

	1986· 1· 8	Act No. 3807
Amended By	1988·12·26	Act No. 4030
Amended By	1991· 1·14	Act No. 4324
Amended By	1993· 3· 6	Act No. 4541
Amended By	1994· 3·24	Act No. 4754
Amended By	1995· 1· 5	Act No. 4861
Amended By	1997·12·13	Act No. 5453
Amended By	1997·12·13	Act No. 5454
Amended By	1999· 2· 8	Act No. 5822

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to help the healthy development of the coal industry for the rational exploration and efficient utilization of coal resources, secure the stable demand and supply of coal and coal-processed goods, facilitate the distribution process, promote the implementation of coal mine area development projects, to thereby contribute to the balanced growth of the national economy and promotion of the national standard of living. <Amended by Act No. 4324, Jan. 14, 1991>

Article 2 (Definitions)

For the purpose of this Act, the definitions of terms shall be as follows: <Amended by Act No. 4030, Dec. 26, 1988; Act No. 4324, Jan. 14, 1991; Act No. 5822, Feb. 8, 1999>

- 1.The term "coal industry" means coal mining and coal processing industries;
- 2.The term "coal mining operation" means the business operation in coal exploration, coal extracting, and the accompanying activities of screening coal, etc.;
- 3.The term "coal mining agents" means those who are engaged in the coal mining industry, such as the mining right patentee and the mining concessionaire;
- 4.The term "coal processing operation" means the business operation engaged in producing coal-processed goods;
- 5.The term "coal processing agents" means those who are engaged in the coal processing industry;
- 6.The term "mining right" or "mining concession right" means respectively mining right or mining concession right of which the object is coal as provided in the [Mining Industry Act](#);
- 7.The term "coal-processed goods" means processed goods whose principal raw material is coal, as prescribed by the Presidential Decree;
- 8.and 9.Deleted; <by Act No. 5822, Feb. 8, 1999>
- 10.The term "mining pollution" means the public damage incurred by the activities of coal industry such as digging-up the land, leakage of tunnel water or waste water, waste rocks swept away by the flood, or coal dust scattering; and

11. The term "coal mine area" means the municipal or county-level administrative district that either is the locus of, or adjacent to, coal mines and the regional economy of which is considerably affected by the coal industry.

Article 3 (Formulation of Long-Term Coal Industry Plan)

(1) The Minister of Commerce, Industry and Energy shall formulate a long-term comprehensive plan for coal industry (hereinafter referred to as "Coal Industry Long-term Plan") for the rational development of the coal industry, the stabilization of demand and supply of coal and coal-processed goods, and the development of the mining area. <Amended by Act No. 4324, Jan. 14, 1991; Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(2) The Coal Industry Long-term Plan as provided in paragraph (1) shall include the following matters: <Amended by Act No. 4030, Dec. 26, 1988; Act No. 4324, Jan. 14, 1991>

1. Long-term estimation of the supply and demand of coal and the fundamental policy orientation;

2. Matters concerning the rational development of coal resources;

3. Matters concerning the support for, and promotion of, coal industry and the arrangements for mine closure;

4. Matters concerning mine safety, prevention of mining pollution, and technological development;

5. Matters concerning the implementation of mining area development projects; and

6. Other necessary measures for the rationalization of coal industry.

(3) Deleted. <by Act No. 5822, Feb. 8, 1999>

Article 4

Deleted. <by Act No. 5822, Feb. 8, 1999>

Article 5 (Succession of Effect of Legal Action)

The proceedings or other actions taken as prescribed by this Act shall hold effect for the successors to the coal mining agents, land-owners, and other interested parties concerned. <Amended by Act No. 4030, Dec. 26, 1988>

CHAPTER II RATIONAL DEVELOPMENT OF COAL RESOURCES

Article 6 (Use of Adjacent Mining District)

(1) In case where it is deemed difficult for a coal mining agent to develop a mineral deposit or maintain mine safety without the installation of the following facilities by using a mining district, owned by others, to which the location and formation of his own mineral deposit is

adjacent (herein- after referred to as the "adjacent mining district"), the coal mining agent may consult the use of the adjacent mining district for the purpose of installing the said facilities, with the coal mining agent of the adjacent mining district: <Amended by Act No. 4030, Dec. 26, 1988>

1.Ventilation pit;

2.Carriage tunnel;

3.Drainage; and

4.Other facilities as prescribed in the Presidential Decree.

(2) In a case where a coal mining agent cannot discuss the matters as provided by paragraph (1) due to the unknown whereabouts of his counterpart or due to other reasons, or in a case where he cannot reach an agreement within three months after the initiation of discussions, he may request the Minister of Commerce, Industry and Energy to make a decision on the use of the adjacent mining district. <Amended by Act No. 4030, Dec. 26, 1988; Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(3) When the Minister of Commerce, Industry and Energy intends to make a decision upon the use of the adjacent mining district on the request as provided by paragraph (2), the said Minister shall have a specialized institution as prescribed by the Ordinance of the Ministry of Commerce, Industry and Energy investigate the presence or absence of difficulties in the mining operation of the adjacent mining district. <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(4) The decision as provided by paragraph (3) shall designate the location and size of the adjacent mining district to be used, use fee, and other terms of use.

(5) Upon a decision made by the Minister of Commerce, Industry and Energy as provided by paragraph (3), the coal mining agent of the adjacent mining district is obligated not to obstruct the use of the said mining district. <Amended by Act No. 4030, Dec. 26, 1988; Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(6) The consultation as provided by paragraph (1), or the contents of the decision as provided by paragraph (3) shall not hold effect against a third party unless the said consultation or decision is registered on the Mining Industry Ledger.

