

## **SOIL ENVIRONMENT CONSERVATION ACT**

Act No. 4906, Jan. 5, 1995  
Amended by Act No. 5454, Dec. 13, 1997  
Act No. 5878, Feb. 8, 1999  
Act No. 6452, Mar. 28, 2001  
Act No. 6627, Jan. 26, 2002  
Act No. 6656, Feb. 4, 2002  
Act No. 6846, Dec. 30, 2002  
Act No. 6893, May 29, 2003  
Act No. 7291, Dec. 31, 2004  
Act No. 7428, Mar. 31, 2005  
Act No. 7459, Mar. 31, 2005  
Act No. 8010, Sep. 27, 2006  
Act No. 8014, Sep. 27, 2006  
Act No. 8038, Oct. 4, 2006  
Act No. 8352, Apr. 11, 2007  
Act No. 8466, May 17, 2007  
Act No. 8469, May 17, 2007  
Act No. 10219, Mar. 31, 2010  
Act No. 10314, May 25, 2010  
Act No. 10551, Apr. 5, 2011  
Act No. 11461, jun. 1, 2012  
Act No. 11464, jun. 1, 2012  
Act No. 11862, jun. 4, 2013  
Act No. 12522, Mar. 24, 2014  
Act No. 13169, Feb. 3, 2015  
Act No. 13533, Dec. 1, 2015

### **CHAPTER I GENERAL PROVISIONS**

#### **Article 1 (Purpose)**

The purpose of this Act is to prevent potential hazard to public health and environment to be caused by soil contamination, to conserve the soil ecosystem by properly maintaining and preserving soil including purifying contaminated soil, etc., to enhance the value of the soil as a resource, and to enable all citizens of the nation to live in a healthy and comfortable environment.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

#### **Article 2 (Definitions)**

The definitions of terms used in this Act shall be as follows: <Amended by Act No. 12522, Mar. 24, 2014>

1. The term "soil contamination" means contamination of soil caused by business or other human activities, damaging the health and property of people or the environment;
2. The term "soil contaminants" means any substance causing soil contamination, which is prescribed by Ordinance of the Ministry of Environment;
3. The term "facilities subject to the control of soil contamination" means any facilities, equipment, buildings, structures, and other things determined by Ordinance of the Ministry of Environment which are suspected of contaminating soil through the production, transportation, storage, treatment, process, disposal, etc. of soil contaminants;
4. The term "specified facilities subject to the control of soil contamination" means the facilities subject to the control of soil contamination that are feared to seriously contaminate soil and which are specified by Ordinance of the Ministry of Environment;
5. The term "soil purification" means reducing or eliminating contaminants in soil or relieving any danger caused by contaminants in soil by means of biological, physical and chemical treatment, etc.;

6. The term "detailed soil survey" means surveying the types of contaminants, the degree and extent of contamination, etc. in any area that has exceeded or is highly likely to exceed the worrisome level provided for in Article 4-2 as prescribed by Ordinance of the Ministry of Environment;

7. The term "soil purification business" means the business of performing purification of contaminated soil.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 3 (Exclusion from Application)

(1) This Act shall not apply to soil contamination caused by radioactive materials nor the prevention thereof.

(2) Articles 15-3 and 15-6 shall not apply to a case where any contaminated farmland is purified due to the soil improvement project provided in Article 21 of the Farmland Act.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 4 (Formulation of Basic Plan for Soil Conservation, etc.)

(1) The Minister of Environment shall formulate and enforce a basic plan for soil conservation (hereinafter referred to as the "basic plan") every 10 years.

(2) The Minister of Environment shall, when he/she formulates the basic plan, consult the heads of the relevant central administrative agencies.

(3) The basic plan shall include matters as prescribed in any of the following subparagraphs:

1. The guidelines for soil conservation policies;

2. The present condition, the on-going progress, and the prospects of soil conservation;

3. Matters concerning the prevention of soil contamination;

4. Matters concerning the soil purification and utilization of purified soil;

5. Matters concerning the development of technologies related to soil purification and promotion of associated industries;

6. Matters concerning education and fostering of technical human resources for soil purification;

7. Other necessary matters for soil conservation.

(4) The Special Metropolitan City Mayor, Metropolitan City Mayor, Do Governor or the Governor of a Special Self-governing Province (hereinafter referred to as the "Mayor/Do Governor") shall formulate a regional soil conservation plan for the region under his/her jurisdiction (hereinafter referred to as the "regional plan") in accordance with the basic plan, and shall enforce it after obtaining the approval of the Minister of Environment. This provision shall also apply when alterations are to be made to the regional plan.

(5) The formulation method and procedure of the basic and regional plan and other necessary matters shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 4-2 (Worrisome Level of Soil Contamination)

The level of soil contamination, which is likely to obstruct the health and properties of persons or rearing of animals and plants (hereinafter referred to as the "worrisome level") shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 4-3 (Installation and Operation of Information System)

(1) The Minister of Environment shall install and operate a information system to ensure the easy access to the following information by the people:

1. Outcomes of investigation on facilities subject to the control of soil contamination prescribed in Article 4-4;

2. Outcomes of regular measuring, surveys of the actual state of soil contamination, and detailed soil surveys under Article 5;

3. Current status of designation of soil-related specialized agencies under Article 23-2;

4. Current status of registration of the soil purification business under Article 23-7;

5. Current status of installation, etc. of specific facilities subject to control of soil contamination under Article 26-3;

6. Any other information prescribed by Ordinary of the Ministry of Environment.

(2) Matters necessary for installing, operating, etc. the information system pursuant to paragraph (1) shall be prescribed by the Minister of Environment.

[This Article Newly Inserted by Act No. 13533, Dec. 1, 2015]

Article 4-4 (Investigation on Facilities, etc. Subject to Control of Soil Contamination)

(1) The Minister of Environment shall investigate, on a regular basis (hereinafter referred to as "investigation on facilities, etc. subject to the control of soil contamination" in this Article), the distribution status of facilities subject to the control of soil contamination, detailed soil surveys prescribed in Article 5 (4), detailed soil surveys prescribed in Article 10-4 (1), and current status of implementing projects for purifying or improving contaminated soil, in order to rationally formulate or approve the basic plan and regional plan pursuant to Article 4, measures for preventing topsoil erosion and its restoration measures referred to in Article 6-2, plans on areas requiring countermeasures for soil conservation under Article 18, or effectively measure soil contamination level pursuant to Article 5.

