall apply mutatis mutandis where a Mayor/Do Governor intends to approve exchange, division and consolidation plans pursuant to paragraph (2).

(4) Two or more landowners may conduct exchange, division and consolidation by mutual consent, where necessary for aggregating farmland.

Article 44 (Method of Determining Exchange, Division and Consolidation)

(1) Where an exchange, division and consolidation plan is formulated pursuant to Article 43, the area and price of farmland that a farmland owner is to newly acquire shall not be different from the area and price of the farmland that the farmland owner has relinquished.

(2) No exchange, division and consolidation plan shall be determined for farmland prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs and subject to restriction on disposal and for farmland on which a surface right or leasehold is established for seizure, provisional seizure or provisional disposal. <Amended on Mar. 23, 2013>

(3) An exchange, division and consolidation plan of farmland ownership shall prescribe farmland to be acquired and relinquished by owners through exchange, division and consolidation and time for transferring ownership.

(4) Except as provided in paragraphs (1) through (3), the method of determining the exchange, division and consolidation plan or other necessary matters shall be prescribed by Presidential Decree.

Article 45 (Effect of Exchange, Division and Consolidation)

Where the public notice is given pursuant to Article 43 (2), ownership shall be transferred and a mortgage, surface right, leasehold, or right to use under a loan for use agreement shall be established according to the publicly notified exchange, division and consolidation plan, and previous rights corresponding thereto shall be extinguished, and easements shall be either established or extinguished.

Article 46 (Exchange, Division and Consolidation of Rights Other Than Ownership)

The provisions of Articles 44 and 45 shall apply mutatis mutandis to exchange, division and consolidation of a surface right or leasehold of farmland or a right to use farmland under a loan for use agreement.

Article 47 (Cash Settlements for Exchange, Division, and Consolidation)

(1) Where the public notice is given pursuant to Article 43 (2), the head of a Si/Gun/Gu or the Korea Rural Community Corporation shall pay or collect a cash settlement in accordance with the publicly notified exchange, division and consolidation plan.

(2) Article 37 (7) shall apply mutatis mutandis to collection of cash settlements pursuant to paragraph (1).

(3) The head of a Si/Gun/Gu or the Korea Rural Community Corporation shall request registration related to the relevant exchange, division and consolidation plan to the competent registry office after authorization is granted pursuant to Article 43 (2).

Article 48 (Claim for Reduction, Refund or Increase of Land Rents)

(1) Where the use of land, over which a surface right, easement or leasehold has been established, is hindered as a result of implementing an agricultural infrastructure improvement project, the person holding the surface right, easement or leasehold in the land may claim a reduction of land rents, easement (use of the land of another person for the convenience and benefit of one's own land) price or rents, or claim a refund of land rents, easement price, or rents paid in advance. *<Amended on Feb. 11, 2020>*

(2) Where the utility value of land, over which a surface right, easement or a leasehold has been established, increases as a result of implementing an agricultural infrastructure improvement project, the owner or lessor of the land may claim an increase of land rents, easement price or rents.

(3) Upon receipt of a claim made pursuant to paragraph (2), the person holding a surface right or easement or lessee may be exempted from the relevant obligation by waiving such right or terminating the relevant contract.

Article 49 (Waiver of Rights or Termination of Contracts)

(1) Where it is impossible to achieve the objective for which a surface right or easement has been established or the objective of a lease or loan for use agreement, the person holding the surface right or easement, or the lessee or lessee under the loan for use agreement may waive the relevant right or terminate the relevant contract. *<Amended on Dec. 10, 2019>*

(2) Where a right is waived or a contract is terminated pursuant to paragraph (1), the person holding the right may claim compensation for a loss incurred by waiving the right or by terminating the contract from the relevant implementer of an agricultural infrastructure improvement project.

(3) Where a loss is compensated pursuant to paragraph (2), the implementer of an agricultural infrastructure improvement project may claim for reimbursement from a landowner, as prescribed by Presidential Decree.

Article 50 (Effect of Easement)

(1) An easement that exists over land, for which a plan for providing a substitute lot is determined, remains over the land as it was even after the public notice is given pursuant to Article 26 (6).

(2) Where an easement holder's benefit becomes unnecessary as a result of implementing an agricultural infrastructure improvement project, the relevant easement shall be extinguished.

(3) An easement holder that has become unable to be benefitted as before as a result of implementing an agricultural infrastructure improvement project may claim the establishment of an easement within the scope guaranteeing the benefit: Provided, That the foregoing shall not apply where the easement price is reduced according to the claim made under Article 48.

Article 51 (Deadline for Making Claim for Land Rent)

Except in cases falling under Article 50 (2), the reduction, refund or increase of land rents, etc., waiver of rights or termination of contracts prescribed in Articles 48 through 50 and the effect of an easement shall not be claimed after the lapse of 30 days from the date the authorization of a plan for providing substitute lots or an exchange, division and consolidation plan is publicly notified.

CHAPTER IV IMPROVEMENT OF LIVING ENVIRONMENTS IN RURAL COMMUNITIES

Article 52 (Principles of Improving Living Environments in Rural Communities)

The Minister of Agriculture, Food and Rural Affairs shall implement a living environment improvement project concurrently with an agricultural infrastructure improvement project, rural tourism and resort resources development, and a project to improve marginal farmland, etc., if deemed necessary considering the conditions of regional development, security of income sources, etc. when implementing such living environment improvement project. *<Amended on Mar. 23, 2013>*

Article 53 (Basic Policies to Improve Living Environments in Rural Communities)

(1) The Minister of Agriculture, Food and Rural Affairs shall establish basic policies to improve the living environments in rural communities to set the directions for living environment improvement projects and policy enforcement. *<Amended on Mar. 23, 2013>*

(2) The basic policies to improve the living environments in rural communities shall be in harmony with the comprehensive national land plan formulated under the Framework Act on the National Land, Urban/Gun master plan formulated under the National Land Planning and Utilization Act and the national environment comprehensive plan formulated under the Framework Act on Environmental Policy and other plans formulated under other Acts. *<Amended on Apr. 14, 2011>*

Article 54 (Formulation of Living Environment Improvement Plan)

(1) If necessary to implement a living environment improvement project, the head of a Si/Gun/Gu shall formulate a living environment improvement plan every five years and obtain approval of the plan from the relevant Mayor/Do Governor after deliberation by the Si/Gun/Gu deliberation council on policies for agriculture, rural communities and the food industry established under Article 15 of the Framework Act on Agriculture, Rural Community and Food Industry. *<Amended on Mar. 23, 2013; Jun. 22, 2015>*

(2) After obtaining approval of a living environment improvement plan from the relevant Mayor/Do Governor pursuant to paragraph (1), the head of a Si/Gun/Gu shall publicly notify matters prescribed by Presidential Decree and make them available to public inspection.

(3) Upon approving a living environment improvement plan pursuant to paragraph (1), a Mayor/Do Governor shall report it to the Minister of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23,*

2013>

(4) The head of a Si/Gun/Gu shall comply with paragraphs (1) through (3) to amend the living environment improvement plan he or she formulated under paragraph (1): Provided, That deliberation by the Si/Gun/Gu deliberation council on policies for agriculture, farming villages, and the food industry, and approval from the relevant Mayor/Do Governor are not required to amend minor matters prescribed by Presidential Decree. <Amended on Mar. 23, 2013>

(5) The head of a Si/Gun/Gu may appoint an expert in rural planning and rural area development as a chief living environment improvement planner to exercise overall control over and coordinate all processes for formulating a living environment improvement plan or rural village improvement plan referred to in Article 101.

(6) Qualification requirements for, and scope of duties and management of, chief living environment improvement planners referred to in paragraph (5) and other relevant matters shall be prescribed by Presidential Decree.

Article 55 (Contents of Living Environment Improvement Plan)

A living environment improvement plan shall include the following: <Amended on Feb. 17, 2012>

1. Objectives of, and basic direction-setting for, the relevant living environment improvement project;
2. Performance goals and indicators;
3. Construction, redevelopment and improvement of rural villages;
4. Improvement of unoccupied houses;
5. Improvement and expansion of national territory conservation facilities, such as erosion control and afforestation;
6. Rehabilitation of rural houses (including a project to dismantle, remove and dispose of slate referred to in subparagraph 10 (j) of Article 2);
7. Improvement and expansion of living infrastructure, such as roads, waterworks, sewerage and waste water treatment facilities;
8. Improvement and expansion of educational, cultural and welfare facilities;
9. Development of rural tourism and resort resources, fostering of rural industries, such as agro-industrial complexes, and improvement and expansion of living environments in connection with other regional development projects;
10. Improvement and development of rural water and drainage facilities;
11. Matters concerning the preservation of the landscape and natural environment of rural villages;
12. Other projects prescribed by Presidential Decree.

Article 56 (Implementer of Living Environment Improvement Project)

(1) A living environment improvement project shall be implemented by the head of a Si/Gun/Gu: Provided, That the head of a Si/Gun/Gu may designate any of the following persons as a project

implementer for all or part of project in order to efficiently promote a living environment improvement project: <Amended on Feb. 17, 2012; Jan. 19, 2016>

1. The Korea Rural Community Corporation;
 - 1-2. A local public enterprise established pursuant to the Local Public Enterprises Act (only applicable to projects referred to in subparagraph 10 (a), (b), and (g) of Article 2, which fall within the scope of application provided for in Article 2 of the Local Public Enterprises Act);
 2. A village improvement cooperative established pursuant to Article 57 (1) (limited to projects referred to in subparagraph 10 (a) and (b) of Article 2);
 3. A corporation established by the head of a Si/Gun/Gu, the Korea Rural Community Corporation, a local public enterprise established pursuant to the Local Public Enterprises Act (hereinafter referred to as "local public enterprise"), or village improvement cooperative through joint investment with the Korea Land and Housing Corporation established under the Korea Land and Housing Corporation Act (hereinafter referred to as the "Korea Land and Housing Corporation") or a housing builder registered pursuant to Article 4 of the Housing Act (hereinafter referred to as "housing builder") (limited to projects referred to in subparagraph 10 (a) and (b) of Article 2);
 4. An owner of a rural house (limited to projects referred to in subparagraph 10 (f), (i), and (j) of Article 2).
- (2) In designating a project implementer, a Mayor/Do Governor or the head of a Si/Gun/Gu may preferentially designate a proposer of a village improvement zone pursuant to Article 103 as a project implementer.
- (3) Where necessary for efficiently promoting a living environment improvement project referred to in subparagraph 10 (a) or (b) of Article 2, the head of a Si/Gun/Gu may entrust the Korea Rural Community Corporation, the Korea Land and Housing Corporation, a local public enterprise or a housing builder with the implementation of all or part of the project. <Amended on Feb. 17, 2012>
- (4) A Mayor/Do Governor or the head of a Si/Gun/Gu may replace a project implementer designated pursuant to paragraph (1), if:
1. Where authorization, permission, approval, or designation is revoked pursuant to Article 116 (1);
 2. Where it is deemed impractical to achieve the objectives of the living environment improvement project due to the insolvency or bankruptcy of the project implementer or other similar causes.

Article 57 (Establishment of Village Improvement Cooperatives and Organization of Promotion Committee)

(1) A person who intends to implement a project referred to in subparagraph 10 (a) or (b) of Article 2 in a village improvement zone may establish a village improvement cooperative upon obtaining authorization from the head of the competent Si/Gun/Gu. The foregoing shall also apply where he or she intends to modify terms of authorization or the village improvement cooperative is dissolved.

(2) To establish a village improvement cooperative pursuant to paragraph (1), a promotion committee to establish the village improvement cooperative (hereinafter referred to as "promotion committee"), as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, with the consent of at least 2/3 of the total number of the owners of the land and buildings in the village improvement zone and surface right holders to such land and buildings and approval shall be obtained from the head of the relevant Si/Gun/Gu. *<Amended on Mar. 23, 2013>*

(3) The method and procedures for establishing village improvement cooperatives, qualification requirements for members, operation and management of such cooperatives, promotion committees and other necessary matters shall be prescribed by Presidential Decree.

(4) The head of a Si/Gun/Gu may direct and supervise village improvement cooperatives for their sound operation.

Article 58 (Formulation of Master Plan for Living Environment Improvement Project)

(1) Where necessary to promote matters included in a living environment improvement plan, the head of a Si/Gun/Gu may formulate a master plan for a living environment improvement project to implement individual projects included therein.

(2) To formulate or amend a master plan for a living environment improvement project pursuant to paragraph (1), the head of a Si/Gun/Gu shall first hear opinions of residents in the relevant project area and consult with the relevant Mayor/Do Governor and relevant organizations: Provided, That the foregoing shall not apply where he or she intends to modify minor matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

(3) The head of a Si/Gun/Gu shall give public notice after formulating or amending a master plan for a living environment improvement project pursuant to paragraph (1).

Article 59 (Formulation of Implementation Plan for Living Environment Improvement Project)

(1) To promote a living environment improvement project, the implementer of the living environment improvement project shall formulate an implementation plan for the living environment improvement project in accordance with the relevant living environment improvement plan formulated under Article 54, the master plan for the living environment improvement project formulated under Article 58, and the rural village improvement plan formulated under Article 101: Provided, That, if an Urban/Gun management plan has been formulated under the National Land Planning and Utilization Act for an area for which the implementer intends to formulate an implementation plan for the living environment improvement project, the implementer may formulate such plan in accordance with the Urban/Gun management plan. *<Amended on Apr. 14, 2011>*

(2) Where a living environment improvement project is implemented by the head of a Si/Gun/Gu, the head of the Si/Gun/Gu shall implement the project after formulating an implementation plan for the living environment improvement project pursuant to paragraph (1). Where a living environment improvement

project is implemented by any person, other than the head of a Si/Gun/Gu, the relevant person shall formulate an implementation plan for the living environment improvement project and obtain approval of the plan from the head of the competent Si/Gun/Gu.

(3) Notwithstanding paragraph (2), the implementer of a living environment improvement project shall obtain approval from the competent Mayor/Do Governor to implement a project referred to in subparagraph 10 (a) and (b) of Article 2 if the project meets the condition prescribed by Presidential Decree.

(4) After formulating or approving an implementation plan for a living environment improvement project or obtaining approval from the competent Mayor/Do Governor, the head of a Si/Gun/Gu shall give public notice thereof and make relevant materials available to public inspection, as prescribed by Presidential Decree.

(5) After approving an implementation plan for a living environment improvement project pursuant to paragraph (2) or (3), the head of a local government shall report such fact to the competent Mayor/Do Governor or the Minister of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>

Article 60 (Contents of Implementation Plan for Living Environment Improvement Project)

An implementation plan for a living environment improvement project shall include the following matters:

1. Name of the project;
2. Objectives of the project;
3. Major project details;
4. A detailed statement of project costs;
5. A financing plan and annual investment plan;
6. The period for project implementation;
7. The project implementer;
8. Effects of the project;
9. Detailed design documents;
10. Details of infrastructure and common use facilities and their maintenance and disposal plan;
11. A detailed statement of land, etc. to be expropriated or used (to be included only where necessary);
12. Other matters prescribed by Presidential Decree.