Articles 7 through 16

Deleted. <by Act No. 5822, Feb. 8, 1999>

CHAPTER III REGULATION OF DEMAND AND COAL-PROCESSED GOODS

Article 17 (Licence for Coal Processing Business Operation)

(1) The person who intends to engage in a coal processing business operation shall register with the Special Metropolitan City Mayor, Metropolitan City Mayor or Do governor (hereinafter referred to as the "Mayor/Do governor").

(2) When the person who intends to change the matters determined by the Ordinance of the Ministry of Commerce, Industry and Energy among the matters registered shall report to the

Mayor/Do governor.

(3) The criteria for registration as referred to in paragraph (1) shall be determined by the Presidential Decree.

[This Article Wholly Amended by Act No. 5822, Feb. 8, 1999]

Article 18

Deleted. <by Act No. 4030, Dec. 26, 1988>

Article 19 (Disqualifications for Coal Processing Agent)

Any person who falls under any of the following subparagraphs shall not register for a coal processing business operation: <Amended by Act No. 5822, Feb. 8, 1999>

1. A person of incompetency;
2. A person who received an adjudication of bankruptcy and whose rights have not been restored;
3. A person who was sentenced to imprisonment in violation of this Act and less than two years have passed since the decision not to execute the sentence or since the execution of the sentence has been completed, or who is under the suspension of execution of the sentence;
4. A person for whom less than two years have passed since the cancellation of the registration for a coal processing business operation under [Article 21](#) (1); or
5. A juristic person whose representative comes under one of the cases as prescribed in subparagraphs 1 through 4 above.

Article 20 (Succession)

(1) When a coal processing agent transfers his entire coal processing operation or dies, or a merger is effected between coal processing agents, the transferee, the inheritor, or the juristic person that continues to exist or comes to existence by merger shall succeed to the status of the coal processing agent. <Amended by Act No. 4030, Dec. 26, 1988>

(2) A person who has taken over the entire facilities engaged in the coal processing operation through auction as prescribed by the [Civil Procedure Act](#), through conversion into money as provided by the [Bankruptcy Act](#), through the sale of seized property as prescribed by the [National Tax Collection Act](#), the [Customs Duties Act](#), the [Local Tax Act](#), or according to other procedures corresponding to them, shall succeed to the status of the former coal processing agent. <Amended by Act No. 4030, Dec. 26, 1988; Act No. 5454, Dec. 13, 1997>

(3) The person who succeeded to the status of coal processing agent as provided for in paragraph (1) or (2) shall report the succession to the Mayor/Do governor as prescribed by the Ordinance of the Ministry of Commerce, Industry and Energy. <Amended by Act No. 4030, Dec. 26, 1988; Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

Article 21 (Cancellation of Licence)

(1) When a coal processing agent comes under one of the following cases, the Mayor/Do governor may cancel the registration, or order to suspend the operation with the period designated up to six months:

1. In case where a person comes short of the criteria for registration under the provisions of [Article 17](#) (3);

2. In case where a person falls under one of subparagraphs of [Article 19](#);

3. In case where a person fails to comply with the measure as referred to in [Article 24](#) (1); or

4. In case where a person either violates the obligation to maintain quality as provided for in [Article 25](#) (1), or refuses, obstructs, or avoids quality inspection as provided for in [Article 25](#) (3).

(2) In case of coming to fall under any of the following subparagraphs, the provisions of paragraph (1) shall not apply for six months from the date falling under subparagraph 5 of [Article 19](#), or the date beginning the succession:

1. Where a juristic person falls under subparagraph 5 of [Article 19](#); or

2. Where the inheritor who succeeds status of a coal processing agent falls under one of subparagraphs 1 through 4 of [Article 19](#).

(3) Where a coal processing agent comes under paragraph (1) 3 or 4, the Minister of Commerce, Industry and Energy may order to suspend the operation with the period designated up to six months.

(4) Where the Minister of Commerce, Industry and Energy or the Mayor/Do governor intends to order to suspend the business or mining as referred to in paragraph (1) or (3), he may impose a penalty surcharge not exceeding 10 million won in lieu of suspension of business or mining, if such suspension of business or mining causes any serious inconveniences to users or is likely to be detrimental to public interests.

(5) The standards for disposition by offense referred to in paragraph (1) or (3) and standards for imposition of a penalty surcharge referred to in paragraph (4) shall be determined by the Ordinance of the Ministry of Commerce, Industry and Energy, taking into account such cause and degree of offense.

(6) Where a person who is to pay a penalty surcharge as referred to in paragraph (4) fails to do so within the time limit of payment, the Minister of Commerce, Industry and Energy or the Mayor/Do governor shall collect such a surcharge in conformity with the examples of disposition on default of national taxes or local taxes.

[This Article Wholly Amended by Act No. 5822, Feb. 8, 1999]

Article 21-2 (Hearing)

Where the Mayor/Do governor intends to cancel the registration as referred to in [Article 21](#) (1), he shall hold a hearing. <Amended by Act No. 5822, Feb. 8, 1999>

[This Article Newly Inserted by Act No. 5453, Dec. 13, 1997]

Article 22 (Report of Suspension or Closure of Coal Processing Operation)

When a coal processing agent intends to close down or suspend his operation for six months or more, he shall report in advance to the Mayor/Do governor as prescribed by the Ordinance of the Ministry of Commerce, Industry and Energy. The same shall also apply to the case where the coal processing agent intends to resume the suspended operation. <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

Article 23 (Moving of Coal Processing Plants and Construction of Coal Processing Industry Complex)

(1) Mayor/Do governors shall devise necessary measures such as the creation of a fuel industry complex to induce coal processing plants to be moved to suburban areas or to be integrated into an industrial complex.