(2) The Minister of Environment may request the head of the relevant agency to submit the necessary data of the investigation of facilities, etc. subject to the control of soil contamination pursuant to paragraph (1). In such cases, the head of the relevant agency in receipt of the request shall follow its request except in extenuating circumstances.

(3) Necessary matters concerning the method, object, procedure, etc. of investigation, such as facilities subject to the control of soil contamination under paragraph (1), shall be prescribed by the Minister of Environment.

[This Article Newly Inserted by Act No. 13533, Dec. 1, 2015]

Article 5 (Measuring of Soil Contamination Level)

(1) For the purpose of surveying the actual nationwide state of soil contamination, the Minister of Environment shall establish a measuring network and measure the soil contamination level at all times.

(2) The Mayor/Do Governor or the head of a Si/Gun/Gu (referring to the head of autonomous Gu; hereafter the same shall apply) shall conduct a survey of the actual state of soil contamination in the area under his/her jurisdiction which is feared to suffer (hereinafter referred to as the "survey of the actual state of soil contamination"). In this case, the head of a Si/Gun/Gu shall report the result of the survey of the actual state of soil contamination to the Mayor/Do Governor as prescribed by Ordinance of the Ministry of Environment and the Mayor/Do Governor shall report the result of the survey of the actual state of soil contamination that he/she conducts and the result of the survey of the actual state of soil contamination that the head of a Si/Gun/Gu reports to him/her to the Minister of Environment as prescribed by Ordinance of the Ministry of Environment.

(3) The standards for establishment of measuring network under paragraph (1), the selection standards for areas subject to a survey of the actual state of soil contamination, the method and procedure for such survey, and other necessary matters shall be prescribed by Ordinance of the Ministry of Environment.

(4) If the Minister of Environment, the Mayor/Do Governor or the head of a Si/Gun/Gu deems it necessary, he/she may conduct a detailed soil survey in any of the following areas as prescribed by Ordinance of the Ministry of Environment:

1. Areas in which the results of a regular measuring under paragraph (1) (hereinafter referred to as the "regular measuring") exceed the worrisome level;
2. Areas in which the results of a survey of the actual state of soil contamination exceed the worrisome level;

3. Other areas falling under any of the following categories which are deemed by the Minister of Environment, the Mayor/Do Governor or the head of a Si/Gun/Gu to have a great possibility for exceeding the worrisome level:

- (a) Areas where accidents of soil contamination have taken place;

- (b) Industrial complexes (excluding agricultural and industrial complexes) under subparagraph 5 of Article 2 of the Industrial Sites and Development Act;

- (c) Periphery areas of abandoned mines under subparagraph 4 of Article 2 of the Mining Damage Prevention and Restoration Act;

- (d) Reclamation facilities and their periphery areas from among the waste disposal facilities under subparagraph 8 of Article 2 of the Wastes Control Act;

- (e) Other areas prescribed by Ordinance of the Ministry of Environment.

(5) The results of regular measuring, survey of the actual state of soil contamination, and detailed soil survey under paragraph (4) shall be disclosed to the public.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 6 (Decision and Notification of Installation Plan of Measuring Network)

The Minister of Environment shall decide and publicly announce the installation plan of the measuring network, pursuant to Article 5 (1), which indicates in detail the location and area in which the measuring

network is installed, and he/she shall have the drawings thereof available for the public. This provision shall also apply to the case where changes are to be made to the installation plan of the measuring network.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 6-2 (Survey on Actual State of Topsoil Erosion)

(1) In order to apprehend the actual state of soil environment related to erosion of topsoil, the Minister of Environment may perform a survey on the actual state and level of topsoil erosion in the areas falling under any of the following subparagraphs:

1. Areas designated and publicly announced as the water-source protection areas under Article 7 of the Water Supply and Waterworks Installation Act;
2. Areas each of which is designated and publicly announced as the waterfront areas respectively under Article 4 of Act on the Improvement of Water Quality and Support for Residents of the Han River Basin, Article 4 of the Act on Water Management and Resident Support in the Nakdong River Basin, Article 4 of the Act on Water Management and Resident Support in the Geum River Basin, and Article 4 of the Act on Water Management and Resident Support in the Yeongsan and Seomjin River Basins.

(2) Where the level of topsoil erosion exceeds the criteria prescribed by Ordinance of the Ministry of Environment as a result of the survey pursuant to paragraph (1), the Minister of Environment shall formulate and implement the necessary countermeasures.

(3) Matters necessary for the procedures and methods of the survey pursuant to paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Newly Inserted by Act No. 10551, Apr. 5, 2011]

Article 6-3 (Soil Purification for State Property)

(1) In any of the following cases, the Minister of Environment may conduct the soil purification work after carrying out a detailed soil survey in order to prevent the proliferation of soil contamination. In such cases, the detailed soil survey may be omitted, if it has been already conducted: <Amended by Act No. 12522, Mar. 24, 2014>

1. Where the soil purification is necessary due to occurrence of soil contamination exceeding the worrisome level owing to the State property referred to in subparagraph 1 of Article 2 of the State Property Act, and the State is a person responsible for purification under Article 10-4 (1) (hereinafter referred to as the "person responsible for purification");
2. Where the soil purification work is conducted under the proviso to Article 15 (3), and the Mayor/Do Governor or the head of a Si/Gun/Gu makes an urgent request for the soil purification work;
3. Where a project designed to improve contaminated soil is carried out under Article 19 (3), and the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu makes an urgent request for the soil purification work.

(2) Where the Minister of Environment intends to conduct the soil purification work under paragraph (1), he/she shall consult in advance with the head of the relevant central government agency in cases referred to in subparagraph 1 of the same paragraph, and with the Mayor/Do Governor or the head of a Si/Gun/Gu and a person responsible for purification in cases referred to in subparagraph 2 or 3 of the same paragraph, on timing, area, and costs of the soil purification work. In such cases, he/she may have the local government requesting the soil purification work bear the costs required for purification, etc. pursuant to paragraph (1) 2 or 3 within the scope prescribed by Ordinance of the Ministry of Environment. <Amended by Act No. 12522, Mar. 24, 2014>

(3) Where the Minister of Environment intends to conduct the soil purification work under paragraph (1), he/she shall formulate and publicly announce the soil purification plan including the following matters, as prescribed by Ordinance of the Ministry of Environment:

1. Timing and period for the soil purification work;
2. Location of land subject to the soil purification;
3. Name and address of the proprietor of land subject to the soil purification;
4. Other matters prescribed by Ordinance of the Ministry of Environment.