Article 61 (Modification of Implementation Plan for Living Environment Improvement Project)

The implementer of a living environment improvement project shall follow the procedures provided for in Article 59 to modify the contents of the implementation plan for the living environment improvement project due to changes in circumstances, etc.: Provided, That the implementer may modify minor matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs after reporting them to the head of the relevant Si/Gun/Gu. <Amended on Mar. 23, 2013>

Article 62 (Land Substitution for Living Environment Improvement Project)

The provisions of Articles 28 through 49 of the Urban Development Act pertaining to land substitution shall apply mutatis mutandis where the implementer of a living environment improvement project intends to provide substitute lots to implement a project referred to in subparagraph 10 (a) or (b) of Article 2.

Article 63 (Special Cases concerning Designation of Project Implementers)

Where the Korea Rural Community Corporation or a local public enterprise is designated as the implementer of a living environment improvement project or an entrusted implementer pursuant to Article 56, it shall be deemed a project entity defined in subparagraph 10 of Article 2 of the Housing Act, and to subsequently have been registered as a business operator or filed a business report as follows: *<Amended on Feb. 17, 2012; Aug. 28, 2015; Jan. 19, 2016>*

1. Registration as a rental business operator under Article 5 of the Special Act on Private Rental Housing;
2. Reporting on certified architect's business under Article 23 of the Certified Architects Act.

Article 64 (Formulation of Unoccupied House Improvement Plans)

(1) To efficiently improve unoccupied houses, the head of a Si/Gun/Gu shall formulate and implement a five-year plan for improving unoccupied houses, which includes the following matters (hereinafter referred to as "unoccupied house improvement plan"): *<Amended on Apr. 13, 2021>*

1. Basic direction-setting for the improvement and utilization of unoccupied houses;
2. The current status of unoccupied houses;
3. Plans for promoting unoccupied house improvement projects, such as removal, remodeling, repair, and utilization of unoccupied houses, and methods of implementation;
4. A funding plan to improve and utilize unoccupied houses;
5. Matters regarding the purchase and utilization of unoccupied houses;
6. Other matters prescribed by Presidential Decree, which are necessary to improve unoccupied houses.

(2) Where the head of a Si/Gun/Gu intends to formulate or modify an unoccupied house improvement plan, he or she shall be undergo deliberation by the council for deliberation on policies for Si/Gun/Gu agriculture, rural communities and the food industry under Article 15 of the Framework Act on Agriculture, Rural Community and Food Industry or a Si/Gun/Gu fisheries/fishing village policy review committee under Article 8 of the Framework Act on Fisheries and Fishing Villages Development (in the case of the Special Metropolitan City or a Special Self-Governing Province, referring to the council for deliberation on policies for City/Do agriculture, rural communities and the Food Industry or a City/Do fisheries/fishing village policy review committee): Provided, That the foregoing shall not apply where modification of minor matters prescribed by Presidential Decree is intended.

(3) Where the head of a Si/Gun/Gu formulates or modifies an unoccupied house improvement plan, he or she shall give public notice of the same in the public gazette of a relevant local government without delay, and shall file a report with the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries through the Mayor/Do Governor.

(4) To facilitate the implementation of unoccupied house improvement plans, the head of a Si/Gun/Gu shall formulate and implement an unoccupied house improvement implementation plan (hereinafter referred to as "implementation plan") each year. *<Newly Inserted on Apr. 13, 2021>*

(4) Criteria, procedures, and methods for formulating unoccupied house improvement plans and other necessary matters shall be prescribed by Presidential Decree. *<Amended on Apr. 13, 2021>*

Article 64-2 (Fact-Finding Survey of Unoccupied Houses)

(1) The head of a Si/Gun/Gu shall conduct a fact-finding survey of the following (hereinafter referred to as "fact-finding survey of unoccupied houses") to formulate and implement unoccupied house improvement plans and unoccupied house improvement implementation plan and to manage and maintain unoccupied houses: *<Amended on Apr. 13, 2021>*

1. Current status of the location of unoccupied houses;
2. Current status of management of houses and how long they remained unattended;
3. Owners of unoccupied houses and their rights and interests;
4. Current status of facilities, artificial structures, etc. installed inside unoccupied houses or on the sites thereof;
5. Other matters prescribed by Presidential Decree, such as reasons why houses become unoccupied.

(2) The head of a Si/Gun/Gu may designate any specialized institution prescribed by Presidential Decree to conduct a fact-finding survey on his or her behalf.

(3) Matters necessary for the methods, procedures, etc. for conducting a fact-finding survey of unoccupied houses shall be prescribed by Presidential Decree.

Article 64-3 (Entry into Unoccupied Houses)

(1) The head of a Si/Gun/Gu or the head of a specialized institution designated under Article 64-2 (2) may, if necessary for conducting a fact-finding survey of unoccupied houses, have public officials or employees under his or her jurisdiction enter unoccupied houses and the sites thereof.

(2) A person who intends to enter an unoccupied house or a site thereof pursuant to paragraph (1) shall inform the owner, occupant, or manager of the unoccupied house (hereinafter referred to as "owner, etc.") of his or her personal information, etc. and other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries not later than seven days before his or her entry: Provided, That where it is impracticable to make notification due to the absence of the owner, etc. or unknown address, etc., an announcement of such fact shall be published in the public gazette of a local government and on its website.

(3) A person who enters an unoccupied house, etc. and the site thereof pursuant to paragraph (1) shall carry identification indicating his or her authority and present it to relevant persons.

Article 64-4 (Compensation for Loss Incurred due to Entry into Unoccupied Houses)

(1) If a person suffers a loss by entering an unoccupied house, etc. under Article 64-3 (1), the head of a relevant Si/Gun, etc. shall compensate the person for the loss.

(2) The head of a Si/Gun/Gu shall have a consultation with a person who suffered a loss about compensation for the loss under paragraph (1).

(3) Where no agreement is reached through consultation under paragraph (2) or where it is impracticable to hold a consultation, the head of a Si/Gun/Gu or the person who suffered a loss under paragraph (1) may apply for adjudication with the competent Land Tribunal established under Article 49 of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects.

(4) Articles 83 through 87 of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects shall apply mutatis mutandis to adjudication by the competent Land Tribunal under paragraph (3).

Article 64-5 (Use of and Request for Data or Information on Unoccupied Houses)

(1) If deemed necessary for conducting a fact-finding survey of unoccupied houses, the head of a Si/Gun/Gu or the head of any specialized institution designated under Article 64-2 (2) may collect data or information, such as electronic data from resident registration (including personally identifiable information, such as resident registration numbers and alien registration numbers), national taxes, local taxes, and water and electric charges.

(2) If necessary to achieve the purpose of paragraph (1), the head of a Si/Gun/Gu may request data or information from the heads of relevant administrative agencies or heads of relevant public institutions. Upon receipt of such request, the heads of agencies or institutions shall cooperate unless there is a compelling reason not to do so.

(3) The collection and use of, requests for, and provision of data or information under paragraphs (1) and (2) shall be governed by the Personal Information Protection Act.

(4) No person who currently performs or did perform the duties prescribed in paragraph (1) or (2) shall use any data or information acquired in the course of performing such duties for a purpose other than that prescribed in this Act or provide or divulge such data or information to any other person or institution.

Article 64-6 (Establishment and Operation of Unoccupied House Information System)

(1) The head of a Si/Gun/Gu may establish and operate an information system to comprehensively manage information on unoccupied houses and to provide information necessary for improving unoccupied houses (hereinafter referred to as "unoccupied house information system").

(2) The unoccupied house information systems may be linked to the electronic information processing system under Article 32 of the Building Act.

(3) The head of a Si/Gun/Gu may request the head of a relevant central administrative agency or the head of a relevant local government or of a relevant public institution to submit data or information, if necessary for establishing and operating an unoccupied house information system. In such cases, the head of the agency or institution upon receipt of such request shall cooperate unless there is good cause.

(4) The head of a Si/Gun/Gu may require a specialized institution prescribed by Presidential Decree to establish and operate an unoccupied house information system.

(5) Where necessary to prevent accidents, crimes, etc., the head of a Si/Gun/Gu may provide information on unoccupied houses processed through an unoccupied house information system to the head of a relevant administrative agency or the head of a public institution.

(6) The head of a Si/Gun/Gu may disclose information on an unoccupied house processed through the unoccupied house information system on the Internet as well as by other means for achieving the purpose of utilizing the unoccupied houses, only when the owner of the unoccupied house has consented to such disclosure.

(7) Other matters necessary for establishing and operating an unoccupied house information system shall be prescribed by Presidential Decree.

Article 65 (Responsibilities of Owners toward Unoccupied Houses)

The owner, etc. of an unoccupied house shall manage and maintain the unoccupied house appropriately so as not to adversely affect the living environment of the surrounding areas.

Article 65-2 (Responsibilities of Head of Si/Gun/Gu toward Unoccupied Houses)

The head of a Si/Gun/Gu shall formulate necessary measures for unoccupied houses, such as formulating and implementing an unoccupied house improvement plan.

Article 65-3 (Reporting, Identification, and Inspection of Specific Unoccupied Houses)

(1) Where any person recognizes an unoccupied house falling under any of the following subparagraphs (hereinafter referred to as "specific unoccupied house"), he or she may report the relevant unoccupied house to the head of the competent Si/Gun/Gu in the area in which the relevant unoccupied house is located. In such cases, the Protection of Public Interest Reporters Act shall apply to the procedures, methods, etc. for filing a report:

1. Where an accident, such as collapse or fire, or a crime is likely to occur;
2. Where there are concerns about sanitation;
3. Where poor management remarkably damages the scenery;
4. Where it is inappropriate to leave the house unattended in terms of preserving a living environment in the surrounding area.

(2) Upon receipt of such report on an unoccupied house under paragraph (1), the head of a Si/Gun/Gu shall conduct an on-site inspection, as prescribed by Presidential Decree.

Article 65-4 (Administrative Guidance on Specific Unoccupied Houses)

(1) The head of a Si/Gun/Gu shall guide the owners, etc. of specific unoccupied houses in taking measures necessary for preserving the surrounding living environment, such as the removal of hazardous elements in the relevant specific unoccupied houses, improvement, and logging trees, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or by Ordinance of the Ministry of Oceans and Fisheries.

(2) Articles 48 through 51 of the Administrative Procedures Act shall apply to necessary matters, including methods of other administrative guidance.

Article 65-5 (Measures for Specific Unoccupied Houses)

(1) Where an unoccupied house falls into the category of specific unoccupied house, the head of a Si/Gun/Gu may issue an order to the owner of the relevant specific unoccupied house to take necessary measures, such as removal, remodeling, repair, etc. after deliberation by a building committee (referring to a building committee established by the head of a Si/Gun/Gu) under Article 4 of the Building Act, and the owner of the relevant specific unoccupied house shall implement the measures within 60 days in the absence of good cause: Provided, That the maintenance period may be extended only once by up to 60 days if it is significantly impracticable to take necessary measures within 60 days due to any unavoidable cause, such as an act of God or other technical difficulty.

(2) Where the head of a Si/Gun/Gu orders a specific unoccupied house to be removed in accordance with paragraph (1), he or she may ex officio remove the specific unoccupied house, as prescribed by Presidential Decree, if its owner fails to comply with the order without good cause.

(3) Where the whereabouts of the owner of a specific unoccupied house to be removed under paragraph (2) are unknown, the head of the competent Si/Gun/Gu shall publicly announce, at least once, in a daily newspaper and on its website, an order to remove the unoccupied house and that the unoccupied house be ex officio removed, if the order is not followed, and may ex officio remove such house, if its owner fails to remove it within 60 days from the date of public announcement in the daily newspaper or on the website.

(4) When the head of a Si/Gun/Gu removes a specific unoccupied house pursuant to paragraph (2) or (3), he or she shall pay reasonable compensation to the owner of the unoccupied house, as prescribed by Presidential Decree. In such cases, the head of a Si/Gun/Gu may pay the remainder of the compensation expenses after subtracting expenses for removal. Where the owner of an unoccupied house refuses to receive the compensation expenses or where it is impracticable to pay the compensation expenses due to unknown whereabouts of the owner of the unoccupied house, the head of a Si/Gun/Gu shall deposit the amount equivalent to the amount of compensation.

(5) After removing a specific unoccupied house pursuant to paragraph (2) or (3), the head of a Si/Gun/Gu shall record such removal in the building register without delay, and shall commission the competent registry office to cancel the registration of the unoccupied house by giving it notice, without delay, to the

effect that such unoccupied house has been removed under this Act after recording such removal in the building register.

Article 65-6 (Purchase of Unoccupied Houses)

(1) The competent Mayor/Do Governor or the head of a Si/Gun/Gu or an agency prescribed by Presidential Decree may purchase unoccupied houses (including land appurtenant thereto) according to an unoccupied house improvement plan and utilize them for public purposes, such as living infrastructure, joint-use facilities, or rental housing.

(2) Matters regarding the methods, procedures, etc. for purchasing unoccupied houses shall be prescribed by Presidential Decree.

Article 66 (Support for Voluntary Removers)

Where the owner of an unoccupied house who has voluntarily fulfilled a removal order issued by the head of the competent Si/Gun/Gu pursuant to Article 65-5 (1) desires to rehabilitate a house for agricultural purposes, the head of the competent Si/Gun/Gu may give priority to him or her in granting the Rural Housing Rehabilitation Fund referred to in Article 67. *<Amended on Feb. 11, 2020>*

Article 67 (Creation of Rural Housing Rehabilitation Fund)

(1) The State and local governments shall create necessary funds, as prescribed by Presidential Decree (hereinafter referred to as "Rural Housing Rehabilitation Fund"), to efficiently improve unoccupied houses and rehabilitate rural houses referred to in subparagraph 10 (f), (i) and (j) of Article 2. *<Amended on Feb. 17, 2012>*

(2) A plan to manage the Rural Housing Rehabilitation Fund shall be established by the Minister of Agriculture, Food and Rural Affairs in consultation with the Minister of Economy and Finance and the Minister of Land, Infrastructure and Transport. *<Amended on Mar. 23, 2013>*

(3) The Rural Housing Rehabilitation Fund shall be used only for the following purposes: *<Amended on Feb. 17, 2012; Feb. 11, 2020>*

1. Subsidies or loans to those who implement a project to rehabilitate rural houses referred to in subparagraph 10 (i) and (j) of Article 2;
2. Subsidies or loans to those who desire to rehabilitate rural houses;
3. Expenses for the quality control of rural houses;
4. Expenses for removal of unoccupied houses and compensation expenses referred to in Article 65-5;
5. Expenses for operating and managing the Rural Housing Rehabilitation Fund.

Article 68 (Sale of Rural Houses)

(1) The implementer of a living environment improvement project may provide a substitute lot, sell or lease the land created by the implementation of the living environment improvement project (hereinafter

referred to "created land"), rural houses and other facilities.

(2) The determination of supply prices of created land, rural houses and other facilities, the method and procedures for the supply thereof, and other relevant matters shall be prescribed by Presidential Decree.

Article 69 (Uses of Created Land)

A person supplied with created land (excluding the State and local governments; hereinafter the same shall apply) shall construct rural houses, etc. for the use approved pursuant to Article 59.