(2) In order to facilitate the moving of coal processing plants to suburban areas or the construction of the industrial complex, the State or local government may sell the properties owned by the State or local government by contract ad libitum, notwithstanding the provisions of [Article 33 of the State Properties Act](#) or of [Article 61 of the Local Finance Act](#). <Amended by Act No. 4030, Dec. 26, 1988>

(3) Mayor/Do governors shall expropriate or use either land, building, or settled things on the land, or rights on land, building, or settled things on the land except for ownership right in such cases as when the said Mayor/Do governors deem such measures are necessary in order to create a fuel industry complex as provided for in paragraph (1).

Article 24 (Measures for Regulation of Demand and Supply of Coal, etc.)

(1) When the Minister of Commerce, Industry and Energy is gravely concerned that difficulties may arise in the demand and supply of coal and coal-processed goods, the said Minister may take the following measures as prescribed by the Presidential Decree in order to secure the stability in the daily life of the people: <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

1.Regulation concerning coal production and the kinds and production amount of coal-processed goods;

2.Regulation concerning the reservation of coal and coal-processed goods and storage facilities for coal;

3.Regulation concerning the distribution and restriction on consumption of coal and coal-processed goods; and

4.Regulation concerning the regional flow of coal and coal-processed goods.

(2) The Minister of Commerce, Industry and Energy may take such measures as he deems necessary, as prescribed by the Presidential Decree, upon coal processing agents or sellers of coal-processed goods, in order to secure the safety of the consumers of coal-processed goods. <Amended by Act No. 4030, Dec. 26, 1988; Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec.

13, 1997; Act No. 5822, Feb. 8, 1999>

(3) and (4) Deleted. <by Act No. 5822, Feb. 8, 1999>

Article 25 (Maintenance of Quality and Inspection)

(1) The coal mining agent or coal processing agent shall maintain the quality of coal or coal-processed goods, that are produced for the purpose of sale, up to the criteria as prescribed by the Ordinance of the Ministry of Commerce, Industry and Energy. <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(2) The coal mining agent or coal processing agent shall set up the facilities for quality analysis and test as prescribed by the Ordinance of the Ministry of Commerce, Industry and Energy. <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(3) The Minister of Commerce, Industry and Energy may inspect the quality of coal and coal-processed goods as prescribed by the Ordinance of the Ministry of Commerce, Industry and Energy in order to maintain the quality as provided for in paragraph (1). <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

CHAPTER IV SUPPORT, ETC. FOR COAL INDUSTRY AND COAL MINE AREAS

Article 26 (Financial Sources for Assistance Project Expenses)

In order to secure the assistance project expenses for rationalization and the stable growth of the coal industry and development of coal mine areas, the Government shall appropriate on the expenditure budget the amount of money that is tantamount to 12/100 of the sum of (i) the annual value-added tax amount on imported bunker C oil, and (ii) the sales tax amount on bunker C oil on the manufacturing stage as provided for in [Article 17 of the Value-Added Tax Act](#) divided by the value-added tax rate ($=12/100 \{i+ii\} / \text{value-added tax rate}$): Provided, That the amount may be increased or reduced in consideration of the actual need of assistance project for the coal industry and the promotion of coal mine areas and budget capacity. <Amended by Act No. 4030, Dec. 26, 1988; Act No. 4324, Jan. 14, 1991>

Article 27 (Use of Assistance Project Expenses)

(1) The assistance project expenditure as provided for in [Article 26](#) shall be spent for uses of the following subparagraphs: <Amended by Act No. 4030, Dec. 26, 1988; Act No. 4324, Jan. 14, 1991; Act No. 4754, Mar. 24, 1994>

1. Assistance to mine safety facilities and mining pollution prevention facilities;
2. Assistance to the welfare services for coal mine employees;
3. Assistance to mine area development project such as coal mine area promotion project;
4. Assistance to the expenditure for the installation of improved mining facilities;

5.Capital contribution and assistance to the Daihan Coal Corporation and Korea Mining Promotion Corporation;

6.Contribution and assistance to the researchers on the development and utilization of coal and to thermal efficiency improvement projects; and

7.Other assistance projects for rationalization and stable growth of the coal industry as prescribed by the Presidential Decree.

(2) The Minister of Commerce, Industry and Energy may use a portion of the assistance project expenditure for mining industries other than the coal industry. Such measures by the Minister shall be limited to the projects as provided for in paragraph (1) 1. <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(3) In providing assistance to facility expenditure under paragraph (1) 3, the Minister of Commerce, Industry and Energy may provide the assistance on the condition that the whole or part of the assistance amount should be reimbursed. Such measures by the Minister shall be limited to the mining facilities as prescribed by the Presidential Decree. <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(4) The reimbursed money as provided for in paragraph (3), notwithstanding [Article 18 \(2\) of the Act on the Budgeting and Management of Subsidies](#), shall belong to the Special Accounts of Energy and Resources-related Projects as provided by the Act on the Special Accounts for Energy and Resources-related Projects. <Amended by Act No. 4030, Dec. 26, 1988; Act No. 4754, Mar. 24, 1994; Act No. 5822, Feb. 8, 1999>

Article 28 (Helping Growth of Coal Industry)

(1) The Government shall implement the following programs in order to help the rational development of the coal industry and to secure stable demand and supply of coal:

1.Programs to secure coal reserves for emergencies;

2.Loans for summer coal storage in preparation for winter;

3.Loans for coal reserve facilities;

4.Loans for improving the coal industry facilities;

5.Loans to the Daihan Coal Corporation and Korea Mining Industry Promotion Corporation;

6.Deleted; and <by Act No. 5822, Feb. 8, 1999>

7.Other programs as prescribed by the Presidential Decree.