(4) In cases referred to in paragraph (1) 2 or 3, reimbursement of the costs required for conducting detailed soil survey or soil purification may be claimed to the relevant person responsible for purification. <Amended by Act No. 12522, Mar. 24, 2014>

[This Article Newly Inserted by Act No. 10551, Apr. 5, 2011]

Article 7 (Expropriation and Use of Land, etc.)

(1) The Minister of Environment, the Mayor/Do Governor or the head of Si/Gun/Gu may, where deemed necessary for the measuring, survey, installation or soil purification works falling under any of the

matters prescribed in the following subparagraphs, expropriate (applicable only to subparagraphs 2 and 4) or use the land, buildings, or fixtures of the land in the relevant area or zone:

1. Regular measuring, survey of the actual state of soil contamination, or detailed soil survey;
2. Establishment of a measuring network pursuant to Article 5 (1);
3. Survey on the actual state and level of topsoil erosion pursuant to Article 6-2;
4. Soil purification for the State property pursuant to Article 6-3.

(2) In case where the Minister of Environment has publicly announced a soil purification plan pursuant to Article 6-3 (3), it shall be deemed there have been a project approval and the public announcement thereof as prescribed in Articles 20 (1) and 22 of the Act on the Acquisition of and Compensation for Land, etc. for Public Works Projects and application for adjudication may be filed within the soil purification period set forth in the soil purification plan, notwithstanding Articles 23 (1) and 28 (1) of the same Act.

(3) With regard to the procedures of expropriation and use and the compensation for loss, etc. as provided for in paragraph (1), the Act on the Acquisition of and Compensation for Land, etc. for Public Works Projects shall apply unless there exist special provisions therefor.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 8 (Entry to Land of Other Persons, etc.)

(1) The Minister of Environment, the Mayor/Do Governor, the head of a Si/Gun/Gu, or the specialized agency related to soil under Article 23-2 (hereinafter referred to as the "soil-related specialized agency") may, where deemed necessary for a regular measuring, survey of the actual state of soil contamination, detailed soil survey, survey on the actual state and level of topsoil erosion under Article 6-2 (1), or assessment of hazard as provided for in Article 15-5 (1), make the public officials under his/her control or employees of the soil-related specialized agency to enter the land of other persons and alter or remove the tree, stone, soil and other obstacles in the relevant land. In this case, the head of soil-related specialized agency shall obtain permission therefor from the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu.

(2) When intending to alter or remove the obstacles under paragraph (1), the competent public officials or employees of the soil-related specialized agency shall obtain consent from the proprietor, occupant, or manager of the obstacles: Provided, That when the competent public officials or employees of the soil-related specialized agency are unable to obtain consent because the proprietor, occupant, or manager is not present at the site, or his/her address or residence cannot be ascertained, they shall obtain consent from the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu.

(3) When intending to enter the land of other person or to alter or remove the obstacles from the surface of that land under paragraph (1), the competent public officials or employees of the soil-related specialized agency shall notify the proprietor, occupant or manager of the land or obstacles three days prior to the date of entering the land, altering or removing the obstacles: Provided, That the address or residence of the proprietor, occupant or manager of the land or obstacles cannot be ascertained, the notification may not be given.

(4) Before sunrise and after sunset, competent public officials or employees of the soil-related specialized agency shall be prohibited from entering into the residential site or fenced land of other person without permission of the occupant of the relevant land.

(5) The occupant of the land may not interfere with or refuse the activities of the competent public officials or employees of the soil-related specialized agency under paragraph (1), without any justifiable reasons.

(6) The public officials or employees of the soil-related specialized agency who intend to enter the land of other person under paragraph (1), shall carry a certificate indicating their authority and show it to the relevant persons.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 9 (Compensation for Loss)

(1) In case where the State, a local government or a soil-related specialized agency inflicts loss to other persons on account of the activities under Article 8, it shall compensate for such loss as prescribed by Presidential Decree.

(2) Persons who intend to obtain a compensation under paragraph (1) shall claim such with the Minister of Environment, the Mayor/Do Governor, the head of a Si/Gun/Gu or the head of soil-related specialized agency.

(3) The Minister of Environment, the Mayor/Do Governor, the head of a Si/Gun/Gu or the head of soil-related specialized agency shall, where a claim under paragraph (2) has been made, determine the amount,

etc. to be compensated through the consultation with the person suffered such loss, and notify the claimant thereof.

(4) The Minister of Environment, the Mayor/Do Governor, the head of a Si/Gun/Gu, the head of soil-related specialized agency or the person suffered a loss may, where the consultation under paragraph (3) fails to lead to an agreement or may not be achieved, file a motion for adjudication with the competent Land Expropriation Committee as prescribed by Presidential Decree.

(5) A person who is dissatisfied with the adjudication under paragraph (4) may file an objection with the Central Land Expropriation Committee within one month from the date of receiving the original written adjudication.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 10 Deleted. <by Act No. 8038, Oct. 4, 2006>

Article 10-2 (Assessment of Soil Environment)

(1) Where a site on which any of the following facilities are installed or used to be installed, or any other land which is likely to cause soil contamination is transferred or acquired (including auction under the Civil Execution Act, conversion under the Debtor Rehabilitation and Bankruptcy Act, sale of seized assets under the National Tax Collection Act, the Customs Act or the Framework Act on Local Taxes, and other acquisitions made in accordance with procedures similar thereto; hereinafter the same shall apply), or rented out or taken on lease, the transferor, transferee, lesser, or lessee may receive an assessment by a soil environment assessment institution as to soil contamination (hereinafter referred to as "assessment of soil environment") for the relevant site, its neighboring areas, and the land which is likely to cause soil contamination: <Amended by Act No. 12522, Mar. 24, 2014>

1. Facilities subject to the control of soil contamination;
2. Factories referred to in subparagraph 1 of Article 2 of the Industrial Cluster Development and Factory Establishment Act;
3. National defense and military installations referred to in Article 2 (1) of the Act on National Defense and Military Installations Projects.