Article 70 (Restriction on Resale of Created Land)

(1) No person supplied with created land shall resell (including transfer of title, purchase and sale, and all other activities that change a right, but excluding inheritance; hereinafter the same shall apply) the created land until before he or she completes the registration of transfer of ownership after building rural houses or other facilities on it for the use for which such created land is supplied: Provided, That the foregoing shall not apply in circumstances prescribed by Presidential Decree, such as where a person supplied with created land resells it for making his or her living. *<Amended on Feb. 11, 2020>*

(2) If created land is resold in violation of paragraph (1), the relevant legal act is null and void, and the relevant project implementer may repurchase the created land by paying a sum of the value of the created land as at the time of supply and the amount calculated by applying thereto the average interest rate of time deposits with a maturity of one year sold by banks under the Banking Act. *<Amended on May 17, 2010>*

Article 70-2 (Establishment of Arterial Facilities)

The provisions of Article 28 of the Housing Act shall apply mutatis mutandis to arterial facilities (referring to arterial facilities defined in subparagraph 17 of Article 2 of the Housing Act) established by implementing living environment improvement projects. *<Amended on Jan. 19, 2016>*

Article 71 (Technical Support)

(1) The Minister of Agriculture, Food and Rural Affairs shall provide planning and technical support to facilitate the implementation of living environment improvement projects, such as formulating a living environment improvement plan, a master plan for the living environment improvement project, a rural village improvement plan, and an implementation plan for the living environment improvement project, and conducting surveys and design, and for the quality control of facilities to be established by the living environment improvement projects, and may provide a subsidy to cover expenses therefor within budgetary limits. *<Amended on Mar. 23, 2013>*

(2) The Minister of Agriculture, Food and Rural Affairs may establish and operate a planning and technical support team, as prescribed by Presidential Decree, to provide technical support for design and execution, which is necessary for formulating a living environment improvement plan, a master plan for

the living environment improvement project, a rural village improvement plan, and an implementation plan for the living environment improvement project pursuant to paragraph (1). <Amended on Mar. 23, 2013>

CHAPTER V FOSTERING RURAL INDUSTRIES

SECTION 1 Formulation and Implementation of Rural Industry Fostering Plan

Article 72 (Fostering of and Support for Rural Industries)

The State and local governments shall formulate and implement comprehensive support measures necessary for fostering rural industries.

Article 73 (Formulation of Master Plan for Fostering Rural Industries)

(1) The Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries may establish guidelines necessary for formulating a plan for fostering rural industries in consultation with the heads of the relevant central administrative agencies. <Amended on Mar. 23, 2013>

(2) The head of a Si/Gun/Gu who intends to implement measures for fostering rural industries referred to in Article 72 shall formulate a master plan for fostering rural industries every three years; and shall submit the master plan to the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries through the relevant Mayor/Do Governor. <Amended on Mar. 23, 2013>

(3) The master plan for fostering rural industries shall include the following:

1. Objectives of and basic direction-setting for developing rural industries;
2. Training of human resources necessary for developing rural industries, and cooperative systems between industries, academic circles, and research institutions, etc.;
3. Fostering of enterprises and creation of an environment to invest for developing rural industries;
4. Creation of agro-industrial complexes referred to in Article 78 and facilitation of the operation thereof;
5. Annual investment plans and financing;
6. Other matters necessary for fostering rural industries.

(4) The head of a Si/Gun/Gu shall hear opinions of civil organizations, residents, etc. in the area under his or her jurisdiction before formulating a master plan for fostering rural industries.

(5) Procedures for formulating and finalizing master plans for fostering rural industries and other necessary matters shall be prescribed by Presidential Decree.

Article 74 (Formulation of Implementation Plan to Foster Rural Industries)

(1) The head of a Si/Gun/Gu shall formulate an implementation plan for fostering rural industries each year to efficiently implement the master plan for fostering rural industries formulated pursuant to Article

73; and shall submit the implementation plan to the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries through the relevant Mayor/Do Governor. <Amended on Mar. 23, 2013>

(2) Procedures for formulating, amending and submitting implementation plans for fostering rural industries and other necessary matters shall be prescribed by Presidential Decree.

Article 75 (Designation of Assistance Organization to Foster Rural Industries)

(1) The Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries may designate an organization, etc. equipped with the human resources, organization, etc. necessary to assist in such duties as conducting surveys, research and assessments of policies for fostering rural industries and relevant plans and providing consulting, as an assistance organization to foster rural industries. <Amended on Mar. 23, 2013>

(2) The Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries or the head of a local government may provide a subsidy for an assistance organization to foster rural industries designated pursuant to paragraph (1) within budgetary limits to cover expenses incurred in performing duties to assist in fostering rural industries. <Amended on Mar. 23, 2013>

(3) Requirements for designation as assistance organizations referred to in paragraph (1), designation procedures, assistance duties and other necessary matters shall be prescribed by Presidential Decree.

(4) Where an assistance organization to foster rural industries designated pursuant to paragraph (1) is deemed incapable of performing duties to assist in fostering rural industries or fails to satisfy the requirements for designation referred to in paragraph (3), the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries may order the assistance organization to take corrective measures within a period not exceeding two months. <Amended on Mar. 23, 2013>

(5) In any of the following circumstances, the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries may revoke the designation of an assistance organization to foster rural industries, as prescribed by Presidential Decree: Provided, That the relevant designation must be revoked in cases falling under subparagraph 1: <Amended on Mar. 23, 2013>

1. Where the assistance organization to foster rural industries is designated by fraud or other improper means;
2. Where the assistance organization to foster rural industries fails to engage in activities to assist in fostering rural industries for at least one year without just cause;
3. Where the assistance organization to foster rural industries subject to an order issued paragraph (4) fails to take corrective measures.

Article 76 (Assessment)

(1) The Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries shall assess the following matters: <Amended on Mar. 23, 2013>

1. Outcomes of implementation of the master plans to foster rural industries and annual implementation plans by the heads of Sis/Guns/Gus;
 2. Other matters requiring assessment in relation to the implementation of plans to foster rural industries.
- (2) Criteria and procedures for assessments referred to in paragraph (1) and other relevant matters shall be prescribed by Presidential Decree.
- (3) The State may provide financial incentives to local governments found exemplary by an assessment conducted under paragraph (1) within budgetary limits.

SECTION 2 Development of Agro-Industrial Complexes

Article 77 (Basic Policies for Supporting Development of Agro-Industrial Complexes)

The Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries shall formulate basic policies for supporting the development of agro-industrial complexes in order to foster projects for creating rural industrial complexes pursuant to Article 50 (1) of the Framework Act on Agriculture, Rural Community and Food Industry and Article 39 (1) of the Framework Act on Fisheries and Fishing Villages Development. *<Amended on Mar. 23, 2013; Jun. 22, 2015>*

Article 78 (Support for Development of Agro-Industrial Complexes)

- (1) The head of a Si/Gun/Gu shall designate and develop agro-industrial complexes with the approval of the competent Mayor/Do Governor, in order to develop industries in rural areas under his or her jurisdiction pursuant to the Industrial Sites and Development Act.
- (2) The Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries or a Mayor/Do Governor may provide the head of a Si/Gun/Gu with a grant necessary for developing agro-industrial complexes within budgetary limits each year. *<Amended on Mar. 23, 2013>*
- (3) Upon designating or approving an agro-industrial complex pursuant to paragraph (1), a Mayor/Do Governor shall report it to the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries. *<Amended on Mar. 23, 2013>*

Article 79 (Support for Sale of Products)

The State and local governments may take measures necessary to encourage the sale of products produced in agro-industrial complexes, such as supporting their export and accelerating systematization, and the State, local governments, public organizations and public institutions may enter into a negotiation contract on the purchase of products with their producers.

Article 80 (Support for Preservation of Rural Environment)

The State and local governments may provide financial support for a company taking occupancy in an agro-industrial complex, if the company installs and manages environmental preservation facilities pursuant to Article 29 of the Framework Act on Environmental Policy. <Amended on Jul. 21, 2011>

CHAPTER VI DEVELOPMENT OF RURAL TOURISM AND RESORT RESOURCES AND IMPROVEMENT OF MARGINAL FARMLAND

SECTION 1 Development of Rural Tourism and Resort Resources

Article 81 (Support and Fostering of Rural Tourism and Resorts)

(1) The Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, a Mayor/Do Governor or the head of a Si/Gun/Gu may implement the following policies to preserve the natural landscape of rural and quasi rural areas and to increase the income of rural areas by supporting and fostering rural tourism and resorts: <Amended on Oct. 22, 2012; Mar. 23, 2013>

1. Development of tourism and resort resources, utilizing the natural environments, farming activities, traditions, culture, etc. of rural areas;
2. Fostering rural tourism and resort business;
3. Surveys, research and public relations for invigorating rural tourism and resorts.

(2) The scale of and criteria for facilities of rural tourism and resort business shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries. <Amended on Mar. 23, 2013>

Article 82 (Development of Rural Tourism and Resort Complexes)

(1) The head of a Si/Gun/Gu may designate and directly develop a rural tourism and resort complex in rural areas or may authorize a person whose business plan is approved pursuant to paragraph (2) to develop such complex, as prescribed by Presidential Decree.

(2) A person, other than the heads of Sis/Guns/Gus, who intends to develop a rural tourism and resort complex designated pursuant to paragraph (1) shall formulate a business plan and obtain approval of the business plan from the head of the relevant Si/Gun/Gu, as prescribed by Presidential Decree. The foregoing shall also apply where he or she intends to alter important matters prescribed by Presidential Decree among the terms of approval.

(3) The head of a Si/Gun/Gu shall give public notice, as prescribed by Presidential Decree, upon designating a rural tourism and resort complex or cancelling such designation or upon approving a business plan for a rural tourism and resort complex or revoking such approval. <Amended on Jan. 6, 2015>

Article 83 (Development of Tourist Farms)

(1) Tourist farms can be developed by farmers defined in subparagraph 2 of Article 3 of the Framework Act on Agriculture, Rural Community and Food Industry (hereinafter referred to as "farmers"), fishermen defined in subparagraph 3 of Article 3 of the Framework Act on Fisheries and Fishing Villages Development (hereinafter referred to as "fishermen"), the Korea Rural Community Corporation or other farmers' or fishermen's associations prescribed by Presidential Decree. *<Amended on Jun. 22, 2015>*

(2) A person who intends to develop a tourist farm shall formulate a business plan and obtain approval of the business plan from the head of the relevant Si/Gun/Gu, as prescribed by Presidential Decree. The foregoing shall also apply where he or she intends to alter important matters prescribed by Presidential Decree among terms of approval.

Article 84 (Sale of Land or Facilities)

The implementer of a project for developing a rural tourism and resort complex or a tourist farm (hereinafter referred to as "rural tourism and resort site") may sell or lease land and facilities after undergoing a completion inspection conducted under Article 114. *<Amended on Dec. 24, 2018>*

Article 85 (Reporting by Rural Tourism and Resort Site Business Operators)

(1) Rural tourism and resort complex business may be conducted by the head of a Si/Guns/Gu or persons who have filed a report with the head of a Si/Guns/Gu, and tourist farm business may be conducted by persons who have filed a report with the head of a Si/Guns/Gu among persons prescribed in Article 83 (1).

(2) Where a person, other than the heads of Sis/Guns/Gus, intends to conduct rural tourism and resort site business, he or she shall prepare an operating plan and file a report on rural tourism and resort site business operator with the head of the relevant Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries. The foregoing shall also apply where he or she intends to modify such report or close down his or her business. *<Amended on Mar. 23, 2013>*

(3) The head of a Si/Gun/Gu upon receipt of a report prescribed in the former part of paragraph (2) or a report on modification prescribed in the latter part of the same paragraph shall examine it and accept the report if it conforms to this Act. *<Newly Inserted on Dec. 24, 2018>*

(4) Where the head of a Si/Gun/Gu accepts a report filed by a rural tourism and resort site business operator pursuant to paragraph (3), he or she shall issue a certificate of report to the reporter, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or by Ordinance of the Ministry of Oceans and Fisheries, and prepare and manage a report register. *<Amended on Mar. 23, 2013; Dec. 24, 2018; Feb. 11, 2020>*

(5) Articles 23 through 26 of the Farmland Act shall not apply where a person whose report on a rural tourism and resort site business operator (hereinafter referred to as "rural tourism and resort site business operator") is accepted pursuant to paragraph (3) leases or hires farmland for his or her rural tourism and

resort site business. <Amended on Dec. 24, 2018>

(6) Matters necessary for the methods of and procedures for filing a report prescribed in paragraph (2), etc. shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or by Ordinance of the Ministry of Oceans and Fisheries. <Amended on Mar. 23, 2013; Dec. 24, 2018>

Article 86 (Reporting by Rural Bed and Breakfast Business Operators)

(1) A person who intends to conduct rural bed and breakfast business shall file a report on rural bed and breakfast business operator with the head of the relevant Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries. The foregoing shall also apply where he or she intends to modify the reported matters or close his or her business. <Amended on Mar. 23, 2013>

(2) A person who intends to conduct rural bed and breakfast business shall meet all of the following requirements: <Newly Inserted on Feb. 11, 2020>

1. He or she shall be a resident of a rural area or quasi rural area;
2. He or she shall reside in the competent Si/Gun/Gu in a rural or quasi rural area for at least six months in a row (excluding those who have inherited a house currently used for a rural bed and breakfast business);
3. The person who files a report shall reside in a detached house defined in Article 2 (2) 1 of the Building Act (referring to a detached house and a multi-unit house under attached Table 1 of the Enforcement Decree of the same Act; hereinafter the same shall apply);
4. A detached house shall be directly owned by the person who files a report.

(3) Notwithstanding paragraph (2), a person who meets any of the following may report rural bed and breakfast business even if they fail to meet the requirements referred to in paragraph (2) 4: <Newly Inserted on Feb. 11, 2020>

1. A person who has resided in the competent Si/Gun/Gu for at least three years and has continuously operated rural bed and breakfast business for at least two years, and has never been ordered to close the place of business or to suspend business for at least one month under Article 89;
2. A person who has resided in the competent Si/Gun/Gu with which he or she intends to report rural bed and breakfast business for a period of at least three consecutive years and who intends to operate rural bed and breakfast business for at least two years in a row through lease arrangements.