(2) The coal processing agent who received the loan as provided for in paragraph (1) 2 shall not transfer the coal purchased by the loan to a third party nor furnish it as mortgage.
[This Article Wholly Amended by Act No. 4754, Mar. 24, 1994]

Article 29 (Support for Stabilization of Coal Industry)

In order to assure the stable operation of the coal mining industry, to promote the welfare of

coal mine workers, and to secure the reliability in the use of coal-processed goods, the government shall implement the following programs:

1. Countermeasure programs for coal mine closure;
 2. Scholarship support program for the children of coal mine workers;
 3. Welfare programs for coal mine workers and mine area development programs;
 4. Quality inspection programs for coal and coal-processed goods;
 5. Programs for technology development concerning coal and coal-processed goods;
 6. Programs to enhance the reliability in the use of coal-processed goods;
 7. Programs for price stabilization of coal and coal-processed goods;
 8. Programs for the prevention of pneumoconiosis and protection of pneumoconiosis patients;
and
 9. Other programs as prescribed by the Presidential Decree.
- [This Article Wholly Amended by Act No. 4754, Mar. 24, 1994]

Articles 30 and 30-2

Deleted. <by Act No. 5822, Feb. 8, 1999>

Article 31 (Coal Industry Rationalization Project Corps)

(1) For the purpose of implementing programs as provided for in [Article 29](#) and necessary programs for the rational development of the coal industry, the Coal Industry Rationalization Project Corps (hereinafter referred to as the "Project Corps") shall be established. <Amended by Act No. 4754, Mar. 24, 1994>

(2) The Project Corps shall be a juristic person.

(3) The articles of association of the Project Corps shall include provisions on the following matters:

1. The purpose;
2. The name;
3. Matters concerning main office, work offices, branches, and agencies;
4. Matters concerning officers and employees;
5. Matters concerning the board of directors;
6. Matters concerning works and their execution;
7. Matters concerning properties and accounting;

8. Matters concerning the revision of the articles of incorporation;

9. Matters concerning the method of public notification; and

10. Matters concerning the legislation, amendment, and abrogation of regulations and provisions.

(4) When the Project Corps intends to revise its articles of association, it shall obtain the approval of the Minister of Commerce, Industry and Energy. <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(5) The establishment of the Project Corps shall be completed by the registration of establishment at the locus of its main office.

(6) The organization, operation, and other necessary matters shall be prescribed by the Presidential Decree.

(7) With respect to the Project Corps, the provisions concerning incorporated foundation from among the [Civil Act](#) shall apply mutatis mutandis except as otherwise provided by this Act.

Article 32

Deleted. <by Act No. 4030, Dec. 26, 1988>

Article 33 (Preferential Implementation of Assistance Projects)

For the person who let others use his mining area under the provisions of [Article 6](#) (1), the Government may give the priority to the implementation of assistance projects as provided for in [Article 27](#) (1) 1 through 3, 6 and [Article 28](#) (1) 2 through 4 and 7.
[This Article Wholly Amended by Act No. 5822, Feb. 8, 1999]

Article 34

Deleted. <by Act No. 4030, Dec. 26, 1988>

Article 35

Deleted. <by Act No. 5822, Feb. 8, 1999>

Article 36 (Report and Inspection)

(1) The Minister of Commerce, Industry and Energy may, if he deems it necessary, have a coal mining agent or coal processing agent submit documents or report on his operation, or have the public official under his jurisdiction inspect ledgers, documents, and other things.
<Amended by Act No. 4030, Dec. 26, 1988; Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(2) The public official who conducts the inspection as provided for in paragraph (1) shall carry a certificate of authorization for the inspection, and present it to the persons concerned.

Articles 37 and 38

Deleted. <by Act No. 5822, Feb. 8, 1999>

Article 39 (Field Survey on Adjacent Mining District)

(1) The Minister of Commerce, Industry and Energy shall devise necessary measures to reduce disorderly extraction of coal resources and hazards to mine workers by quickly preventing the trespass mining of an adjacent mining district. <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(2) If a coal mining agent has reasons to believe that the coal mining agent of adjacent mining district has committed the trespass mining beyond the boundary of the mining district concerned into the former's mining district, he may request the Minister of Commerce, Industry and Energy to conduct a field survey. <Amended by Act No. 4030, Dec. 26, 1988; Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(3) When the Minister of Commerce, Industry and Energy receives the request as provided for in paragraph (2), he shall, without delay, have the persons, who are designated respectively by the coal mining agent who requested the field survey and the coal mining agent of the adjacent mining district, jointly conduct field survey and measuring on the area concerned with the expenses financed from both parties, under the participation of the public officials belonging to him (including the public officials in mine safety office). In this case, such Minister may order to preserve the site of the dispute concerned if he deems it necessary to do so. <Amended by Act No. 4030, Dec. 26, 1988; Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(4) In case where the requester of a field survey or the coal mining agent of the adjacent mining district raises an objection regarding the result of the field survey, the Minister of Commerce, Industry and Energy shall arrange a survey or measuring to be carried out by a person who is registered as surveyors as provided for in [Article 39 of the Land Survey Act](#) or professional institution as prescribed by the Ordinance of the Ministry of Commerce, Industry and Energy. In this case, the coal mining agent of the adjacent mining district is obligated not to obstruct the survey or measuring. <Amended by Act No. 4030, Dec. 26, 1988; Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(5) The coal mining agent who requested the field survey as provided for in paragraph (2) or the coal mining agent of the adjacent mining district may participate in the field survey as provided for in paragraph (4) and suggest his opinions. <Amended by Act No. 4030, Dec. 26, 1988>