(2) Where a person, who has acquired by transfer a site on which any of the facilities prescribed in subparagraphs of paragraph (1) are installed or used to be installed or any other land which is likely to cause soil contamination, has ascertained that the contamination level of such site or land is below the worrisome level as a result of assessments of its soil environment conducted under the same paragraph as at the time of its acquisition, he/she shall be deemed to be in good faith and not negligent in preventing the relevant soil contamination. <Amended by Act No. 12522, Mar. 24, 2014>

(3) Assessment of soil environment shall be conducted as prescribed in each of the following subparagraphs, and detailed matters concerning the assessment of soil environment and other necessary matters shall be prescribed by Presidential Decree:

1. Assessment items of soil environment shall include soil contaminants under subparagraph 2 of Article 2 and contaminants prescribed by Presidential Decree as necessary for the assessment of soil environment;
2. Assessment procedures for soil environment shall be conducted by classifying into basic survey, overall survey, and detailed survey;
3. Assessment methods of soil environment shall include survey, analysis, and appraisal of contamination level of contaminants referred to in subparagraph 1, actual utilization state of the subject land, and whether or not the subject falls under any facilities subject to the control of soil contamination.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 10-3 (Strict Liability, etc. for Damages Resulting from Soil Contamination)

(1) Where any damage occurs due to the soil contamination, a person who has caused the contamination shall compensate for such damage and take measures, such as purifying the contaminated soil: Provided, That the same shall not apply to cases where the soil contamination has been caused by a natural disaster, war, or force majeure. <Amended by Act No. 12522, Mar. 24, 2014>

(2) Where at least two persons have caused the contamination, and it is impracticable to find out which one has caused the damage under paragraph (1), each one shall jointly and severally compensate for such damage and take measures, such as purifying the contaminated soil. <Amended by Act No. 12522, Mar. 24, 2014>

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 10-4 (Responsibility, etc. for Purification of Soil Contamination)

(1) Any of the following persons shall, as a person responsible for purification, carry out a detailed soil survey, purification of contaminated soil under Article 11 (3), 14 (1), or 15 (1) and (3), or a project for improving contaminated soil under Article 19 (1) (hereinafter referred to as "soil purification, etc." in this Article):

1. Any person who causes soil contamination by discharging, leaking, dumping, neglecting soil contaminants, or committing other acts;
2. The proprietor, occupant, or operator of a facility subject to the control of soil contamination constituting a cause for soil contamination as at the time soil contamination occurs;
3. Any person who has comprehensively succeeded to the rights and liabilities of those falling under subparagraphs 1 and 2 on account of merger, inheritance or other reasons;
4. Any person who previously owned or presently owns or occupies land on which soil contamination has occurred.

(2) Notwithstanding the provisions of paragraph (1), any of the following person shall not be deemed a person responsible for purification referred to in paragraph (1) 4: Provided, That the same shall not apply where he/she permits, after January 6, 1996, any person prescribed in paragraph (1) 1 or 2 to use the land he/she owns or occupies:

1. Where the person no longer owned the relevant land due to transfer or other reasons before January 5, 1996;
2. Where the person acquired the relevant land before January 5, 1996;
3. Where the person was in good faith and was not negligent in preventing soil contamination as at the time he/she acquired the land on which soil contamination has occurred;
4. Where soil contamination occurs while the person owns or occupies the relevant land and such soil contamination occurs due to reasons unattributable to him/her.

(3) Where at least two persons responsible for purification exist to whom the Mayor/Do Governor or the head of a Si/Gun/Gu may issue an order for soil purification, etc. pursuant to Article 11 (3), 14 (1), 15 (1) and (3) or 19 (1), he/she shall order soil purification, etc., taking into account the degree of responsibility of each person responsible for purification for the relevant soil contamination, the possibility of prompt and smooth soil purification, etc., as prescribed by Presidential Decree, and may seek advice from the Soil Purification Advisory Committee referred to in Article 10-9, if necessary.

(4) Where a person responsible for purification, ordered to conduct soil purification, etc. pursuant to Article 11 (3), 14 (1), 15 (1) and (3) or 19 (1), has performed soil purification, etc. at his/her own expenses, he/she may claim reimbursement for the expenses to be borne by the other persons responsible for purification.

(5) In any of the following cases, the State may subsidize all or part of the expenses incurred in conducting soil purification, etc. pursuant to Article 11 (3), 14 (1), 15 (1) and (3) or 19 (1) (excluding both the expenses refundable through the exercise of the claim for reimbursement under Article 10-4 (4) and the amount equivalent to an increase in the value of the relevant land caused by soil purification, etc.; hereinafter the same shall apply), as prescribed by Presidential Decree:

1. Where the expenses required by a person responsible for soil purification under paragraph (1) 1, 2 or 3 to perform soil purification, etc. significantly exceed either his/her share of expenses or the profits he/she has gained or is expected to gain by owning, occupying or operating the relevant facility subject to the control of soil contamination;
2. Where the expenses required by a person, who acquired the relevant land before December 31, 2001 or no longer owns it due to transfer thereof or other reasons, to perform soil purification, etc. as a person responsible for purification under paragraph (1) 4 exceeds the value of the relevant land;
3. Where the expenses required by a person who acquired the relevant land after January 1, 2002 to perform soil purification, etc. as a person responsible for purification under paragraph (1) 4 significantly exceeds the value of the relevant land and the profits he/she has gained or is expected to gain by owning or occupying such land;
4. Other cases determined by Presidential Decree for which expenses for soil purification, etc. need to be subsidized.

[This Article Wholly Amended by Act No. 12522, Mar. 24, 2014]

[This Article wholly amended by Act No. 12522 on March 24, 2014 following the decision of unconstitutionality made by the Constitutional Court on August 23, 2012]

Article 10-5 (Establishment of Soil Purification Cooperative)

(1) Establishers and operators of specified facilities subject to the control of soil contamination and persons who have filed registration of soil purification business under Article 23-7 (1) (hereinafter referred to as "soil purification business operators") may establish soil purification cooperatives (hereinafter referred to as the "cooperatives") with the permission from the Minister of Environment in order to guarantee for the purification work of contaminated soil under Article 11 (3) and to secure financial resources.