(4) The head of a Si/Gun/Gu shall notify a person who files a report of whether such report is accepted within 10 days from the date of receiving the report under the former part of paragraph (1) or the report on modification under the latter part of the same paragraph. <Newly Inserted on Jan. 15, 2019; Feb. 11, 2020>

(5) If the head of a Si/Gun/Gu fails to notify the reporting person whether such report is accepted or of an extension of a processing period under statutes or regulations related to processing civil petitions within the period prescribed in paragraph (2), such report shall be deemed accepted on the day immediately following the date the relevant period expires (referring to the extended or re-extended period, where the

processing period gets extended or re-extended under statutes or regulations related to processing civil petitions). <Newly Inserted on Jan. 15, 2019; Feb. 11, 2020>

(6) Where a rural bed and breakfast business operator reports the closure of his or her business to the head of the competent tax office or where the head of the competent tax office cancels his or her business registration under Article 8 of the Value-Added Tax Act, the head of a Si/Gun/Gu may cancel matters reported ex officio. <Newly Inserted on Feb. 11, 2020>

(7) The head of a Si/Gun/Gu may request the head of the competent tax office to provide information about whether a rural bed and breakfast business operator permanently closed his or her business, if necessary for ex officio cancellation under paragraph (6). In such cases, the head of the competent tax office, upon receipt of the request, shall provide information about whether the rural bed and breakfast business operator permanently closed his or her business, pursuant to Article 36 (1) of the Electronic Government Act. <Newly Inserted on Feb. 11, 2020>

(8) Methods and procedures for filing reports pursuant to paragraph (1) and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or by Ordinance of the Ministry of Oceans and Fisheries. <Amended on Mar. 23, 2013; Jan. 15, 2019; Feb. 11, 2020>

(9) Upon receipt of a report pursuant to paragraph (8), the head of a Si/Gun/Gu shall ascertain reported matters and issue a certificate of report to the person who filed the report, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or by Ordinance of the Ministry of Oceans and Fisheries. <Amended on Mar. 23, 2013; Jan. 15, 2019; Feb. 11, 2020>

Article 86-2 (Matters to Be Observed by Rural Bed and Breakfast Business Operators)

A rural bed and breakfast business operator shall observe the following matters: <Amended on Jan. 15, 2019; Feb. 11, 2020; Apr. 13, 2021>

1. The rural bed and breakfast business operator shall post the certificate of report issued under Article 86 (9) and price tables at a place easily visible in his or her lodging house;
2. The rural bed and breakfast business operator shall comply with the service and safety standards prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries to enhance the level of service;
3. The rural bed and breakfast business operator shall receive education which the head of the Si/Gun/Gu or a nationwide organization of rural bed and breakfast business operators permitted by the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries provides for the improvement of levels of service, sanitation, fire-fighting safety, etc., as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries;
4. The rural bed and breakfast business operator may serve breakfast for lodge guests, and costs thereof shall be included in the lodging fee;
5. The rural bed and breakfast business operator shall keep a written confirmation issued after undergoing a safety inspection once a year pursuant to Article 66 of the Electric Utility Act or Article

30 of the Safety Control and Business of Liquefied Petroleum Gas Act and shall submit the copy thereof to the head of the Si/Gun/Gu;

6. The rural bed and breakfast business operator shall place a mark indicating his or her place of business for rural bed and breakfast business on the entrance of his or her lodging house and on the website thereof (applicable only where such a website exists) as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or by Ordinance of the Ministry of Oceans and Fisheries.

Article 86-3 (Restrictions on Indication of Rural Bed and Breakfast Business)

No person who fails to file a report as a rural bed and breakfast business operator shall place a mark indicating his or her place of business for rural bed and breakfast business pursuant to subparagraph 6 of Article 86-2 or other similar marks.

Article 86-4 (Prohibiting Rural Bed and Breakfast Business Operators from Installing Illegal Cameras)

No rural bed and breakfast business operators shall install a camera or any other mechanical device performing similar functions, which are used for activities in violation of Article 14 (1) of the Act on Special Cases concerning the Punishment of Sexual Crimes.

Article 87 (Succession to Rural Tourism and Resort Site Business)

(1) Any of the following persons shall succeed to the position of a former rural tourism and resort site business operator: *<Amended on Dec. 24, 2018>*

1. Where the former rural tourism and resort site business operator transfers the business, the transferee;
2. Where the former rural tourism and resort site business operator is dead, his or her heir;
3. Where the former rural tourism and resort site business operator which is a corporation merges with another corporation, the corporation surviving such merger or is established in the course of effecting such merger.

(2) A person who acquires all of the business facilities and installations in accordance with any of the following procedures shall succeed to the position of a former rural tourism and resort site business operator prescribed in this Act: *<Amended on Dec. 24, 2018>*

1. Auction under the Civil Execution Act;
2. Auction prescribed in the Debtor Rehabilitation and Bankruptcy Act;
3. Sales of seized property provided in the National Tax Collection Act, the Customs Act or the Local Tax Collection Act;
4. Other procedures equivalent to those falling under subparagraphs 1 through 3.

(3) Notwithstanding paragraph (1) or (2), only the persons prescribed in Article 83 (1) shall succeed to the position of a former rural tourism and resort site business operator in cases of tourist farms. *<Amended on*

Dec. 24, 2018>

(4) A person who succeeds to the position of a former rural tourism and resort site business operator pursuant to paragraph (1) or (2) shall file a report thereon with the head of the competent Si/Gun/Gu within one month, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or by Ordinance of the Ministry of Oceans and Fisheries. <Amended on Mar. 23, 2013; Dec. 24, 2018>

Article 88 (Direction and Supervision)

The head of a Si/Gun/Gu may direct or supervise rural tourism and resort site business operators or rural bed and breakfast business operators and may order the rural tourism and resort site business operators or rural bed and breakfast business operators to improve their facilities and operation, where deemed necessary. <Amended on Feb. 17, 2012; Jan. 6, 2015>

Article 89 (Closure of Place of Business)

(1) If a rural tourism and resort site business operator or a rural bed and breakfast business operator falls under any of the following subparagraphs (subparagraph 8 only applies to a rural bed and breakfast business operator), the Minister of Science and ICT may order him or her to close his or her business places or to suspend all or part of his or her business for a specified period not exceeding six months: Provided, That in cases falling under subparagraph 7 or 9, he or she shall order him or her to close the business place: <Amended on Dec. 10, 2019; Feb. 11, 2020; Apr. 13, 2021>

1. Where the business operator fails to conduct the business for at least one year without just cause;
2. Where the business operator fails to cultivate crops in the tourist farm and weekend farm for at least one year;
3. Where the business operator fails to meet the scale of or criteria for facilities referred to in Article 81 (2);
4. Where the business operator develops the tourist farm without approval or approval for modification under Article 83 (2);
- 4-2. Where the business operator installs a camera or any other mechanical device performing similar functions, in violation of Article 86-4;
5. Where the business operator transfers or acquires the tourist farm business in violation of Article 87 (1) or (3);
6. Where the business operator fails to fulfill an order to improve facilities and operation issued under Article 88;
7. Where the business operator conducts the business during the suspension period;
8. Where the business operator is notified by the head of a relevant administrative agency of his or her violation of the Act on Special Cases concerning the Punishment of Sexual Crimes, the Act on the Punishment of Arrangement of Commercial Sex Acts, or the Act on the Protection of Children and Youth against Sex Offenses;

9. Where the rural bed and breakfast business operator reports to the head of the competent tax office on the closure of his or her business, or where the head of the competent tax office cancels his or her business registration under Article 8 of the Value-Added Tax Act.

(2) Where six months (six months, in cases falling under subparagraph 4-2 or 8) have not passed since an order to close a place of business was issued for a violation of the subparagraphs of paragraph (1), neither rural tourism and resort site business nor rural bed and breakfast business shall be conducted in the place of business subject to such order. *<Amended on Dec. 10, 2019; Apr. 13, 2021>*

(3) No person ordered to close his or her place of business in violation of paragraph (1) 4-2 or 8 shall engage in rural bed and breakfast business unless two years have passed since he or she was ordered to close such place of business. *<Newly Inserted on Dec. 10, 2019; Apr. 13, 2021>*

(4) Detailed criteria for issuing an order to close a place of business or to suspend business under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries in consideration of the causes of such disposition, severity of the relevant violation, etc. *<Amended on Mar. 23, 2013; Dec. 10, 2019>*

(5) Where a rural tourism and resort site business operator or a rural bed and breakfast business operator ordered to close his or her place of business pursuant to paragraph (1) continues to operate the place of business, the head of the relevant Si/Gun/Gu may have relevant public officials take the following measures to close such place of business: *<Amended on Dec. 10, 2019>*

1. Removing signboards and other business marks in the relevant place of business;
2. Affixing notices, etc. informing that the relevant place of business is illegal;
3. Sealing equipment or facilities that are indispensable for operating the relevant place of business to be unusable.

(6) Where it is deemed unnecessary to keep equipment or facilities sealed after sealing under paragraph (5) 3 or where a business operator or its agent promises to close the relevant place of business or requests unsealing for good cause, the head of the relevant Si/Gun/Gu may unseal the equipment or facilities. The same shall also apply where the removal of notices, etc. under paragraph (5) 2 is requested. *<Amended on Dec. 10, 2019>*

Article 90 (Succession to Administrative Sanctions)

(1) Any of the following rural tourism and resort site business operators or rural bed and breakfast business operators shall succeed to an administrative sanction imposed on a former rural tourism and resort site business operator or rural bed and breakfast business operator for a violation of the subparagraphs of Article 89 (1):

1. A person who has filed a report to conduct rural tourism and resort site business or rural bed and breakfast business again after filing a report on business closure pursuant to the latter part of Article 85 (2) or the latter part of Article 86 (1);

2. A person who acquires a rural tourism and resort site business pursuant to Article 87 (1).
- (2) Procedures for imposing an administrative sanction undergoing pursuant to Article 89 (1) may continue to proceed with respect to a person prescribed in each subparagraph of paragraph (1).
- (3) Notwithstanding paragraphs (1) and (2), the same shall not apply where a person proves his or her unawareness of an administration sanction imposed on a previous rural tourism and resort site business operator or rural bed and breakfast business operator or of such business operator's violation.

SECTION 2 Improvement of Marginal Farmland

Article 91 (Basic Policies for Improving Marginal Farmland)

The Minister of Agriculture, Food and Rural Affairs may formulate basic policies for improving marginal farmland, etc. to efficiently manage, use and develop the marginal farmland, etc. <Amended on Mar. 23, 2013>

Article 92 (Types of Improvement of Marginal Farmland)

An area designated and publicly notified as a zone to improve marginal farmland, etc. pursuant to Article 94 may be improved as follows in consideration of regional conditions: <Amended on Mar. 23, 2013>

1. Creating farmland and installing facilities for agriculture, forestry and fisheries, such as pomiculture, horticulture, special purpose crops, livestock farming zones, and fish farms;
2. Installing facilities for developing and utilizing rural tourism and resort resources, such as rural tourism and resort complexes, tourist farms, and tourist accommodation facilities;
3. Building houses and housing sites and appurtenant farmland, industrial facilities, culture and art-related facilities, such as exhibition halls, and museums, sports facilities, youth training facilities, medical centers, educational and training facilities and welfare facilities for older persons;
4. Installing other facilities prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, which are necessary for facilitating the development of rural areas.

Article 93 (Survey and Public Notice of Marginal Farmland)

- (1) The head of a Si/Gun/Gu may survey marginal farmland in rural areas.
- (2) After conducting a survey pursuant to paragraph (1), the head of a Si/Gun/Gu shall give public notice of survey findings and make such findings available to public inspection.
- (3) Matters necessary for surveying marginal farmland and for giving public notice of survey findings pursuant to paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>

Article 94 (Designation and Public Notice of Zone to Improve Marginal Farmland Improvement)

(1) The head of a Si/Gun/Gu may designate an area requiring improvement in marginal farmland, etc. as a zone to improve marginal farmland, etc.

(2) Where the head of a Si/Gun/Gu intends to designate a zone to improve marginal farmland, etc., he or she shall publicly notify such designation after consultation with the heads of relevant administrative agencies in advance. The foregoing shall apply where he or she intends to modify or revoke designation.

(3) Requirements for designation of zones to improve marginal farmland, etc. and other necessary matters shall be prescribed by Presidential Decree.

Article 95 (Designation of Marginal Farmland Improvement Zone Upon Application)

(1) A person who intends to improve marginal farmland, etc. located outside a zone to improve marginal farmland, etc. publicly notified pursuant to Article 94 may file an application for designation as a zone to improve marginal farmland, etc. with the head of the relevant Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Mar. 23, 2013>*

(2) The head of a Si/Gun/Gu upon receipt of an application pursuant to paragraph (1) may designate and publicly notify a zone to improve marginal farmland, etc. pursuant to Article 94.

Article 96 (Implementation of Marginal Farmland Improvement Project)

(1) A project to improve marginal farmland, etc. shall be implemented by the head of a Si/Gun/Gu or a person who has obtained approval of a plan for the project to improve marginal farmland, etc. pursuant to paragraph (2).

(2) Where a person, other than the head of a Si/Gun/Gu, intends to implement a project to improve marginal farmland, etc. for all or part of a zone to improve marginal farmland, etc., he or she shall formulate a plan for the project to improve marginal farmland, etc. and obtain approval of the plan from the head of the relevant Si/Gun/Gu, as prescribed by Presidential Decree. The foregoing shall also apply where he or she intends to modify matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs in the approved plan for the project to improve marginal farmland, etc. *<Amended on Mar. 23, 2013>*

Article 97 (Application Mutatis Mutandis of Relevant Provisions)

The provisions of Section 3 of Chapter III (Articles 25 through 51) shall apply mutatis mutandis where land substitution, exchange, division or consolidation is required as a result of a project to improve marginal farmland, etc. implemented pursuant to Article 92.

Article 98 (Sale of Land and Facilities in Lot)

(1) The implementer of a project to improve marginal farmland, etc. may sell or lease the relevant land and facilities after passing a completion inspection pursuant to Article 114.

- (2) Article 8 of the Farmland Act shall not apply to the purchase of farmland created through projects to improve marginal farmland, etc. and Articles 23 through 26 of that Act shall not apply to the lease thereof.
- (3) The area of farmland that a person who is not a farmer or fisherman may acquire pursuant to paragraph (2) shall be less than 1,500 square meters. <Amended on Feb. 17, 2012; Jun. 22, 2015>

Article 99 (Investment)

The State and local governments may invest the Farmland Management Fund, local government's expenses, etc. to efficiently preserve, utilize and improve marginal farmland, etc.

Article 100 (Purchase and Sale of Marginal Farmland)

- (1) Article 8 of the Farmland Act shall not apply where the implementer of a project to improve marginal farmland, etc. designated pursuant to Article 96 purchases farmland located in the relevant zone to improve marginal farmland, etc.
- (2) The Korea Rural Community Corporation may purchase or sell marginal farmland, etc. and other necessary land, or may sell them after development pursuant to Article 96.
- (3) Where the Korea Rural Community Corporation sells marginal farmland and other necessary land pursuant to paragraph (2), it may assist persons to be fostered as full-time farmers and agricultural corporations pursuant to Article 18 of the Korea Rural Community Corporation and Farmland Management Fund Act.

CHAPTER VII VILLAGE IMPROVEMENT ZONE

Article 101 (Formulation of Village Improvement Plan and Designation of Village Improvement Zone)

- (1) A Mayor/Do Governor may designate a village improvement zone upon request by the head of a Si/Gun/Gu to implement rural improvement projects comprehensively and systematically.
- (2) To request the designation of a village improvement zone pursuant to paragraph (1), the head of a Si/Gun/Gu shall formulate a rural village improvement plan (hereinafter referred to as "village improvement plan") and submit the plan to the relevant Mayor/Do Governor after deliberation by the Si/Gun/Gu deliberation council on policies for agriculture, rural communities and the food industry established under Article 15 of the Framework Act on Agriculture, Rural Community and Food Industry. <Amended on Mar. 23, 2013; Jun. 22, 2015>
- (3) A village improvement plan shall include the following matters: Provided, That matters referred in subparagraphs 10 through 14 may be included only where necessary:
1. The name, location, and area of the relevant village improvement zone;
 2. Where the relevant village improvement project is implemented by dividing the village improvement zone into at least two project zones, details about the division of the zone;

3. A land use plan;
4. Construction of new rural villages or re-development of existing rural villages referred to in subparagraph 10 (a) and (b) of Article 2;
5. Construction of major infrastructure, such as roads, water works, and sewerage;
6. Rehabilitation of rural houses;
7. Rural landscape management;
8. An environment preservation plan and prevention of pollution;
9. Creation of communities;
10. Improvement of agricultural infrastructure;
11. Development of rural tourism and resort resources;
12. Fostering and development of rural industries;
13. Construction of health and medical facilities, educational facilities, and welfare facilities;
14. Development of regional specialization;
15. Financing for project costs;
16. Expected period for project implementation;
17. The project implementer-to-be and method of implementing the development project;
18. A detailed statement of land, real rights, and rights to be expropriated or used;
19. Other matters prescribed by Presidential Decree.