(6) The Minister of Commerce, Industry and Energy may order the coal mining agent of the adjacent mining district to suspend his operation temporarily or to provide mining facilities or equipment for use if he deems it necessary for the field survey. In this case, the scope of the order shall be confined to the necessary minimum. <Amended by Act No. 4030, Dec. 26, 1988; Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(7) When the Minister of Commerce, Industry and Energy intends to carry out the field survey as provided for in paragraph (4), he shall have the requester pay the expenses in advance for such survey, and deposit the estimated amount of losses for compensation to the coal mining agent of the adjacent mining district in case the field survey results in the judgment that trespass mining has never occurred, beyond the boundary of the mining district concerned into the requester's mining district. <Amended by Act No. 4030, Dec. 26, 1988; Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(8) In case the field survey as provided for in paragraph (3) or (4) results in the judgement that trespass mining has occurred beyond the boundary of the mining district concerned into the requester's mining district, the Minister of Commerce, Industry and Energy shall order suspension of operation and closure of tunnel. <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

CHAPTER IV-2 ARRANGEMENTS FOR THE CLOSURE OF COAL MINING OPERATION

Article 39-2 (Establishment of Criteria for Closed Mines to be Supported)

(1) The Minister of Commerce, Industry and Energy may determine and publicly notify the criteria for the coal mines subject to payment of the mine closure countermeasure expenses as provided for in [Article 39-3](#) in consideration of coal reserve production amount and quality of coal, etc. The same shall apply to alteration of the criteria. <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(2) Deleted. <by Act No. 5822, Feb. 8, 1999>
[This Article Newly Inserted by Act No. 4030, Dec. 26, 1988]

Article 39-3 (Payment of Mine Closure Countermeasure Expenses)

(1) When the coal mining agent of a mine that meets the criteria as provided for in [Article 39-2](#) (1) has completed the registration of extinction of his mining right or mining concession right concerned (hereinafter referred to as "mining rights, etc."), the Project Corps shall pay the following amount of money (hereinafter referred to as "mine closure countermeasure expenses") to the dismissed workers, coal mining agents, etc. of the mine concerned:
<Amended by Act No. 4754, Mar. 24, 1994; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

1. The amount equivalent to 75% of the minimum standard amount of retirement pay as provided for in [Article 34 of the Labor Standards Act](#), wages of not more than two months, and dismissed worker's consolation pay equivalent to average wages of one month as provided for in [Article 19 of the Labor Standards Act](#);

2. The expense to support the coal mining agent for the moving and abandonment of mining facilities, based on annual production of the closing mine within the limit of 10,000 won for a ton of coal, as prescribed by the Presidential Decree;

3. The expense to prevent mining pollutions from the closing mine; and

4. Other mine closure countermeasure expenses as prescribed by the Presidential Decree.

(2) If the Minister of Commerce, Industry and Energy deems it inevitable to close a mine that meets the criteria as provided in [Article 39-2](#) (1), on account that it is impossible to register the extinction of a mining right, etc. due to the missing whereabouts of the coal mining agent or due to workers' wages in arrears, he shall cancel the mining right, etc. and have the Project Corps pay the mine closure countermeasure expenses as provided for in paragraph (1). In this case, the amount as provided for in paragraph (1) 2 shall be paid for the wages as provided for in [Article 37 \(2\) of the Labor Standards Act](#), (including the wages as provided for in paragraph (1) 1), for the liabilities to the mortgagee of the mining right concerned, and for

wages and retirement pays of the dismissed workers of the mine concerned, in that order.
<Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(3) In case where retirement pay and wages are paid to the dismissed workers as provided for in paragraph (1) or (2), the liabilities of the coal mining agent shall be extinct within the limit of the payment.

(4) The persons to be paid, scope, and method of the payment of the mine closure countermeasure expenses shall be prescribed by the Presidential Decree.

[This Article Newly Inserted by Act No. 4030, Dec. 26, 1988]

Article 39-4 (Mine Closure and Hypothec)

(1) If a mortgage is established on the mining right that a mining right patentee intends to register for extinction as provided for in [Article 39-3](#) (1), the approval of the mortgagee shall be obtained in advance. <Amended by Act No. 5822, Feb. 8, 1999>

(2) If a mortgage is established on the mining right that is cancelled, as provided for in [Article 39-3](#) (1), the Minister of Commerce, Industry and Energy shall notify the mortgagee of the cancellation without delay. <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(3) In case where the approval is obtained as provided for in paragraph (1), or the notification is made as provided for in paragraph (2), the provisions of [Articles 41](#) and [42 of the Mining Industry Act](#) shall not apply.

[This Article Newly Inserted by Act No. 4030, Dec. 26, 1988]

Article 39-5 (Mining Closure and Mining Concession Right)

If a mining concession right is established on the mining right that is cancelled as provided for in [Article 39-3](#) (1) or (2), the mining right within the district of the mining concession right concerned shall be considered as to be retained until the day of the expiration of the duration of the mining concession right concerned. <Amended by Act No. 5822, Feb. 8, 1999>

[This Article Newly Inserted by Act No. 4030, Dec. 26, 1988]

Article 39-6 (Limitation on Application for Mining Right)

(1) Concerning the district in which a mining right is rendered extinct as provided for in [Article 39-3](#) (1) or (2), application for the establishment of a mining right on coal or other mineral matters contained in the same mineral deposit shall not be made. <Amended by Act No. 5822, Feb. 8, 1999>

(2) Concerning the district in which mining concession right is rendered extinct as provided for in [Article 39-3](#) (1) or (2), application for the approval of the extraction plan as provided for in [Article 47 of the Mining Industry Act](#) or application for the approval of the establishment of mining concession right as provided for in [Article 57](#) of such Act shall not be made.