(2) A cooperative shall be a corporation.

(3) A cooperative shall be established by effecting its registration at the seat of its principal office.

[This Article Newly Inserted by Act No. 10551, Apr. 5, 2011]

Article 10-6 (Activities of Cooperatives)

The cooperatives shall be engaged in the activities prescribed in each of following subparagraphs:

1. Mutual-aid activities for the soil purification work of its members;

2. Activities related to the survey, development and distribution of technology necessary for the prevention of soil contamination and soil purification.

[This Article Newly Inserted by Act No. 10551, Apr. 5, 2011]

Article 10-7 (Contribution)

(1) Members of the cooperatives shall pay to the cooperative their respective contributions, which is necessary for carrying out the activities referred to in Article 10-6.

(2) The basis for computing the contribution, payment procedure and other necessary matters shall be determined by the articles of association.

[This Article Newly Inserted by Act No. 10551, Apr. 5, 2011]

Article 10-8 (Application Mutatis Mutandis of the Civil Act)

Except as otherwise provided in this Act, the provisions of the Civil Act, which pertain to incorporated associations shall apply mutatis mutandis to the cooperatives.

[This Article Newly Inserted by Act No. 10551, Apr. 5, 2011]

Article 10-9 (Soil Purification Advisory Committee)

(1) In order to respond to inquiries from the Mayor/Do Governor or the head of a Si/Gun/Gu under Article 10-4 (3), the Soil Purification Advisory Committee shall be established under the jurisdiction of the Ministry of Environment (hereinafter referred to as the "Committee").

(2) The Committee shall be comprised of five to nine members, including the Chairperson.

(3) Matters necessary for the organization, operation, etc. of the Committee shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 12522, Mar. 24, 2014]

Article 10-10 (Establishment, Operation, etc. of Soil Environment Center)

(1) The Minister of Environment may establish or operate a soil environment center to efficiently perform the following affairs relating to soil conservation:

1. Affairs for the development and utilization of research and technology related to the soil environmental industry;

2. Dissemination of technology related to soil conservation, promotion of its commercialization and support for its advance into overseas markets;

3. Affairs for the collection and utilization of, and education, publicity, and international cooperation on, the information related to the soil environmental industry;

4. Affairs for the invigoration of the soil environmental industry, such as the operation of a soil environment assessment system;

5. Affairs entrusted by the State, local governments, or public institutions referred to in Article 4 of the Act on the Management of Public Institutions with regard to the affairs under subparagraphs 1 through 4.

(2) The Minister of Environment may subsidize all or part of the expenses incurred in carrying out the affairs referred to in paragraph (1).

(3) The Minister of Environment may entrust the operation of the soil environment center to the Korea Environmental Industry and Technology Institute under Article 5-3 of the Environmental Technology and Industry Support Act.

(4) Matters necessary for the operation, supervision, etc. of the soil environment center shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 12522, Mar. 24, 2014]

## CHAPTER II REGULATION ON SOIL CONTAMINATION

Article 11 (Reports on Soil Contamination, etc.)

(1) In any of the following cases, the relevant person shall file a report to the Governor of the competent Special Self-Governing Province or the head of the competent Si/Gun/Gu without delay: <Amended by Act No. 12522, Mar. 24, 2014>

1. Where a person who produces, transports, stores, handles, processes, or treats soil contaminants, discharges or leaks them in the process;

2. Where a person who owns, occupies, or operates facilities subject to the control of soil contamination finds the soil of the site on which such facilities are installed or its neighboring areas has been contaminated;

3. Where the proprietor or occupant of land finds the land he/she owns or occupies contaminated.

(2) When the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu receives a report referred to in paragraph (1) or otherwise finds the discharge or leakage of soil contaminants, he/she may have public officials belonging thereto enter the relevant land and survey the cause and the level of soil contamination.

(3) With respect to any soil whose level of contamination is found to exceed the worrisome level of soil contamination (hereinafter referred to as the "contaminated soil") as a result of the survey referred to in paragraph (2), the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu may order the person responsible for purification to ask the soil-related specialized agency for conducting a detailed soil survey and to take measures to purify the contaminated soil within a prescribed period, as prescribed by Presidential Decree. <Amended by Act No. 12522, Mar. 24, 2014>

(4) If the soil-related specialized agency conducts the detailed soil survey pursuant to paragraph (3), it shall inform without delay the Governor of the competent Special Self-Governing Province or the head of the competent Si/Gun/Gu of the results of the detailed soil survey.

(5) Public officials who intend to enter any land of other person under paragraph (2) shall carry certificates showing their authority and produce them to the relevant persons.

(6) Where the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu has public officials belonging thereto enter the relevant land to survey the cause and the level of soil contamination pursuant to paragraph (2), he/she shall inform the head of a regional environment office of such fact without delay. <Newly Inserted by Act No. 12522, Mar. 24, 2014>

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 11-2

[This Article Wholly Relocated to Article 13 by Act No. 7291, Dec. 31, 2004]

Article 12 (Reports, etc. on Specific Facilities Subject to Control of Soil Contamination)

(1) Any person who intends to install the specified facilities subject to the control of soil contamination shall, as prescribed by Presidential Decree, report on the details of such facilities and a plan for installing the facilities to prevent soil contamination under paragraph (3) to the Governor of the competent Special Self-Governing Province or the head of the competent Si/Gun/Gu. The same shall also apply where the reported matters, the details of which are prescribed by Ordinance of the Ministry of Environment, are changed (including the closure of specified facilities subject to the control of soil contamination).