(4) Where a Mayor/Do Governor is requested to designate a village improvement zone pursuant to paragraph (1), he or she may designate the village improvement zone after consulting with the heads of relevant administrative agencies: Provided, That the Mayor/Do Governor shall consult in advance with the Minister of Agriculture, Food and Rural Affairs if the village improvement zone he or she intends to designate meets the requirements prescribed by Presidential Decree. <Amended on Mar. 23, 2013; Aug. 27, 2019>

(5) Where a village improvement plan formulated under paragraph (3) includes a plan for designating or altering a specific use as a planned control area in designating a village improvement zone pursuant to paragraph (4), a Mayor/Do Governor shall designate the village improvement zone following deliberation by the local urban planning committee established under Article 113 of the National Land Planning and Utilization Act.

(6) Where a Mayor/Do Governor intends to consult with the Minister of Agriculture, Food and Rural Affairs about designation of a village improvement zone pursuant to the proviso of paragraph (4), he or she shall submit it for deliberation by the local urban planning committee established under Article 113 of the National Land Planning and Utilization Act. <Amended on Mar. 23, 2013; Aug. 27, 2019>

(7) After designating a village improvement zone, a Mayor/Do Governor shall publicly notify matters prescribed by Presidential Decree and send copies of relevant documents to the heads of relevant administrative agencies and the head of the Si/Gun/Gu having jurisdiction over the village improvement zone, and the head of the Si/Gun/Gu upon receipt of the relevant documents shall make them available for

public inspection.

(8) Where a village improvement zone is designated and publicly notified, the matters consulted beforehand with the heads of relevant administrative agencies concerning a master plan to develop and expand agricultural infrastructure formulated pursuant to Article 8, a living environment improvement plan formulated pursuant to Article 54, designation and public notice of a zone to improve marginal farmland, etc. pursuant to Article 94, etc. shall be deemed designated, formulated, approved, etc. as prescribed in the improvement plan publicly notified pursuant to paragraph (7).

Article 102 (Designation of Village Improvement Zone and Modification of Village Improvement Plan)

Village improvement plans and designation of village improvement zones shall be modified in compliance with the procedure prescribed in Article 101: Provided, That deliberation by the Si/Gun/Gu deliberation council on policies for agriculture, rural communities and the food industry referred to in Article 101 (2) may be omitted when minor matters prescribed by Presidential Decree are modified. <Amended on Mar. 23, 2013>

Article 103 (Proposal of Designation of Village Improvement Zones)

(1) A person referred to in each subparagraph of Article 56 (1) who intends to implement a rural improvement project in a village improvement zone may propose the designation of a village improvement zone to the head of the relevant Si/Gun/Gu, by preparing a village improvement plan and a written proposal for the village improvement project prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. <Amended on Mar. 23, 2013>

(2) The head of a Si/Gun/Gu shall follow the procedure prescribed in Article 101 to formulate a village improvement plan, if the proposal made under paragraph (1) is deemed reasonable.

(3) The head of a Si/Gun/Gu may require the proposer of the designation of a village improvement zone to fully or partially bear the expenses incurred in formulating a village improvement plan and designating the village improvement zone.

CHAPTER VIII SUPPLEMENTARY PROVISIONS

Article 104 (Hearing of Opinions of Residents)

(1) Opinions of residents shall be heard, as prescribed by Presidential Decree, in order to designate a rural tourism and resort complex pursuant to Article 82, a zone to improve marginal farmland, etc. pursuant to Article 94 or 95, and a village improvement zone pursuant to Article 101.

(2) To formulate a plan for a rural improvement project pursuant to Chapters III through VII, the implementer of the rural improvement project shall hear the opinions of residents, relevant experts, etc.; and shall reflect such opinions to the plan for the rural improvement project if deemed reasonable: Provided, That the implementer may elect not to hear opinions of residents, relevant experts, etc. in cases

of confidential matters concerning national security or minor matters prescribed by Presidential Decree.

Article 105 (Public Notice of Project Areas and Districts)

Where an area for which an implementation plan for the agricultural infrastructure improvement project is approved pursuant to Article 9, a rural tourism and resort complex, a zone to improve marginal farmland, etc., or a village improvement zone is designated pursuant to Article 82, Article 94 or 95, or Article 101, Article 8 of the Framework Act on the Regulation of Land Use shall apply to the giving of public notice of the topographical map of the area, complex or zone (hereinafter referred to as "area, complex or zone"), hearing opinions of residents and other relevant matters.

Article 106 (Relationship to Other Statutes)

(1) Where a village improvement zone is designated and publicly notified pursuant to Article 101, matters on which consultations have been held in advance with the heads of relevant administrative agencies regarding the following designations, determinations, finalizations, etc. shall be deemed designated, determined, finalized, etc. as prescribed in a village improvement plan publicly notified pursuant to Article 101 (8): <Amended on Apr. 14, 2011>

1. Designation of a tourist site and tourism complex prescribed in Article 52 of the Tourism Promotion Act;
2. Determination of an Urban/Gun management plan prescribed in Article 30 of the National Land Planning and Utilization Act, which designates or alters a planned control area that is not an urban area among special-purpose areas referred to in Article 36 or designates or alters a settlement district among special-purpose districts referred to in Article 37 of that Act (limited to where the requirements prescribed in Article 51 (3) of that Act are met where a planned control area is designated or altered);
3. Determination of an urban/Gun management plan under Article 30 of the National Land Planning and Utilization Act, by which any fishery-resource protection zone is altered and its designation as such is cancelled accordingly pursuant to Article 40 of the same Act;
4. Determination of an Urban/Gun management plan prescribed in Article 30 of the National Land Planning and Utilization Act, which designates a district-unit planning zone prescribed in Article 51 of that Act;
5. Formulation of a project plan under Article 6 of the Islands Development Promotion Act; or finalization of a project plan under Article 7 of the same Act;
6. Designating a general logistics complex under Article 22 of the Act on the Development and Management of Logistics Facilities;
7. Designation of an agro-industrial complex prescribed in Article 8 of the Industrial Sites and Development Act.

(2) Where the implementer of a rural improvement project obtains approval of a plan for the rural improvement project pursuant to Article 9, 58, 59, 82, 83 or 96, matters on which consultations have been

held under paragraph (4) shall be deemed obtained permission, authorization, consultation, consent, licenses, cancellation, report or approval (hereinafter referred to as "authorization, permission, etc.") and when the the plan for the rural improvement project is publicly notified, the public notice or announcement of authorization, permission, etc. prescribed in relevant statutes shall be deemed provided or made: <Amended on Jun. 9, 2009; Apr. 15, 2010; May 31, 2010; Apr. 14, 2011; Feb. 17, 2012; Feb. 22, 2012; Jan. 14, 2014; Jan. 21, 2014; Jun. 3, 2014; Jan. 19, 2016; Mar. 31, 2020; Jul. 20, 2021; Nov. 30, 2021>

1. Building permission prescribed in Article 11 of the Building Act; building reporting under Article 14 of that Act; and permission for or reporting on a temporary building prescribed in Article 20 of that Act;
2. Permission to extract aggregate under Article 22 of the Aggregate Extraction Act; or reporting on screening, washing, etc. of aggregate under Article 32 of the same Act;
3. Permission to occupy or use public waters under Article 8 of the Public Waters Management and Reclamation Act; approval for, or reporting on, an implementation plan for occupation or use under Article 17 of the same Act; a license to reclaim land from public waters under Article 28 of the same Act; public notice on a license to reclaim land from public waters under Article 33 of the same Act; consultation on, or approval for, reclamation conducted by the State, etc. under Article 35 of the same Act; or approval for, or public notice on, an implementation plan to reclaim land from public waters under Article 38 of the same Act;
4. Deleted; <Apr. 15, 2010>
5. Permission for usage or making profits pursuant to Article 20 of the Public Property and Commodity Management Act;
6. Approval of a resort condominium business plan prescribed in Article 15 of the Tourism Promotion Act;
7. Permission to use under Article 30 of the State Property Act;
8. Determination (excluding determination and alteration of special-purpose areas, special-purpose districts and special-purpose zones) of an Urban/Gun management plan prescribed in Article 30 of the National Land Planning and Utilization Act; determination of an Urban/Gun management plan to establish Urban/Gun planning facilities prescribed in Article 43 of that Act; permission to engage in development activities prescribed in Article 56 of that Act; designation of the implementer of an Urban/Gun planning facility project prescribed in Article 86 of that Act; and authorization of an implementation plan prescribed in Article 88 of that Act;
9. Permission to divert farmland prescribed in Article 34 (1) of the Farmland Act and reporting on diversion of farmland prescribed in Article 35 of that Act;
10. Permission granted to a person who is not a road management agency to execute road works prescribed in Article 36 of the Road Act; permission to engage in activities in an area adjacent to a road prescribed in Article 40 of that Act; permission to occupy and use a road prescribed in Article 61 of that Act; and consultation with and approval of a road management agency prescribed in Article 107 of that Act;

11. Designation of the implementer of an urban development project prescribed in Article 11 of the Urban Development Act and authorization of the implementation plan of an urban development project prescribed in Article 17 of that Act;
12. Permission granted under Article 35 (1) 1, 2 and 4 of the Cultural Heritage Protection Act and permission to use State-owned land prescribed in the proviso of Article 66 of that Act;
13. Permission to open a private road prescribed in Article 4 of the Private Road Act;
14. A permission for lumbering under Article 14 of the Erosion Control Work Act and the cancellation of designation as land of erosion control area Article 20 of the aforesaid Act;
15. Permission for or reporting on felling standing timber under Article 36 (1) or (4) of the Creation and Management of Forest Resources Act and permission for or reporting on activities within a forest protection area (excluding forest genetic resources protection zone) under Article 9 (1) and (2) 1 or 2 of the Forest Protection Act;
16. Permission to change land shape, quality, etc. in an industrial complex prescribed in Article 12 of the Industrial Sites and Development Act;
17. Change and cancellation of preserved mountainous districts under Article 6 of the Mountainous Districts Management Act, cancellation of the designation of restricted areas for conversion or temporary use of mountainous districts under Article 11 of the same Act, permission for conversion of mountainous districts under Article 14 of the same Act, reporting on conversion of mountainous districts under Article 15 of the same Act, permission for and reporting on temporary use of mountainous districts under Article 15-2 of the same Act, and permission for collecting earth or stones under Article 25 of the same Act;
18. Consent to building permission, etc. prescribed in Article 6 of the Act on Installation and Management of Firefighting Systems;
19. Permission for implementation of construction over small rivers pursuant to Article 10 of the Small River Maintenance Act and permission for occupation, use, etc. of small rivers pursuant to Article 14 of the same Act;
20. Approval of general waterworks under Article 17 of the Water Supply and Waterworks Installation Act and approval of waterworks for exclusive use under Article 52 of the same Act;
21. Approval to perform construction works within protected waters prescribed in Article 47 (2) of the Fishery Resources Management Act;
22. Permit to engage in acts in a park area under Article 23 of the Natural Parks Act;
23. Permission to relocate an unknown person's grave prescribed in Article 27 of the Act on Funeral Services;
24. Authorization of or reporting on a plan for electric facility installation works for electric business prescribed in Article 61 of the Electric Utility Act, and authorization for or reporting on a plan for private-use electric facility installation works prescribed in Article 8 of the Electrical Safety Management Act;

25. Approval of a project plan under Article 15 of the Housing Act;
 26. Permission to build and operate youth training facilities prescribed in Article 11 of the Youth Activity Promotion Act;
 27. Approval for a business plan prescribed in Article 12 of the Installation and Utilization of Sports Facilities Act;
 28. Permission to change land shape and quality prescribed in Article 21-2 of the Grassland Act and permission for, or reporting or consultation on grassland conversion prescribed in Article 23 of that Act;
 29. Examination to publish maps, etc. prescribed in Article 15 (4) of the Act on the Establishment and Management of Spatial Data, and reporting on commencement, change or completion of works prescribed in Article 86 (1) of that Act;
 30. Approval for, or reporting on, the installation of waste disposal facilities under Article 29 of the Wastes Control Act;
 31. Consultation on and approval of a sewerage improvement master plan; authorization for installation of public sewerage; permission to perform works; permission to occupy; reporting on installation of draining facilities; and reporting on installation of private-use sewerage prescribed in Articles 6, 11, 16, 24, 27 and 34 of the Sewerage Act;
 32. Consultation with or approval by river management authorities prescribed in Article 6 of the River Act; permission to perform river improvement works prescribed in Article 30 of that Act; permission to occupy and use a river prescribed in Article 33 of that Act; permission to engage in activities within a flood control zone prescribed in Article 38 of that Act; permission to use river water prescribed in Article 50 of that Act; and concession of a desolate riverbed, etc. prescribed in Article 85 of that Act.
- (3) Where a person who intends to conduct rural tourism and resort site business pursuant to Article 85 (1) files a report on a rural tourism and resort site business operator with the head of the relevant Si/Gun/Gu, he or she shall be deemed to have filed the following reports:
1. Reporting on business prescribed by Presidential Decree among sports facilities business requiring reporting under the Installation and Utilization of Sports Facilities Act;
 2. Reporting on accommodation or public bathhouse business prescribed in the Public Health Control Act;
 3. Reporting on business prescribed by Presidential Decree among food service businesses prescribed in the Food Sanitation Act.
- (4) Where the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries or the head of a local government formulates or approves an implementation plan for a rural improvement project or where the head of a Si/Gun/Gu accepts a report on a rural tourism and resort site business operator, he or she shall consult in advance with the heads of relevant administrative agencies if the implementation plan or report includes matters falling under the subparagraphs of paragraph (1), (2) or (3).

<Amended on Dec. 24, 2018>

(5) The heads of relevant administrative agencies shall express their opinions within 30 days from the date they receive a request for consultation prescribed in paragraph (4): Provided, That where there are unavoidable grounds, the period may be extended by up to 10 days. <Newly Inserted on Dec. 24, 2018>

Article 107 (Special Case concerning Application of Other Statutes and Regulations)

Rural improvement projects implemented under this Act are not subject to following provisions: <Amended on Jan. 14, 2014>

1. Maintenance and improvement of roads, formulation of a road master plan and formulation of a road maintenance and improvement plan under Articles 5 through 7 of the Act on the Maintenance and Improvement of Road Networks in Agricultural and Fishing Villages;
2. Collection of occupation and use fees, etc. under Articles 37 and 50 of the River Act;
3. Collection of occupation and use fees under Article 66 of the Road Act.

Article 108 (Financial Support)

(1) The heads of relevant central administrative agencies and the heads of local governments shall include project costs in the budget to efficiently promote rural improvement projects.

(2) The Government may subsidize or lend all or some of funds for rural improvement projects implemented under this Act.

(3) The implementer of a rural improvement project may give all or some of the funds subsidized pursuant to paragraph (2) to an entrusted project implementer even before completing the project if deemed necessary for entrusting the performance of the project.