[This Article Newly Inserted by Act No. 4030, Dec. 26, 1988]

Article 39-7 (Countermeasures for Dismissed Workers)

(1) Upon the request of the Minister of Commerce, Industry and Energy, the Minister of Labor shall devise necessary unemployment countermeasures for dismissed workers of the mine that is closed pursuant to [Article 39-3](#) (1) or (2). <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(2) Coal mining agents shall preferentially employ the dismissed workers of the closed mine, in accordance with the unemployment countermeasures that are devised under paragraph (1). [This Article Newly Inserted by Act No. 4030, Dec. 26, 1988]

CHAPTER IV-3 IMPLEMENTATION OF THE COAL MINE AREA PROMOTION PROJECT

Article 39-8 (Designation of Coal Mine Area Promotion Project Implementation Zone)

(1) In case where the Mayor/Do governor having the jurisdiction over a coal mine area reaches a judgment that the depression in regional economy due to the closure of a coal mine, or the reduced demand for coal necessitates the promotion of the regional economy, he may request the Minister of Commerce, Industry and Energy to designate the area concerned as a "Coal Mine Area Promotion Project Implementation Zone"(hereinafter referred to as the "Implementation Zone"). <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(2) Upon receiving the request as provided for in paragraph (1), the Minister of Commerce, Industry and Energy shall, after consultation with the head of the central administrative agency, decide whether he will make such designation and the boundary of the Implementation Zone. The same shall apply to the alteration of such decision. <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999> [This Article Newly Inserted by Act No. 4324, Jan. 14, 1991]

Article 39-9 (Formulation of Coal Mine Area Promotion Project and Other Matters)

(1) In case where the Implementation Zone is designated as provided for in [Article 39-8](#), the Mayor/Do governors shall, without delay, formulate the Coal Mine Area Promotion Project Plan (hereinafter referred to as the "Project Plan") and submit it to the Minister of Commerce, Industry and Energy. <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(2) Upon receiving the Project Plan, the Minister of Commerce, Industry and Energy, after consultation with the head of the central administrative agency concerned, shall make a final decision on the Plan. The same shall not apply to the alteration of the Plan: Provided, That the same shall apply to minor matters as provided by the Ordinance of the Ministry of Commerce, Industry and Energy. <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999; Act No. 5822, Feb. 8, 1999>

(3) The Project Plan as provided for in paragraph (1) shall include the following programs:

1. Program to increase the residents' income and to improve the living environment;
2. Program to secure sufficient infrastructure facilities for development of natural resources and regional promotion;
3. Program to secure sufficient welfare, educational, and cultural facilities;
4. Program to promote substitute industries such as the development of tourism resources and the creation of a mining-industrial complex; and
5. Other programs deemed necessary for the promotion of the coal mine area.

(4) When the Minister of Commerce, Industry and Energy has made the final decision on the Project Plan as provided for in paragraph (2), he shall make a public notification about the following matters. The same shall apply to the alteration of the Plan: <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

1. The contents of the Coal Mine Area Promotion Project;
 2. Implementation period of the Project Plan;
 3. Plan for procurement of needed fund; and
 4. Other matters to be prescribed by the Ordinance of the Ministry of Commerce, Industry and Energy.
- [This Article Newly Inserted by Act No. 4324, Jan. 14, 1991]

Article 39-10 (Formulation of Annual Implementation Plan)

(1) The Mayor/Do governor having the jurisdiction over the Implementation Zone shall formulate an annual implementation plan in accordance with the Project Plan that was finally decided upon as provided for in [Article 39-9](#) and to obtain the approval of the Minister of Commerce, Industry and Energy. <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(2) The Minister of Commerce, Industry and Energy shall consult with the head of the central administrative agency concerned in advance before giving the approval for the implementation plan. <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

[This Article Newly Inserted by Act No. 4324, Jan. 14, 1991]

Article 39-11 (Appropriation in Budget)

The head of the central administrative agency concerned and the Mayor/Do governor having the jurisdiction over the Implementation Zone shall appropriate annually in the budget the whole or part of the fund needed for the Project as provided for in [Article 39-9](#).

[This Article Newly Inserted by Act No. 4324, Jan. 14, 1991]

Article 39-12 (Relationship with Other Plans)

The Project Plan that was finally decided upon as provided for in [Article 39-9](#) has the priority

over other development projects than the Comprehensive Plan for National Land Construction as prescribed by the [Act on Comprehensive Plans for Construction in the National Territory](#), and the Plan for Utilization as provided by the [Act on the Utilization and Management of the National Territory](#), and construction plans concerning military affairs.

[This Article Newly Inserted by Act No. 4324, Jan. 14, 1991]

CHAPTER V SUPPLEMENTAL PROVISIONS

Article 40 (Fees)

The person who intends to register or to report as prescribed by the provisions of [Article 17](#) (1) and (2) and [Article 20](#) (3) shall pay the fees as prescribed by the Ordinance of the Minister of Commerce, Industry and Energy.

[This Article Wholly Amended by Act No. 5822, Feb. 8, 1999]

Article 41 (Mandate of Authority)

The authority of the Minister of Commerce, Industry and Energy as prescribed by this Act may be mandated to the Mayors/Do governors as prescribed by the Presidential Decree.

<Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 5, 1999>

Article 42 (Enforcement Decree)

Matters concerning the enforcement of this Act shall be prescribed by the Presidential Decree.

CHAPTER VI PENAL PROVISIONS

Article 43 (Penal Provisions)

(1) The person who falls under any of the following subparagraphs shall be punished by imprisonment for not more than three years, or to a fine not exceeding 10 million won:
<Amended by Act No. 5822, Feb. 5, 1999>

1. The person who has undertaken a coal processing business operation, without registration of the licence as provided in [Article 17](#) (1);

2. The person who violated the operation suspension order as provided in [Article 21](#) (1);

3. The person who violated the measure as provided for in [Article 24](#) (1) or (2);

4. The person who violated the provision of [Article 25](#) (1); and

5. The person who violated the order as provided for in [Article 39](#) (3), (6), or (8) or the person who violated the latter half of paragraph (4) of the same Article.