(2) Permission granted or registration made under the Safety Control of Dangerous Substances Act, the Chemicals Control Act and other statutes designated by Ordinance of the Ministry of Environment concerning the installation of the specified facilities subject to the control of soil contamination shall be deemed to be a report made under paragraph (1). In such cases, the head of a permission or registration agency shall notify such facts to the Governor of the competent Special Self-Governing Province, or the head of the competent Si/Gun/Gu having jurisdiction over an area in which the specified facilities subject to the control of soil contamination are installed, attaching the documents concerning the facilities for preventing soil contamination, as prescribed by Ordinance of the Ministry of Environment. <Amended by Act No. 11862, Jun. 4, 2013>

(3) The installer of the specified facilities subject to the control of soil contamination (including an operator of relevant facilities; hereinafter the same shall apply) shall, as prescribed by Presidential Decree, install the facilities for preventing soil contamination (hereinafter referred to as the "facilities for preventing soil contamination"), and maintain it properly.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 12-2 (Legal Fiction of Report on Modification Following Other Acts)

(1) Where any change is reported pursuant to the latter part of Article 12 (1), the following report on modification shall be deemed to have been made in relation to the specified facilities subject to the control of

soil contamination: Provided, That matters concerning a report on modification shall be limited to where the name or a representative of the business place is changed:

1. Report on modifications concerning discharge facilities pursuant to the proviso to Article 33 (2) and (3) of the Water Quality and Aquatic Ecosystem Conservation Act;

2. Report on modifications concerning discharge facilities under Article 44 (2) of the Clean Air Conservation Act.

(2) A person who intends to be deemed to have reported on modification pursuant to paragraph (1) shall submit the relevant documents prescribed by applicable Acts, when applying for the report on modification.

(3) When the report on modification has been disposed, the head of an administrative agency in receipt of a report on modification pursuant to paragraph (1) shall without delay notify the head of the competent administrative agency under the jurisdiction of the report on modification set forth in any subparagraph of paragraph (1) of its contents.

(4) Where the report on modifications is deemed to have been made pursuant to paragraph (1), he/she shall be exempted from charges imposed in accordance with the relevant Acts.

[This Article Newly Inserted by Act No. 13533, Dec. 1, 2015]

[Enforcement Date : Jun. 2, 2016]

Article 13 (Soil Contamination Inspection)

(1) The installer of the specified facilities subject to the control of soil contamination shall, as prescribed by Presidential Decree, undergo the soil contamination inspection on the site of relevant facilities and the areas around it (hereinafter referred to as the "soil contamination inspection") conducted by a soil-related specialized agency: Provided, That the same shall not apply where the collection of soil samples is impossible or the soil contamination inspection is unnecessary, which fall under the requirements prescribed by Presidential Decree and the Governor of a Special-Self Governing Province or the head of a Si/Gun/Gu approves.

(2) The procedures for an approval under the proviso to paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment, and the applicant for such approval shall attach the opinion of a soil-related specialized agency: Provided, That in cases where prescribed by Presidential Decree, such as some facilities among a large number of the same type of storage facilities are shut down, etc., the opinion of the soil-related specialized agency may not be attached.

(3) The soil contamination inspection shall be conducted in two parts which are an inspection of soil contamination levels and an leakage inspection: Provided, That the leakage inspection shall be conducted only for the facilities over which a visual verification of leakage is impossible because the storage facilities or pipes are buried underground or stuck on the land and the inspection of which is deemed necessary by the Governor of a Special-Self Governing Province or the head of a Si/Gun/Gu as prescribed by Ordinance of the Ministry of Environment.

(4) The soil-related specialized agency shall, where it has conducted the soil contamination inspection, notify inspection results to the installer of the specified facilities subject to the control of soil contamination, the Governor of the competent Special-Self Governing Province, or the head of the competent Si/Gun/Gu, and the head of competent fire station (a notification to the head of fire station shall be limited to the case of facilities, from among those permitted under the Safety Control of Dangerous Substances Act, verified to have a leakage of contaminated substance as a result of a leakage inspection), and the installer of the specified facilities subject to the control of soil contamination shall keep the result of inspection notified to him/her, as prescribed by Ordinance of the Ministry of Environment. In such case, the installer of the specified facilities subject to the control of soil contamination may keep the result of inspection notified to him/her in the form of the electronic document as provided for in subparagraph 1 of Article 2 of the Act on Electronic Documents and Transactions. <Amended by Act No. 11461, Jun. 1, 2012>

(5) The method of collecting samples for the soil contamination inspection and other necessary matters shall be prescribed by Ordinance of the Ministry of Environment.

(6) Where it is deemed necessary to perform a close inspection based on the soil contamination inspection results notified by the soil-related specialized agency pursuant to paragraph (4), the Governor of the competent Special-Self Governing Province or the head of the competent Si/Gun/Gu may commission any soil-related specialized agency that is prescribed by Ordinance of the Ministry of Environment with the soil contamination inspection.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 14 (Order Given to Installer of Specific Facilities Subject to Control of Soil Contamination)

(1) The Governor of a Special-Self Governing Province or the head of a Si/Gun/Gu may, in case where the installer of the specified facilities subject to the control of soil contamination falls under any case of the following subparagraphs, order him/her to install or improve the facilities for preventing soil contamination and to take measures to purify the contaminated soil for the period that is fixed by Presidential Decree, or ask the soil-related specialized agency to conduct a detailed soil survey in the site of such facilities and surrounding areas:

1. Where he/she fails to install the facilities for preventing soil contamination or to meet the relevant criteria;

2. Where the level of soil contamination is revealed to exceed the worrisome level after an inspection of soil contamination levels conducted pursuant to Article 13 (3);

3. Where a leakage is found as a result of a leakage inspection conducted pursuant to Article 13 (3).

(2) The soil-related specialized agency shall, where it conducts the detailed soil survey pursuant to paragraph (1), inform without delay the installer of the specified facilities subject to the control of soil contamination, the Governor of the competent Special-Self Governing Province, or the head of the competent Si/Gun/Gu of the result of such detailed soil survey.