(4) Where a project implementer referred to in Article 56 (1) 2 and 3 subsidizes all or some of funds necessary for performing a project to build a new rural village or a project to redevelop an existing rural village referred to in subparagraph 10 (a) and (b) of Article 2, the State or a local government may perform the project eligible for subsidization at the expense of the project implementer under a contract with such project implementer and reimburse costs incurred afterwards if there exist special circumstances making it impossible for the project implementer to complete the project eligible for subsidization within the intended period or if necessary to achieve the objectives of the project.

(5) The method and procedure for reimbursement of costs for projects eligible for subsidization referred to in paragraph (4) and other necessary matters shall be prescribed by Presidential Decree.

Article 109 (Delegation and Entrustment of Authority)

(1) Part of the authority of the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries under this Act may be delegated to Mayors/Do Governors or entrusted to agriculture, forestry and fishery-related organizations, such as the Korea Rural Community Corporation, or to corporations established for the purposes of examining qualifications, etc. as prescribed by Presidential Decree. <Amended on Mar. 23, 2013>

(2) A Mayor/Do Governor may re-delegate part of authority which has been delegated to him or her under paragraph (1) to the heads of Sis/Guns/Gus with the approval of the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries. <Amended on Mar. 23, 2013>

Article 110 (Expropriation of Land)

(1) Land, buildings and land appurtenant thereto which are necessary for rural improvement projects shall be purchased by negotiation in principle.

(2) The implementer of a rural improvement project (excluding a project implementer who is a landowner referred to in Article 10 or a civilian, such as a village improvement cooperative referred to in Article 56 or a house owner) may expropriate, use, remove or change land or things in the area where the project is implemented where necessary for implementing the rural improvement project.

(3) Where it becomes impossible to use remaining land for its previous purpose because the land is partially expropriated or used for a rural improvement project, the owner of the land may claim the implementer of the rural improvement project to expropriate or use the remaining land.

(4) Where the master plan or implementation plan for a rural improvement project, which includes particulars of land, etc. to be expropriated, is publicly notified, a project is approved and such approval is publicly notified pursuant to Article 20 (1) of the Act on Acquisition of and Compensation for Land for Public Works Projects and Article 22 of that Act; and an application for adjudication shall be made within the period for project implementation, notwithstanding Articles 23 (1) and 28 (1) of that Act.

(5) The implementer of a rural improvement project shall make a reasonable compensation to a person who suffers any loss from removing or changing land or things pursuant to paragraph (2).

(6) Except as provided in this Act, the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects shall apply mutatis mutandis to the expropriation, use, removal or change under paragraphs (2) and (3). <Amended on Dec. 27, 2016>

(7) Paragraphs (1), (2), and (5) shall apply mutatis mutandis to waters adjacent to the coast necessary for rural improvement projects: Provided, That "purchase by negotiation" in paragraph (1) shall be construed as "compensation". <Amended on Feb. 11, 2020>

Article 110-2 (Support for Residents Suffering Damage from Construction of Reservoirs)

(1) The implementer of an agricultural infrastructure improvement project may pay settlement subsidies and livelihood stabilization subsidies to those who do not move to a new settlement place among migrants from submerged areas (persons who lose their base of livelihood due to the implementation of an agricultural infrastructure improvement project to construct, alter or repair reservoirs and who are eligible for relocation measures in accordance with Article 78 (1) of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects) and to other persons prescribed by Presidential Decree.

(2) Standards for calculation of subsidies under paragraph (1), application procedures, method of payment of the subsidies and other necessary matters shall be prescribed by Presidential Decree.

Article 110-3 (Registration of Creation of Divided Surface Right)

(1) The implementer of an agricultural infrastructure improvement project may consult with the landowners and rights holders in the area in which the project is implemented, about the use of ground space or underground space of the relevant land by creation or transfer of a divided surface right; and the divided surface right may be created for or transferred to him or her based such consultation.

(2) Where the implementer of an agricultural infrastructure improvement project has been adjudged to expropriate or use a divided surface right by creation or transfer under the Act on Acquisition of and Compensation for Land for Public Works Projects, he or she may solely file an application for registration of creation or transfer of the divided surface right by applying mutatis mutandis Article 99 of the Registration of Real Estate Act.

(3) Matters necessary for the procedure for registration of divided surface rights to use the ground space or underground space of land shall be prescribed by the Supreme Court Regulations.

(4) Notwithstanding Articles 280 and 281 of the Civil Act, the duration of a divided surface right created or transferred under paragraphs (1) and (2) shall continue until the period of existence of the agricultural infrastructure expires.

Article 111 (Restrictions on Activities in Village Improvement Zones)

(1) A person who intends to engage in activities prescribed by Presidential Decree, such as constructing a building, building an artificial structure, changing land shape or quality, extracting earth and rocks, subdividing land or piling goods, in an area, complex or zone shall obtain permission from the head of the relevant Si/Gun/Gu. The foregoing shall also apply where he or she intends to modify permitted matters. *<Amended on Feb. 11, 2020>*

(2) The following activities do not require permission, notwithstanding paragraph (1):

1. Taking emergency measures necessary for disaster relief or disaster recovery;
2. Other activities specified by Presidential Decree.

(3) A person who has commenced with a work or project in connection with an activity requiring permission pursuant to paragraph (1) but for which permission has already been granted pursuant to relevant statutes and regulations as at the time the relevant area, complex or zone was granted or publicly notified or no permission is required may proceed with the work or project after reporting to the head of the relevant Si/Gun/Gu, as prescribed by Presidential Decree. *<Amended on Feb. 11, 2020>*

(4) The head of a Si/Gun/Gu may order those who violate paragraph (1) to reinstate it to the original state. In such cases, when the person who receives such order fails to fulfill the duty, the head of the relevant Si/Gun/Gu may vicariously execute it in accordance with the Administrative Vicarious Execution Act.

(5) Except as provided in this Act, Articles 57 through 60 and 62 of the National Land Planning and Utilization Act shall apply mutatis mutandis to permission under paragraph (1). *<Newly Inserted on Feb. 11, 2020>*

(6) Where permission is obtained pursuant to paragraph (1), such permission shall be deemed obtained pursuant to Article 56 of the National Land Planning and Utilization Act.

Article 112 (Concession of State-Owned or Public Land)

(1) Where the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries deems it necessary to fully or partially disuse a road, irrigation channel, drainage channel, levee, ditch, reservoir or riverbed, which is State-owned or public land, in order to implement a rural improvement project, he or she may concede such State-owned or public land without compensation to a landowner in the area where the rural improvement project is implemented or the implementer of such project, as prescribed by Presidential Decree, notwithstanding the State Property Act, the Public Property and Commodity Management Act, the Road Act and the River Act. *<Amended on Mar. 23, 2013>*

(2) A landowner in the area where a rural improvement project is implemented or the implementer of such project may donate without compensation to the State or a local government land for new facilities (referring to a newly constructed road, irrigation channel, drainage channel, levee, ditch, reservoir, etc.) replacing the State-owned or public land conceded without compensation to him or her pursuant to paragraph (1) as a result of the implementation of the rural improvement project.

(3) Notwithstanding the State Property Act, the Public Property and Commodity Management Act and the State Forest Administration and Management Act, State-owned general property and public general property in the area where a rural improvement project is implemented may be sold to the implementer of a rural improvement project under a negotiated contract.

Article 113 (Advance Payment)

The implementer of a rural improvement project may accept an advance payment for all or some of the price of the land or facility developed by him or her from those who intend to purchase or use such land or facility, as prescribed by Presidential Decree.

Article 114 (Completion Inspection and Approval of Completion)

(1) The implementer of a rural improvement project shall apply for approval of completion to the Authority to approve implementation plans and business plans for rural improvement projects without delay after completing the rural improvement project, as prescribed by Presidential Decree: Provided, That the implementer of a rural improvement project may apply for approval of completion for the completed part even before the rural improvement project is fully completed, if necessary to efficiently promote the rural improvement project. *<Amended on Dec. 27, 2016>*

(2) The Authority to approve implementation plans and business plans for rural improvement projects in receipt of an application for approval of completion under paragraph (1) shall conduct a completion inspection without delay. *<Newly Inserted on Dec. 27, 2016>*

(3) The Authority to approve implementation plans and business plans for rural improvement projects shall grant approval of completion without delay after conducting a completion inspection under paragraph (2), if the project is deemed implemented in compliance with the approved implementation plan and business plan; shall give public notice thereof; and shall notify the implementer of the rural improvement project of such approval. Where the project is not completed in compliance with the approved implementation plan and business plan, the Authority shall without delay issue an order to conduct supplementary works, etc. *<Amended on Dec. 27, 2016>*

(4) Where approval of completion is granted to the implementer of a rural improvement project pursuant to paragraph (3), a completion inspection shall be deemed conducted or approval of completion shall be deemed granted to the relevant project pursuant to approval, permission, etc., which is deemed approval of a plan for the rural improvement project under subparagraphs of Article 106 (1) and (2). In such cases, the head of the administrative agency related to the relevant project deemed approved, permitted, etc. may request the Authority to approve implementation plans and business plans for rural improvement projects to allow his or her participation in the relevant completion inspection. *<Newly Inserted on Dec. 27, 2016>*

(5) The implementer of a rural improvement project shall notify the kinds and detailed list of public facilities newly built by implementing the rural improvement project to each managing authority of the public facilities before a completion inspection for the rural improvement project is conducted and the public facilities shall be deemed devolved upon the State or local government that manages such public facilities when each managing authority is notified of the approval of completion after the project is completed. *<Newly Inserted on Dec. 27, 2016>*

(6) Where necessary to efficiently conduct a completion inspection, the Authority to approve implementation plans and business plans for rural improvement projects may fully or partially delegate the completion inspection referred to in paragraph (1) to the head of a local government or entrust the same to a person with professional inspection skills prescribed by Presidential Decree, as prescribed by Presidential Decree. *<Amended on Dec. 27, 2016>*

Article 115 (Entrustment of Land Surveys, Design, and Construction Supervision)

(1) The implementer of a rural improvement project may entrust land surveys, design and construction supervision to a person prescribed by Presidential Decree, among those engaged in the rural community improvement work, such as the Korea Rural Community Corporation, if necessary for implementing the rural improvement project.

(2) An agricultural infrastructure manager may entrust safety inspections and full safety examinations to a person prescribed by Presidential Decree, such as the Korea Rural Community Corporation, to fulfill the duty of safety control.

(3) The implementer of a rural improvement project or an agricultural infrastructure manager may require the person to whom he or she entrusted land surveys, design construction supervision, safety inspections and full safety examinations pursuant to paragraphs (1) and (2) to submit necessary reports or data, where

necessary.

(4) Entrustment fees referred to in paragraphs (1) and (2) and cost standards shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries in consideration of the kind of the project and details of construction. <Amended on Mar. 23, 2013>

Article 116 (Revocation of Permission)

(1) In any of the following circumstances, the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries or the head of a local government may revoke authorization, permission, approval or designation under this Act; issue an order to suspend construction or to remodel, change, relocate, remove or reinstate things; or impose other necessary dispositions, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries: Provided, That he or she shall revoke authorization, permission, approval, or designation in cases falling under subparagraph 1 or 2: <Amended on Mar. 23, 2013; Dec. 27, 2016>

1. Where the implementer of a rural improvement project under this Act obtains any of the following authorization, permission, approval, or designation by fraud or other improper means:

- (a) Authorization under Article 26 (1), 43 (2) or 57 (1);
- (b) Permission under Article 23 (1) or 111 (1);
- (c) Approval under Article 9 (7), 14 (2), 24 (1), 54 (1), 57 (2), 59 (2), 78 (1), 82 (2), 83 (2) or 96 (2);
- (d) Designation under Article 95 (2) or 101 (4);

2. Where it is impossible for the implementer of a rural improvement project under this Act to continue such project is impossible due to a change in circumstances or the public interest is deemed to be undermined substantially;

3. Where the implementer of a rural improvement project under this Act amends its implementation plan or business plan without approval required under Article 9 (8), 61, 82 (2), 83 (2) or 96 (2).

(2) The Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries or the head of a local government shall give public notice, as prescribed by Presidential Decree, after issuing an order or imposing a disposition pursuant to paragraph (1). The head of the local government shall report important matters to the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries. <Amended on Mar. 23, 2013>

(3) Detailed criteria for revoking permission, etc. pursuant to paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries in consideration of the cause of the disposition, severity of the relevant violation, etc. <Amended on Mar. 23, 2013>

Article 117 (Cancellation of Designation)

(1) An area, complex or zone shall be deemed canceled on the date specified in the following:

1. Where no application is made to obtain approval of the implementation plan for a living environment improvement project formulated under Article 59 by the first anniversary of the date of designation and public notice of a village improvement zone under Article 101: On the first anniversary;
2. Where the relevant project is not performed by the second anniversary of the date of public notice of a rural tourism and resort complex referred to in Article 82 or a zone to improve marginal farmland, etc. referred to in Article 94: On the second anniversary;
3. The date of completion of the relevant project in the area, complex or zone.

(2) Where designation, determination, finalization, etc. referred to in the subparagraphs of Article 106 (1) exist when the designation of a village improvement zone is cancelled pursuant to paragraph (1) 1, the village improvement zone shall be deemed reinstated or abolished.

(3) Where the designation of an area, complex or zone is cancelled pursuant to paragraph (1), the Authority to designate areas, complexes or zones shall give public notice of cancellation, as prescribed by Presidential Decree, and shall notify the heads of relevant administrative agencies of such cancellation. The head of the relevant Si/Gun/Gu shall make relevant documents available for public inspection. In such cases, Article 8 of the Framework Act on the Regulation of Land Use shall apply to the giving of public notice of topographical maps, hearing opinions of residents, etc. that follow such cancellation.

Article 118 (Hearings)

Where the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fishers, or the head of a local government intends to impose any of the following dispositions, he or she shall hold a hearing: <Amended on Feb. 17, 2012; Mar. 23, 2013; Dec. 10, 2019; Feb. 11, 2020>

1. To revoke the qualification of a rural surveyor or to suspend the qualification for a period not exceeding three years under Article 30 (1);
2. To revoke the registration of a land substitution agency or to suspend its business for up to three years under Article 32;
3. To revoke authorization for establishment of a village improvement cooperative under Article 57 (1);
4. To issue an order of removal to the owner of a specific unoccupied house under Article 65-5 (1);
5. To revoke the designation of an assistance organization to foster rural industries under Article 75 (5);
6. To issue an order to close a place of business of rural tourism and resort site business or rural bed and breakfast business or to suspend its business for up to six months under Article 89;
7. To revoke authorization, permission, approval or designation or to issue an order to suspend construction or to remodel, change, relocate, remove or reinstate things under Article 116.

Article 119 (Reporting and On-Site Inspection)

(1) The head of a local government shall report on the progress of rural improvement projects to the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries regularly.

<Amended on Mar. 23, 2013>

(2) The Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries and the head of the local government may order the implementers of the rural improvement projects to make necessary reports or to submit data and may require public officials under their jurisdictions to inspect the business affairs related to the projects where necessary for enforcing this Act. *<Amended on Mar. 23, 2013>*

(3) The head of a Si/Gun/Gu may inspect whether a camera or any other similar mechanical device performing similar functions, the installation of which is prohibited pursuant to Article 86-4, is installed at the place of business of a rural bed and breakfast business operator. In such cases, such rural bed and breakfast business operator shall comply with such inspection unless any special circumstance exists.