(2) The violations mentioned in paragraph (1) 3 and 4 shall be discussed only at the accusation by the Minister of Commerce, Industry and Energy. <Amended by Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

Article 44 (Penal Provisions)

The person who falls under any of the following subparagraphs shall be punished by imprisonment for not more than one year, or a fine not exceeding 3 million won: <Amended by Act No. 4030, Dec. 26, 1988; Act No. 4754, Mar. 24, 1994>

1. The person who violated the provisions of [Article 6](#) (5);
2. Deleted; <by Act No. 5822, Feb. 8, 1999>
3. The person who refused, obstructed, or avoided the inspection as provided in [Article 25](#) (3);
4. The person who violated the provisions of [Article 28](#) (2); and
5. The person who refused, obstructed, or avoided the inspection as provided in [Article 36](#) (1).

Article 45 (Fine for Negligence)

(1) The person who falls under any of the following subparagraphs shall be subject to a fine for negligence not exceeding one million won: <Amended by Act No. 5822, Feb. 8, 1999>

1. The person who failed to report the alteration of the contents registered as provided in [Article 17](#) (2);
2. Deleted; <by Act No. 4030, Dec. 26, 1988>
3. The person who failed to install the facilities as provided for in [Article 25](#) (2);
4. Deleted; <by Act No. 5822, Feb. 8, 1999>
5. The person who failed to report, as provided for in [Article 36](#) (1) or falsely reported, or the person who failed to submit documents, or submitted false documents; and
6. Deleted. <by Act No. 5822, Feb. 8, 1999>

(2) The person who falls under any of the following cases shall be subject to a fine for negligence not exceeding 500 thousand won:

1. Deleted; <by Act No. 5822, Feb. 8, 1999>
2. The person who failed to report the succession as provided for in [Article 20](#) (3); and
3. The person who failed to report the suspension or closure of operation or resuming of suspended operation as provided for in [Article 22](#).

(3) The fine for negligence as provided for in paragraph (1) or (2) shall be imposed and collected by the Minister of Commerce, Industry and Energy or the Mayor/Do governor (hereinafter referred to as the "the person who is authorized to take the disposition").
<Amended by Act No. 4030, Dec. 26, 1988; Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(4) The person who refuses to comply with the administrative action of fine for negligence as provided for in paragraph (3) may raise an objection with the person who is authorized to take the disposition not later than 30 days after the former became aware of the administrative action. <Amended by Act No. 4030, Dec. 26, 1988; Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(5) If the person who received the administrative action of the fine for negligence as provided for in paragraph (3) raises an objection as provided for in paragraph (4), the person who is authorized to take the disposition shall, without delay, notify the court that has the jurisdiction over the case, and such court shall conduct a fine for negligence trial as prescribed by the [Non-Contentious Case Litigation Procedure Act](#). <Amended by Act No. 4030, Dec. 26, 1988; Act No. 4541, Mar. 6, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5822, Feb. 8, 1999>

(6) If no objection is raised nor the fine for negligence paid within the period as provided for in paragraph (4), such a fine for negligence shall be collected according to the examples of the disposition of national taxes or local taxes in arrears. <Amended by Act No. 4030, Dec. 26, 1988; Act No. 5822, Feb. 8, 1999>

Article 46 (Joint Penal Provisions)

If a representative of a juristic person, or an agent, employee or any other employed person of a juristic person or an individual, commits the offense as provided in [Article 43](#) or [44](#) in relation to the business operation of the juristic person or individual, such a juristic person or individual shall be punished by the penalty of fines referred to in the relevant Articles, in addition to the punishment of the person who committed the act of violation.

ADDENDA

Article 1 (Enforcement Date)

This Act shall enter into force on December 31, 1986.

Article 2 (Time Limitation in Application)

The provisions of [Articles 26](#) and [27](#) shall enter into force until December 31, 2001.
<Amended by Act No. 4030, Dec. 26, 1988; Act No. 4324, Jan. 14, 1991>

Article 3 (Repealed Acts)

The following Acts shall be abolished: Provided, That an application of the rules of punishment for acts that occurred before the abolishment of such Acts shall be done according to the provisions before the abolishment:

- 1.The Coal Development Temporary Measure Act;
- 2.The Temporary Measure Act concerning Promotion of Coal Mining Industry; and
- 3.The Temporary Measure Act concerning Regulation of Demand and Supply of Coal.

Article 4 (Transitional Measures concerning License, etc. under Acts to be Abolished)

(1) License, approval, inspection, report, and other administrative actions taken as prescribed by the Coal Development Temporary, Temporary Measure Act concerning Promotion of Coal Mining Industry, and Temporary Measure Act concerning Regulation of Demand and Supply of Coal before the enforcement of this Act shall be regarded as taken under this Act: Provided, That from among the coal processing agents who received a license as prescribed by the Temporary Measure Act concerning Regulation of Demand and Supply of Coal, the agent who fails to meet the facility criteria shall meet the criteria as prescribed by this Act not later than one year after the date of the enforcement of this Act and if a coal processing agent falls under any of the cases as prescribed for in [Article 19](#), such coal processing agent shall transfer the operation or change the representing director (confined to the case of a juristic person) not later than six months after the date of the enforcement of this Act.

(2) Those who were punished as prescribed by the Coal Development Temporary Measure Act, the Temporary Measure Act concerning the Promotion of Coal Mining Industry, and the Temporary Measure Act concerning the Regulation of Demand and Supply of Coal before the date of the enforcement of this Act shall be regarded as having been punished under this Act in applying [Article 19](#).