(3) The Governor of a competent Special-Self Governing Province or the head of a Si/Gun/Gu may order the installer of the specified facilities subject to the control of soil contamination to suspend the use of relevant facilities, where the said installer fails to comply with the order under paragraph (1), or where the level of soil contamination in the site of relevant facilities and surrounding areas fails to come down below the purification standards under Article 15-3 (1) even if he/she has complied with the relevant order.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 15 (Orders, etc. to Take Preventive Measures against Soil Contamination)

(1) The Mayor/Do Governor or the head of a Si/Gun/Gu may order a person responsible for purification in an area falling under Article 5 (4) 1 or 2 to undergo a detailed soil survey conducted by a soil-related specialized agency by fixing a period, as prescribed by Presidential Decree. <Amended by Act No. 10551, Apr. 5, 2011; Act No. 11464, Jun. 1, 2012; Act No. 12522, Mar. 24, 2014>

(2) Where the soil-related specialized agency has conducted a detailed soil survey under paragraph (1), it shall notify without delay the person responsible for purification and the competent Mayor/Do Governor or the head of a Si/Gun/Gu of the inspection results. <Amended by Act No. 10551, Apr. 5, 2011; Act No. 12522, Mar. 24, 2014>

(3) Where the level of soil contamination exceeds the worrisome level as a result of the regular measuring, the survey of the actual state of soil contamination, or the detailed soil survey, the Mayor/Do Governor or the head of a Si/Gun/Gu may order the person responsible for purification to take any of the following measures by fixing a period prescribed by Presidential Decree: Provided, That where it is impracticable to identify the person responsible for purification, or it is deemed impracticable for the person responsible for purification to purify the contaminated soil, the Mayor/Do Governor or the head of the Si/Gun/Gu may purify such contaminated soil: <Amended by Act No. 10551, Apr. 5, 2011; Act No. 12522, Mar. 24, 2014>

1. To improve or relocate the facilities subject to the control of soil contamination;

2. To limit or stop the use of relevant soil contaminants;

3. To purify contaminated soil.

(4) and (5) Deleted. <by Act No. 7291, Dec. 31, 2004>

(6) The Minister of Environment may, where any soil contamination is found to exceed the worrisome level as a result of the measurement of soil contamination under Article 5, request the Mayor/Do Governor or the head of a Si/Gun/Gu having jurisdiction over an area to take measures referred to in paragraph (3).

<Amended by Act No. 10551, Apr. 5, 2011>

(7) The Mayor/Do Governor or the head of a Si/Gun/Gu shall, upon receiving a request from the Minister of Environment under paragraph (6), take measures referred to in paragraph (3) and report the results thereof to the Minister of Environment, as prescribed by Ordinance of the Ministry of Environment.

<Amended by Act No. 10551, Apr. 5, 2011>

[This Article Wholly Amended by Act No. 6452, Mar. 28, 2001]

Article 15-2 (Reports on Execution of Order)

(1) When anyone who is ordered to take measures or to conduct the suspension pursuant to Article 11 (3), 14 (1) and (3) or 15 (3) executes such order, he/she shall promptly make a report thereon to the Mayor/Do Governor or the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Environment. In such cases, the Mayor/Do Governor or the head of the Si/Gun/Gu shall confirm the execution of such

order, as prescribed by Ordinance of the Ministry of Environment. <Amended by Act No. 12522, Mar. 24, 2014>

(2) Where the person ordered to take measures pursuant to Article 11 (3) has reported on the completed execution of such order pursuant to paragraph (1), the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu shall notify the head of a regional environment office of the relevant report on the completed execution of such order, as prescribed by Ordinance of the Ministry of Environment. <Newly Inserted by Act No. 12522, Mar. 24, 2014>

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 15-3 (Purification of Contaminated Soil)

(1) The contaminated soil shall be purified according to the purification standards and methods prescribed by Presidential Decree.

(2) The contaminated soil shall be purified by entrusting the purification work to a soil purification business operator (referring to the soil purification business operator who has registered facilities for purification of the contaminated soil brought into his/her facilities under Article 23-7 (1), in cases where the purification work is to be conducted by shipping it to other facilities under the proviso to paragraph (3)): Provided, That with respect to any soil contamination that falls under the categories and scales that are prescribed by Presidential Decree, including the soil contamination caused by organic solvents, etc., a person responsible for purification may purify it himself/herself. <Amended by Act No. 12522, Mar. 24, 2014>

(3) The contaminated soil shall be purified within a site where such soil contamination occurs: Provided, That where it is impracticable to purify the contaminated soil in the site due to inevitable reasons prescribed by Ordinance of the Ministry of Environment such as a narrow site area, the contaminated soil may be shipped out to the facilities owned by a soil purification business operator (referring to the facilities for purification of the contaminated soil under Article 23-7 (1)) for its purification, as prescribed by Ordinance of the Ministry of Environment.

(4) Any person who intends to purify the contaminated soil after shipping it out to other facilities under the proviso to paragraph (3) shall submit a contaminated soil ship-out and purification plan to the Governor of the competent Special Self-Governing Province or the head of the competent Si/Gun/Gu and receive a notification of appropriateness, as prescribed by Ordinance of the Ministry of Environment. The same shall apply to a case where he/she intends to change any important matters prescribed by Ordinance of the Ministry of Environment in the contaminated soil ship-out and purification plan that has been notified as appropriate under paragraph (5). <Amended by Act No. 11464, Jun. 1, 2012>

(5) The Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu shall notify the person who has submitted a contaminated soil ship-out and purification plan of whether the plan is appropriate or not after reviewing the following matters with respect to the plan submitted under paragraph (4): <Amended by Act No. 11464, Jun. 1, 2012>

1. Whether the soil is classified as the contaminated soil that can be shipped out to other facilities and purified under the proviso to paragraph (3);

2. Whether the contaminated soil ship-out and purification plan is appropriate.

(6) Any person who has received a notification of appropriateness under paragraph (5) shall, whenever he/she ships out, transports, purifies, or uses (referring to the first use of the purified soil; hereinafter the same shall apply) the contaminated soil, submit the soil transfer form in writing to the head of a Si/Gun/Gu who has jurisdiction over an area in which soil contamination has occurred as well as the Mayor/Do Governor who has jurisdiction over the soil purification business operator taking over the contaminated soil, or shall enter such information into the contaminated soil information system under paragraph (9). <Newly Inserted by Act No. 11464, Jun. 1, 2012>

(7) Anyone who purifies the contaminated soil shall be prohibited from performing either of the following acts: <Newly Inserted by Act No. 11464, Jun. 1, 2012>

1. An act of lowering concentrations of contaminants by mixing the contaminated soil with other soil;

2. Where the contaminated soil is shipped out to other facilities for purification under the proviso to paragraph (3), an act of keeping the contaminated soil in excess of the capacity of his/her facilities registered under Article 23-7 (1).