<Newly Inserted by Apr. 13, 2021>

(4) In cases falling under paragraph (3), the head of the Si/Gun/Gu may request cooperation from the head of the competent police agency. *<Newly Inserted on Apr. 13, 2021>*

(5) In cases falling under paragraph (3), the head of the Si/Gun/Gu may issue a certificate to the place of business for confirmation of the results of inspection. *<Newly Inserted by Apr. 13, 2021>*

(6) The public officials assigned to conduct an inspection pursuant to paragraphs (2) and (3) shall carry an identification indicating their authority with themselves and present it to interested persons. *<Newly Inserted by Apr. 13, 2021>*

Article 120 (Land Surveys, Inspections, or Inspection of Documents)

(1) Any of the following persons may enter another person's land, etc. to conduct land surveys or inspections, if necessary to survey land, etc. for a rural improvement project: Provided, That he or she shall give notice in advance to the occupants of land and waters adjacent to the coast (including those licensed under Article 7 (1) of the Fisheries Act or Article 10 (1) of the Aquaculture Industry Development Act) thereof: *<Amended on Aug. 27, 2019; Feb. 11, 2020; Jan. 11, 2022>*

1. A public official of the State or a local government;
2. An executive officer or employee of the Korea Rural Community Corporation;
3. An executive officer or employee of cooperatives, cooperatives' federation, fishing village fraternities under the Fisheries Cooperatives Act, and those entrusted by them;
4. A person certifying that he or she conducts land substitution work.

(2) Where giving notice under paragraph (1) is impracticable, the relevant fact shall be publicly announced, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries. *<Amended on Mar. 23, 2013>*

(3) Where any loss is incurred by an activity referred to in paragraph (1), the implementer of the relevant rural improvement project shall compensate for an ordinary loss. *<Amended on Feb. 11, 2020>*

(4) A person referred to in each subparagraph of paragraph (1) may, free of charge, inspect or reproduce necessary documents, account books, or drawings at the registry office, tax office or Si/Gun/Gu/Eup/Myeon/Dong office having jurisdiction over the land and waters adjacent to the coast

which are relevant to the project in question, or may request certified copies or registry certificates of necessary documents, account books, or drawings from such office. *<Amended on Apr. 12, 2011; Feb. 11, 2020>*

(5) Where a request for inspection, reproduction, certified copies or registry certificates is made pursuant to paragraph (4), the relevant government offices shall comply with such request without delay. *<Amended on Apr. 12, 2011; Feb. 11, 2020>*

Article 121 (Special Cases concerning Applications for Land Alteration)

(1) Articles 78 through 81 of the Act on the Establishment and Management of Spatial Data shall not apply to land alteration, etc. that take place following land substitution: Provided, That where the implementer of a rural improvement project performs construction for the rural improvement project, which is followed by land substitution, the implementer shall conduct a cadastral confirmation survey and shall take the procedure for sub-division of land without delay after completing the construction, and Article 26 of the Act on the Establishment and Management of Spatial Data shall apply to the sub-division of land. *<Amended on Jun. 3, 2014>*

(2) Where land alteration takes place as a result of the implementation of a rural improvement project, the implementer of the rural improvement project shall report it to the head of the relevant Si/Gun. *<Amended on Dec. 2, 2016>*

Article 122 (Suspension of other Registration)

After the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries or a Mayor/Do Governor authorizes and publicly notifies a plan for providing substitute lots and an exchange, division and consolidation plan for a rural improvement project, no other registration or recording of the land and waters adjacent to the coast in the area where the project is implemented shall be made unless registration or recording subsequent to the rural improvement project is made: Provided, That the foregoing shall not apply where the applicant who made registration or recording proves, with a document in which a fixed date is entered, that the cause of the registration or record occurred before the plan for providing substitute lots and the exchange, division and consolidation plan is publicly notified and authorized. *<Amended on Mar. 23, 2013; Feb. 11, 2020>*

Article 123 (Deliberation on Rural Improvement Projects)

The comprehensive plans for improving rural communities and other important matters concerning rural improvement shall be deliberated upon by the central deliberative council on policies for agriculture, rural communities and the food industry established under Article 15 of the Framework Act on Agriculture, Rural Community and Food Industry or the central fisheries/fishing village policy review committee established under Article 8 of the Framework Act on Fisheries and Fishing Villages Development. *<Amended on Mar. 23, 2013; Jun. 22, 2015>*

Article 124 (Maintaining Cooperative System between Government Departments)

(1) The head of a central administrative agency and the head of a local government shall provide preferential support for implementing projects included in the implementation plan for the rural improvement projects which fall under their jurisdiction.

(2) The Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries shall provide preferential support to village improvement zones so that investment in various kinds of projects for the structural improvement of rural communities are made in such zones. *<Amended on Mar. 23, 2013>*

Article 125 (Agreement on Rural Improvement)

(1) The Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, the head of a relevant central administrative agency and the head of a local government may enter into a rural improvement agreement to ensure rural improvement projects are promoted in connection with business affairs for developing education, medical care, transportation, culture and environments in rural area.

<Amended on Mar. 23, 2013>

(2) The State and a local government shall endeavor to provide budgetary support necessary for promoting the projects included in the rural improvement agreement.

Article 126 (Repairing Fraternities)

(1) Where deemed necessary for maintaining and managing agricultural infrastructure outside the area for managing construction works designated under Article 11 of the Korea Rural Community Corporation and Farmland Management Fund Act, the head of a Si/Gun/Gu may organize and operate a repairing fraternity comprised of the users of the agricultural infrastructure, and entrust the maintenance and management of the agricultural infrastructure to the repairing fraternity.

(2) Matters necessary for organizing and operating repairing fraternities shall be prescribed by municipal ordinance of a Si/Gun/autonomous Gu in a Metropolitan City in accordance with the criteria prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. *<Amended on Feb. 17, 2012; Mar. 23, 2013>*

(3) Every repair fraternity may collect charges for maintaining and managing agricultural infrastructure from its members after obtaining authorization from the head of the competent Si/Gun/Gu.

(4) If any person fails to pay a charge referred to in paragraph (3), a repair fraternity may request the head of the competent Si/Gun/Gu to collect the charge, as prescribed by Presidential Decree. In such cases, the repair fraternity shall pay a fee prescribed by Presidential Decree to the head of the competent Si/Gun/Gu.

(5) The head of a Si/Gun/Gu in receipt of a request to collect a charge pursuant to paragraph (4) may collect the charge in the same manner as delinquent local taxes are collected.

(6) The State or a local government may fully or partially subsidize the expenses incurred in operating repairing fraternities, such as the maintenance and management of agricultural infrastructure, within

budgetary limits.

Article 127 (Collection of Unauthorized Occupancy and Use Penalties)

(1) An agricultural infrastructure manager shall collect an unauthorized occupancy and use penalty from a person who occupies or uses the agricultural infrastructure under its management without permission for use (including those who continue to occupy or use the agricultural infrastructure without renewing the permission for use, even after the validity of such use permission expires), as prescribed by Presidential Decree. <Amended on Dec. 27, 2016>

(2) A late-payment penalty may be collected, as prescribed by Presidential Decree, where an unauthorized occupancy and use penalty referred to in paragraph (1) is not paid by the due date.

(3) Unauthorized occupancy and use penalties and late-payment penalties referred to in paragraphs (1) and (2) shall devolve upon the relevant agricultural infrastructure manager and the scope for using such penalties shall be prescribed by Presidential Decree.

(4) An unauthorized occupancy and use penalty referred to in paragraph (1) may be paid in installments, as prescribed by Presidential Decree.

(5) Where an unauthorized occupancy and use penalty or a late-payment penalty referred to in paragraphs (1) and (2) remains unpaid by the due date, the relevant agricultural infrastructure manager may collect it directly or request the head of the relevant local government to collect it in the same manner as delinquent local taxes are collected.

Article 128 (Removal of Illegal Facilities)

(1) An agricultural infrastructure manager may, either directly or making a request to the head of the relevant local government, issue an order to reinstate any facility occupying or installed in the agricultural infrastructure under its management without just cause.

(2) Where a person in receipt of an order issued under paragraph (1) fails to fulfill the order, the State or the head of a local government may vicariously execute it in accordance with the Administrative Vicarious Execution Act.

Article 129 (Legal Fiction as Public Officials for Purposes of Applying Penalty Provisions)

Executive officers or employees of relevant institutions, organizations, etc. who perform the duties entrusted pursuant to Articles 109 (1), 114 (6) and 115 (1) and (2) shall be deemed public officials for purposes of applying Articles 129 through 132 of the Criminal Act. <Amended on Dec. 27, 2016; Feb. 11, 2020>

CHAPTER IX PENALTY PROVISIONS

Article 130 (Penalty Provisions)

(1) Any of the following persons shall be punished by imprisonment with labor for not more than five year or by a fine not exceeding 50 million won: <Amended on Oct. 15, 2014; Feb. 11, 2020>

1. A person who hinders the original purpose or use of agricultural infrastructure by destroying a major structural part of the agricultural infrastructure in violation of Article 18 (3) 1;
2. A person who hinders the use and management of rural water by operating a floodgate or being supplied with water without the permission from the relevant agricultural infrastructure manager in violation of Article 18 (3) 2;
3. A person who uses, provides or divulges data or information in violation of Article 64-5 (4).

(2) A person who resells created land in violation of Article 70 shall be punished by imprisonment with labor for not more than three years or by a fine not exceeding 100 million won.

(3) A person who illegally occupies or uses agricultural infrastructure in violation of Article 18 (3) 3 shall be punished by imprisonment with labor for not more than two years for by a fine not exceeding 20 million won. <Amended on Oct. 15, 2014>

(4) Any of the following persons shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding 10 million won: <Amended on Jan. 15, 2019; Dec. 10, 2019; Feb. 11, 2020; Apr. 13, 2021>

1. A person who allows another person to use his or her title of a rural surveyor or lends his or her qualification certificate to any other person, in violation of Article 28 (3);
2. A person who uses the title of a rural surveyor or borrows the qualification certificate or arranges for the use of said title or lending of the qualification certificate, in violation of Article 28 (4);
3. A person who conducts rural tourism and resort site business without filing a report under the former part of Article 85 (2);
4. A person who conducts rural tourism and resort site business or rural bed and breakfast business after filing a report under the former part of Article 85 (2) or the former part of Article 86 (1) by fraud or other improper means;
5. A person who fails to operate rural bed and breakfast business for two consecutive years after lawfully reporting such business in a house leased under Article 86 (3) 2;
6. A person who places a mark indicating the place of business for rural bed and breakfast business, or other similar marks, in violation of Article 86-3.
7. A person who fails to file a report on the transfer or acquisition of rural tourism and resort site business under Article 87;
8. A person who disobeys a business suspension order issued under Article 89 (1) and continues to conduct business during the period of business suspension, or continues to conduct business, disobeying an order to close his or her place of business;
9. A person who removes or destroys notices, sealing, etc. which are affixed by a relevant public official pursuant to Article 89 (5), without good cause;

10. A person who engages in an activity referred to in Article 111 (1) without permission or permission for modification.

Article 131 (Joint Penalty Provisions)

Where a representative of a corporation or an agent of, or employee of or others employed by of a corporation or individual commits an offence under Article 130, in connection with business of the corporation or the individual, not only shall such offender be punished accordingly, but the corporation or the individual also shall be punished by a fine under each relevant Article: Provided, That this shall not apply where such corporation or individual has not been negligent in giving due attention to and supervision over the relevant duties to prevent such violation.

Article 132 (Administrative Fines)

(1) Any of the following persons shall be subject to an administrative fine not exceeding one million won: <Amended on Jan. 6, 2015; Jan. 15, 2019; Dec. 10, 2019>

1. A person who conducts rural tourism and resort site business or rural bed and breakfast business without filing a report on modification in violation of the latter part of Article 85 (2) or the latter part of Article 86 (1);
2. A person who conducts rural tourism and resort site business or rural bed and breakfast business after filing a report on modification under the latter part of Article 85 (2) or the latter part of Article 86 (1) by fraud or other improper means;
- 2-2. A person who conducts rural bed and breakfast business without complying with matters to be observed under Article 86-2;
3. A person who fails to comply with an order for improvement issued under Article 88;
4. A person who interferes with measures under Article 89 (5);
5. A person who refuses or interferes with the removal or change of land or other things under Article 110 (2);
6. A person who fails to submit a report or data under Article 115 (3) or submits a false report or data;
7. A person who fails to submit a report or data or submits a false report, or a person who refuses or interferes with an inspection or submits false data under Article 119 (2);
8. A person who refuses or interferes with land surveys or inspections conducted under Article 120.

(2) Administrative fines prescribed in paragraph (1) shall be imposed and collected by the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, or the heads of local governments, as prescribed by Presidential Decree. <Amended on Mar. 23, 2013>

ADDENDA <Act No. 9758, Jun. 9, 2009>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That Article 22 (29) of the Addenda shall enter into force on March 26, 2010; and the amended provisions of Articles 127 and 128, one year after its promulgation.

Article 2 (Applicability to Implementation Plans for Agricultural Infrastructure Improvement Projects, etc.)

The amended provisions of Article 9 shall begin to apply to implementation plans for an agricultural infrastructure improvement project, formulated or amended on or after the date this Act enters into force.

Article 3 (Applicability to Notification of Plan for Providing Substitute Lots, etc.)

The amended provisions of Article 26 (2) shall begin to apply to plans for providing substitute lots formulated or amended on or after the date this Act enters into force.

Article 4 (Applicability to Implementation Plans for Living Environment Improvement Projects)

The amended provisions of Article 59 shall begin to apply to implementation plans for a living environment improvement project formulated or amended on or after the date this Act enters into force.

Article 5 (Applicability to Special Cases concerning Designation of Implementer of Living Environment Improvement Project)

The amended provisions of Article 63 shall begin to apply to projects the implementer of which is first designated as the implementer of a living environment improvement project on or after the date this Act enters into force.

Article 6 (Applicability to Restrictions on Resale of Created Land)

The amended provisions of Article 70 shall begin to apply to created land that recruits persons who wish to be supplied with the created land on or after the date this Act enters into force.

Article 7 (Applicability to Filing Report on Rural Tourism and Resort Site Business, etc.)

The amended provisions of Articles 85 through 87 shall begin to apply to reports, modification, or closure of rural tourism and resort site business and rural bed and breakfast business or transfer or acquisition of rural tourism and resort site business on or after the date this Act enters into force.

Article 8 (Applicability to Period of Consultation with Relevant Administrative Agencies)

The amended provisions of Article 106 (4) shall begin to apply to the matters consulted with a relevant administrative agency on or after the date this Act enters into force.

Article 9 (Transitional Measures concerning Development of Rural Tourism and Resort Resources, etc.)

Rural resorts designated in accordance with the previous Act on the Promotion of Income Source Development for Agricultural and Fishing Villages and the previous Act on the Special Measures for Development of Agricultural and Fishing Village, on June 23, 1995 on which the Rural Development Act (Act No. 4823) entered into force, shall be deemed rural tourism and resort sites designated under this Act.

Article 10 (Transitional Measures following Repeal of the Farmland Expansion and Development Promotion Act)

Farmland development projects undergoing in accordance with the previous Farmland Expansion and Development Promotion Act, on June 23, 1995 on which the Rural Development Act (Act No. 4823) entered into force, and matters prescribed in Articles 32, 33, 35, 36 and 45 of that Act and the proviso of paragraph (3) of the Addenda thereto, shall be governed by the previous provisions.