(3) The development company and continuing operation agent, as prescribed by the Coal Development Temporary Measure Act, that at the time when this Act enters into force shall be regarded as annexed coal field company and continuing operation agent as prescribed by this Act, respectively.

(4) The Coal Fund and the Imported Coal Complement Fund as prescribed by the Temporary Measure Act Concerning the Regulation of Demand and Supply of Coal at the time of the enforcement of this Act shall be regarded as the Promotion Fund and the Imported Coal Complement Fund as prescribed by this Act.

Article 5 (Transitional Measures for Establishment of Project Corps)

(1) The Minister of Energy Resources shall commission not more than seven founding members to carry out the work concerning the establishment of the Project Corps.

(2) The founding members shall work out the articles of incorporation of the Project Corps and obtain the approval of the Minister of Energy Resources.

(3) Upon the approval as provided for in paragraph (2), the founding members, without delay, shall register the establishment of the Project Corps under joint signature.

(4) After the registration of the establishment of the Project Corps, the founding members, without delay, shall hand over the work to the head of the Project Corps, and after handing over the work, the founding members shall be regarded as being discharged of their commission.

(5) The expenses for the establishment of the Project Corps shall be paid by the Project Corps.

Article 6 (Transitional Measures Concerning Korea Coal Scholarship Foundation, etc.)

(1) The Korea Coal Scholarship Foundation Incorporated, the Coal Mine Support Project Corps Incorporated, and the Korea Coal Quality Inspection Incorporated Association (hereinafter referred to as the "Juristic Person") are authorized, after the resolution by the board of directors concerned, to request the head of the competent authority to arrange all rights and duties to be succeeded to by the Project Corps to be established as prescribed by this Act.

(2) The Juristic Person that requested and obtained the approval of the head of the competent authority as provided for in paragraph (1) shall be regarded as being simultaneously dissolved at the time of the establishment of the Project Corps, notwithstanding the provisions of the Civil Code concerning the dissolution and liquidation of a juristic person and the Project Corps shall succeed to all rights and duties under the authority of the Juristic Persons.

(3) The value amount of the properties to be succeeded to by the Project Corps shall be estimated on the basis of the value amount recorded on the ledger as of the day before the date of the registration of the establishment of the Project Corps.

ADDENDA <Act No. 4030, Dec. 26, 1988>

(1) (Enforcement Date) This Act shall enter into force on January 1, 1989.

(2) (Transitional measures concerning Payment of Mine Closure Countermeasure Expenses)
The payment of mine closure countermeasure expenses to the coal mining agent who registered the extinction of a mining right, etc. as provided in [Article 32](#) that has existed prior to the date when this Act enters into force shall be done according to the previous provisions, notwithstanding the provisions of [Articles 39-2](#) through [39-7](#).

ADDENDUM <Act No. 4324, Jan. 14, 1991>

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

ADDENDA <Act No. 4541, Mar. 6, 1993>

Article 1 (Enforcement Date)

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

Articles 2 through 5

Omitted.

ADDENDA <Act No. 4754, Mar. 24, 1994>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 1995.

Article 2 (Transitional Measures Concerning Rights and Duties Following Dissolution of Coal Industry Promotion Fund and Coal Industry Stabilization Fund)

(1) The assets, liabilities, and other rights and duties belonging to the Coal Industry Promotion Fund and the Coal Industry Stabilization Fund, as provided in the previously existing [Articles 28](#) and [29](#), that are supposed to be repealed following the date this Act enters into force, shall be succeeded to by the Special Accounts for Energy and Resources-related Projects Act on the date this Act enters into force: Provided, That from among the assets acquired by the previous Coal Industry Stabilization Fund, the Miscellaneous Asset and Fixed Asset shall be regarded as having been subsidized for the Coal Industry Rationalization Project Corps.

(2) The value amount of the assets that shall be regarded as having been subsidized as provided in the proviso of paragraph (1) shall be estimated on the basis of the value amount recorded on the ledger on December 31, 1994.

Article 3 (Transitional Measures Concerning Settlement of Accounts, etc. Following Dissolution of Coal Industry Promotion Fund and Coal Industry Stabilization Fund)

The execution and settlement of fund accounts of the 1994 Fund Use Plan concerning the previous Coal Industry Promotion Fund and the Coal Industry Stabilization Fund that are supposed to be repealed following the date this Act enters into force shall be done according to the previous provisions.

ADDENDA <Act No. 4861, Jan. 5, 1995>

Article 1 (Enforcement Date)

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

Articles 2 through 5

Omitted.

ADDENDA <Act No. 5453, Dec. 13, 1997>

Article 1 (Enforcement Date)

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

Article 2

Omitted.

ADDENDUM <Act No. 5454, Dec. 13, 1997>

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

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures on Prohibition of Continuing Operation Right)

(1) Continuing operation right registered in the mining ledger as referred to in [Article 16](#) at the time when this Act enters into force shall apply to the previous provisions notwithstanding the amended provisions of [Articles 16](#) and [39-3](#) through [39-6](#).

(2) The area to which has expired the continuing operation right before this Act enters into force shall apply to the previous provisions notwithstanding the amended provisions of [Article 39-6](#).

Article 3 (Transitional Measures on Registration of Coal Processing Operation)

The person who obtained the license of coal processing operation by the previous provisions before this Act enters into force shall be considered the person who had the coal processing operation registered by the amended provisions of [Article 17](#) (1).

Article 4 (Transitional Measures on Penal Provisions)

The application of the penal provisions for acts performed before this Act enters into force shall be according to the previous provisions.