Article 11 (Transitional Measures Following Amendment of the Agricultural Community Modernization Promotion Act)

Farmland improvement projects and farmland improvement facilities governed by the Agricultural Community Modernization Promotion Act, on June 23, 1995 on which the Rural Development Act (Act No. 4823) entered into force, shall be deemed agricultural infrastructure improvement projects and agricultural infrastructure under this Act.

Article 12 (Transitional Measures concerning Rural Water Use Rationalization Plans, etc.)

Rural water use rationalization plans formulated in accordance with the previous Act on the Special Measures for Development of Agricultural and Fishing Villages and rural water zones established and publicly notified in accordance with that Act, on July 29, 2000 on which the amended Rural Development Act (Act No. 6221) entered into force, shall be deemed rural water use rationalization plans and rural water zones under this Act; and settlement and living sphere development plans under Article 34 of that Act and settlement and living zone development projects performed or are undergoing in accordance with the said plans shall be deemed living environment improvement plans, and living environment improvement projects implemented or undergoing in accordance with the said plans under this Act.

Article 13 (Transitional Measures concerning Repairing Fraternities)

Repairing fraternities established under the previous Korea Agricultural and Rural Infrastructure Corporation and Farmland Management Fund Act, on January 1, 2003 on which the amended Rural Development Act (Act No. 6819) entered into force, shall be deemed repairing fraternities established under this Act.

Article 14 (Transitional Measures concerning Contingency Plans for Agricultural Infrastructure)

A person who was installing or operating agricultural infrastructure in accordance with the previous provisions, on November 5, 2005 on which the amended Agricultural and Fishing Villages Improvement Act (Act No. 7680) entered into force, shall complete formulating a contingency plan within a period prescribed by Presidential Decree, which shall not exceed 10 years from the date of enforcement of that Act.

Article 15 (Transitional Measures following Repeal of the Hinterlands Development Promotion Act)

Development plans and annual business plans determined in accordance with the previous Hinterlands Development Promotion Act, on March 28, 2008 on which the amended Agricultural and Fishing Villages Improvement Act (Act No. 9008) entered into force, shall be deemed living environment

improvement plans and implementation plans for living environment improvement projects formulated under this Act.

Article 16 (Transitional Measures concerning Agricultural Infrastructure Development and Expansion Projects)

Agricultural infrastructure improvement projects, implementation plans for which has been formulated in accordance with the previous provisions as at the time this Act enters into force, shall be governed by the previous provisions of Articles 10 and 12.

Article 17 (Transitional Measures concerning Living Environment Improvement Plans)

Plans for developing living environment improvement projects formulated in accordance with the previous provisions as at the time this Act enters into force, shall be deemed living environment improvement plans formulated in accordance with the amended provisions of Article 54.

Article 18 (Transitional Measures concerning Reporting by Rural Tourism and Resort Site Business Operators and Rural Bed and Breakfast Business Operators)

A person designated as a rural tourism and resort site business operator or a rural bed and breakfast business operator pursuant to the previous provisions as at the time this Act enters into force shall be deemed to file a report on rural tourism and resort site business operator or a rural bed and breakfast business operator pursuant to the amended provisions of Articles 85 and 86.

Article 19 (Transitional Measures concerning Village Improvement Zones)

Village Improvement zones designated and publicly notified pursuant to the previous provisions as at the time this Act enters into force, shall be deemed village improvement zones designated and publicly notified pursuant to the amended provisions of Article 101.

Article 20 (Transitional Measures concerning Administration Actions)

Any acts by/against administrative agencies done under the former provisions as at the time this Act enters into force shall be deemed acts by/against administrative agencies done under this Act corresponding thereto.

Article 21 (Transitional Measures concerning Penalty Provisions and Administrative Fines)

The application of penalty provisions or imposition of administrative fines regarding offenses committed before this Act enters into force, shall be governed by the previous provisions.

Article 22 Omitted.

Article 23 (Relationships with other Acts)

A citation of provisions of the previous Agricultural and Fishing Villages Improvement Act in other statutes and regulations (including statutes and regulations which were promulgated before this Act comes into force, but the enforcement date of which has yet to arrive) as at the time this Act enters into force, the corresponding provisions of this Act shall be deemed cited in lieu of the previous provisions, if such corresponding provisions exist herein.

ADDENDA <Act No. 9763, Jun. 9, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 8 Omitted.

ADDENDA <Act No. 9924, Jan. 1, 2010>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2010.

Articles 2 through 7 Omitted.

ADDENDA <Act No. 10272, Apr. 15, 2010>

Article 1 (Enforcement Date)

This Article shall enter into force six months after the date of its promulgation.

Articles 2 through 14 Omitted.

ADDENDA <Act No. 10303, Jun. 17, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 10 Omitted.

ADDENDA <Act No. 10331, May 31, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 13 Omitted.

ADDENDA <Act No. 10580, Apr. 12, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Act No. 10599, Apr. 14, 2011>

Article 1 (Enforcement Date)

This Article shall enter into force one year after the date of its promulgation. (Proviso Omitted.)

Articles 2 through 9 Omitted.

ADDENDUM <Act No. 10833, Jul. 14, 2011>

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

ADDENDA <Act No. 10893, Jul. 21, 2011>

Article 1 (Provisions Concerning Delegation)

This Act shall enter into one year after the date of its promulgation.

Articles 2 through 6 Omitted.

ADDENDA <Act No. 11020, Aug. 4, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 11 Omitted.

ADDENDA <Act No. 11072, Nov. 14, 2011>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Support for Residents Suffering Damage from Construction, etc. of Reservoirs)

The amended provisions of Article 110-2 shall begin to apply to an agricultural infrastructure improvement project the implementation plan for which was approved under Article 9, or the implementation of which was approved under Article 12 of the Agricultural and Fishing Villages Improvement Act, as partially amended by on or after January 1, 2009.

ADDENDA <Act No. 11319, Feb. 17, 2012>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 17 and 24 shall enter into force three months after the date of its promulgation.

Article 2 (Applicability to Establishment of Arterial Facilities)

The amended provisions of Article 70-2 shall begin to apply to arterial facilities to be established on or after the date this Act enters into force.

Article 3 (Transitional Measures concerning Registration of Agricultural Infrastructure)

Agricultural infrastructure referred to in the amended provisions of subparagraph 2 of Article 17 among the agricultural infrastructure registered with a Mayor/Do Governor in accordance with the previous provisions as at the time this Act enters into force shall be deemed registered with the head of a Si/Gun/Gu in accordance with the amended provisions of Article 17.

ADDENDA <Act No. 11352, Feb. 22, 2012>

Article 1 (Enforcement Date)

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

Articles 2 through 14 Omitted.

ADDENDUM <Act No. 11501, Oct. 22, 2012>

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

ADDENDA <Act No. 11690, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

(2) Omitted.

Articles 2 through 7 Omitted.

ADDENDA <Act No. 11694, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Act No. 12248, Jan. 14, 2014>

Article 1 (Enforcement Date)

This Article shall enter into force six months after the date of its promulgation.

Articles 2 through 25 Omitted.

ADDENDA <Act No. 12329, Jan. 21, 2014>

Article 1 (Enforcement Date)

This Article shall enter into force six months after the date of its promulgation.

Articles 2 through 4 Omitted.

ADDENDA <Act No. 12428, Mar. 18, 2014>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Incompetent, etc.)

A person under adult guardianship or a person under limited guardianship under the amended provisions of subparagraph 1 of Article 29 shall be deemed to include a person for whom the adjudication of incompetence or quasi-incompetence remains valid pursuant to Article 2 of the Addenda to the Civil Act (Act No. 10429).

ADDENDA <Act No. 12516, Mar. 24, 2014>

Article 1 (Enforcement Date)

This Article shall enter into force one year after the date of its promulgation. (Proviso Omitted.)

Articles 2 through 19 Omitted.

ADDENDA <Act No. 12738, Jun. 3, 2014>

Article 1 (Enforcement Date)

This Article shall enter into force one year after the date of its promulgation. (Proviso Omitted.)

Articles 2 through 3 Omitted.

ADDENDUM <Act No. 12811, Oct. 15, 2014>

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

ADDENDUM <Act No. 12963, Jan. 6, 2015>

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Article 21 (1) and (5) shall enter into force one year after the date of their promulgation.

ADDENDA <Act No. 13383, Jun. 22, 2015>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Act No. 13499, Aug. 28, 2015>

Article 1 (Enforcement Date)

This Article shall enter into force four months after the date of its promulgation.

Articles 2 through 16 Omitted.

ADDENDA <Act No. 13805, Jan. 19, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force on 8/12/2016.

Articles 2 through 22 Omitted.

ADDENDUM <Act No. 14297, Dec. 2, 2016>

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

ADDENDA <Act No. 14480, Dec. 27, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 23 and 116 (1) shall enter into force six months after the date of its promulgation.

Article 2 (Applicability to Registration of Establishment of Partitioned Superficies)

The amended provisions of Article 110-3 shall begin to apply to cases of consulting about or applying for adjudication on the use of ground space or underground space of land on or after the date this Act enters into force.

Article 3 (Applicability to Authorization or Permission Deemed Granted Upon Grant of Approval of Completion to Rural Improvement Project Implementer)

The amended provisions of Article 114 (4) shall also apply where a completion inspection has been conducted before this Act enters into force, in the case of which, the authority to approve implementation plans and business plans for rural improvement projects consults with the head of a related administrative agency as to the completion inspection pursuant to the amended provisions of Article 114 (3), on or after the date this Act enters into force.

Article 4 (Transitional Measures concerning Permission for Use of Agricultural Infrastructure)

An application filed for the use of any agricultural infrastructure for other than its original purpose under the previous Article 23 (1) or the use of any agricultural infrastructure for other than its intended purpose after obtaining approval, as at the time the amended provisions of Article 23 (1) enter into force, shall be deemed filed or obtained permission for use thereof under the amended provisions of Article 23 (1).

Article 5 (Transitional Measures concerning Completion Inspections)

(1) A completion inspection received under the previous Article 114 as at the time this Act enters into force, shall be deemed approval of completion obtained under the amended provisions of Article 114.

(2) An application filed to receive a completion inspection under the previous Article 114 (1) as at the time this Act enters into force, shall be deemed filed for approval of completion under the amended provisions of Article 114 (1).

Article 6 (Transitional Measures concerning Notification to Managing Authorities as to Public Facilities Newly Built)

Notwithstanding the amended provisions of Article 114 (5), where the implementer of a rural improvement project completes the rural improvement project before this Act enters into force, the implementer may notify the managing authority of the kinds and a list of public facilities newly built by implementing the rural improvement project within six months after this Act enters into force.

Article 7 Omitted.

ADDENDA <Act No. 14532, Jan. 17, 2017>

Article 1 (Enforcement Date)

This Act shall enter into one year after the date of its promulgation: Provided, That the amended provisions of any Act, which is amended pursuant to Article 6 of the Addenda and promulgated before this Act enters into force but the enforcement date of which has yet to arrive, shall enter into force on the enforcement date of such Act.

Articles 2 through 7 Omitted.

ADDENDUM <Act No. 15386, Feb. 21, 2018>

This Article shall enter into force six months after the date of its promulgation.

ADDENDA <Act No. 16070, Dec. 24, 2018>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 22 (2) shall enter into force four months after the date of its promulgation.

Article 2 (Transitional Measures concerning Wastewater Discharge Facilities)

A factory or industrial complex, which is not a wastewater discharge facility and whose establishment is approved pursuant to the previous provision of Article 22 (2) as at the date of enforcement under the proviso of Article 1 of the Addenda shall be deemed to have been approved pursuant to the amended provision of Article 22 (2).

ADDENDA <Act No. 16228, Jan. 15, 2019>

Article 1 (Enforcement Date)

This Act shall enter into force one month after the date of its promulgation: Provided, That the amended provisions of Articles 14 (2), 18-2, 130 (4) 2, and 132 (1) 1 and 2 shall enter into force six months after the date of its promulgation.

Article 2 (Applicability to Reporting by Rural Bed and Breakfast Business Operators)

The amended provisions of Articles 86 (2) and (3) shall begin to apply to reports filed on or after the date this Act enters into force.

ADDENDUM <Act No. 16542, Aug. 27, 2019>

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

ADDENDA <Act No. 16568, Aug. 27, 2019>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 16 Omitted.

ADDENDA <Act No. 16783, Dec. 10, 2019>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Closure of Place of Business)

The amended provisions of Article 89 (1) 8 shall begin to apply to notices of violations given after this Act enters into force.

Article 3 (Transitional Measures concerning Prohibition on Engaging in Same Types of Business)

Notwithstanding the amended provisions of Article 89 (2) or (3), the previous provisions shall apply to the restriction on a person who receives an order to close his or her place of business or a business operator's report at the place of business in accordance with the previous provisions as at the time this Act enters into force.

ADDENDA <Act No. 16972, Feb. 11, 2020>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Article 86 (2) 4 shall enter into force three months after the date of promulgation of the Act, and the proviso, with the exception of the subparagraphs, of Article 89 (1) and the amended provisions of Article 89 (1) 9 shall enter into force on the date of promulgation of the Act.

Article 2 (Applicability to Reporting by Rural Bed and Breakfast Business Operators)

The amended provisions of Article 86 (2) shall begin to apply to reports filed after this Act enters into force.

Article 3 (Special Cases concerning Reporting by Rural Bed and Breakfast Business Operators)

In the case of a rural bed and breakfast business operator's place of business which had been lawfully reported and operated prior to 2006, notwithstanding the restrictions on area, a new report may be filed if the person who intends to conduct said business meets the requirements under the amended provisions of Article 86 (2): Provided, That the same shall not apply where any construction work other than reconstruction under Article 2 (1) 8 of the Building Act and substantial repair under subparagraph 9 of the same paragraph is conducted.

Article 4 (Transitional Measures concerning Reporting by Rural Bed and Breakfast Business Operators)

A person who reported as a rural bed and breakfast business operator under the previous provisions as at the time this Act enters into force shall be deemed to have filed a report as a rural bed and breakfast business operator under the amended provisions of Article 86 (2).

ADDENDA <Act No. 17171, Mar. 31, 2020>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDUM <Act No. 18019, Apr. 13, 2021>

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Articles 86-2, 86-3, and 130 (4) shall enter into force on the date of promulgation thereof.

ADDENDA <Act No. 18027, Apr. 13, 2021>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Act No. 18167, May 18, 2021>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provision of the proviso to Article 23 (3) shall enter into force one year after the date of its promulgation.

Article 2 (Applicability to Exemption from Usage Fees of Agricultural Infrastructure)

The amended provisions of proviso of Article 23 (3) shall begin to apply where permission for use is granted after the date the same amended provisions enter into force.

ADDENDA <Act No. 18310, Jul. 20, 2021>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Article 2 Omitted.

ADDENDA <Act No. 18522, Nov. 30, 2021>

Article 1 (Enforcement Date)

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

Articles 2 through 15 Omitted.

ADDENDUM <Act No. 18530, Nov. 30, 2021>

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

ADDENDA <Act No. 18755, Jan. 11, 2022>

Article 1 (Enforcement Date)

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

Articles 2 through 40 Omitted.

Last updated : 2023-07-26