(8) Matters necessary for the soil transfer form under paragraph (6), the timing and method for filling out the form, and the timing for transferring the soil shall be determined by Ordinance of the Ministry of Environment. <Newly Inserted by Act No. 11464, Jun. 1, 2012>

(9) The Minister of Environment may install and operate the contaminated soil information system that can computerize the process of shipping-out, transporting, purifying or using the contaminated soil. <Newly Inserted by Act No. 11464, Jun. 1, 2012>

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 15-4 (Prohibition on Dumping Contaminated Soil, etc.)

No one shall commit an act falling under any of the following subparagraphs:

1. The act of dumping or reclaiming the contaminated soil;
2. The act of leaking and discharging the contaminated soil in the course of storing, transporting and purifying it;
3. The act of using the soil whose purification work is completed for other area where the worrisome level is more strict than that of the purified soil.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 15-5 (Hazard Assessment)

(1) The Minister of Environment, the Mayor/Do Governor, the head of a Si/Gun/Gu or a person responsible for purification may have a hazard assessment agency designated under Article 23-2 (2) 1 conduct an assessment of the extent of hazard that contaminants cause to human bodies and environment, in consideration of the types of contaminants, the contamination level, surrounding areas, the future land utilization plan and other necessary matters (hereinafter referred to as “hazard assessment”) to reflect the results thereof in the scope, timing and level of the soil purification. <Amended by Act No. 11464, Jun. 1, 2012; Act No. 12522, Mar. 24, 2014>

(2) Hazard assessment may be conducted in any of the following cases (only subparagraphs 4 and 5 shall apply to a person responsible for purification): <Amended by Act No. 12522, Mar. 24, 2014>

1. Where purification of the contaminated soil is intended under Article 6-3;
2. Where purification of the contaminated soil is intended under proviso to parts other than each subparagraph of Article 15 (3);
3. Where improvement to the contaminated soil is intended under Article 19 (3);
4. Where purification of contaminated soil is intended on the site where it is verified by methods prescribed by Presidential Decree as being contaminated due to the natural causes (excluding cases where purification of the contaminated soil is intended after it is shipped to other facilities under the proviso to Article 15-3 (3));

5. Any other cases which necessitate the hazard assessment, as prescribed by Presidential Decree.

(3) Where the Mayor/Do Governor, the head of a Si/Gun/Gu, or a person responsible for purification intends to reflect the hazard assessment results in the timing, scope, and level of the soil purification, the results shall be verified preliminarily by the Minister of Environment. <Amended by Act No. 12522, Mar. 24, 2014>

(4) Items and methods of the hazard assessment and other necessary matters as well as the procedures and methods for verification of the hazard assessment results shall be prescribed by Ordinance of Ministry of Environment.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 15-6 (Verification of Soil Purification)

(1) Where a person responsible for purification entrusts a soil purification business operator with the work of purifying the contaminated soil, he/she shall have a soil contamination survey agency designated under Article 23-2 (2) 2 verify the process of purification and the completion of purification: Provided, That where the contaminated soil falls under the scales and categories that are prescribed by Presidential Decree such as a small scale of the contaminated soil or low concentrations of contaminants as a result of the detailed soil survey, the verification of the purification process may be omitted. <Amended by Act No. 11464, Jun. 1, 2012; Act No. 12522, Mar. 24, 2014>

(2) When a person responsible for purification intends to undergo the purification process of the contaminated soil and the completion of the purification verified by the soil contamination survey agency pursuant to the main sentence of paragraph (1), he/she shall formulate a plan for purifying the contaminated soil according to details and procedures that are prescribed by Ordinance of the Ministry of Environment to submit such plan to the Governor of the competent Special Self-Governing Province or the head of the competent Si/Gun/Gu. The same shall apply where he/she intends to make changes to matters prescribed by Ordinance of the Ministry of Environment in the plan submitted. <Amended by Act No. 12522, Mar. 24, 2014>

(3) When the soil-related specialized agency performs the verification under paragraph (1), it may collect verification fees from persons responsible for purification. In such cases, standards for calculating verification fees shall be prescribed by Ordinance of the Ministry of Environment. <Amended by Act No. 12522, Mar. 24, 2014>

(4) Procedures, details, and methods for the verification referred to in paragraph (1) and other matters necessary for the verification shall be prescribed by Ordinance of the Ministry of Environment.

(5) In cases where a soil purification business operator undergoes verification of the process and completion of the purification work under paragraph (1), he/she shall not ship out the contaminated soil to another place before the verification is completed by a soil-related specialized agency.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 15-7 (Designation, etc. of Soil Control Complexes)

(1) In case where the Minister of Environment deems it necessary for efficient soil purification to concentrate the facilities required for the soil purification in a certain area for the purpose of conducting purification work after shipping out to other facilities under the proviso to Article 15-3 (3) or recycling the purified soil, he/she may designate a land of which the Minister of Environment is the head of the central government agency as a soil control complex from among the State property under the State Property Act.

(2) In case where the Minister of Environment intends to designate a soil control complex pursuant to paragraph (1), he/she shall, as prescribed by Presidential Decree, formulate a plan for creation of a soil control complex, hear the opinions of the competent Mayor/Do Governor, and consult the competent head of the central government agency. The same shall also apply where he/she intends to change the important matters of plan for creation of a soil control complex, which are prescribed by Presidential Decree.

(3) Notwithstanding the State Property Act, the Minister of Environment may allow by free contract any person who intends to operate the soil purification business to use or earn profit from part of the land of the soil control complex, or lend or sell it to him/her.

(4) For the smooth operation of the soil control complex pursuant to paragraph (1), the Minister of Environment may provide necessary support for establishment of infrastructure, etc. including roads.

[This Article Newly Inserted by Act No. 10551, Apr. 5, 2011]

### CHAPTER III DESIGNATION AND MAINTENANCE OF AREA REQUIRING COUNTERMEASURES FOR SOIL CONSERVATION

Article 16 (Standards of Countermeasures against Soil Contamination)

The standards of soil contamination, which is likely to obstruct human health and properties or rearing of animals and plant, and accordingly would necessitate the countermeasures (hereinafter referred to as the "countermeasure standards"), shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 17 (Designation of Area Requiring Countermeasures for Soil Conservation)

(1) The Minister of Environment may designate the area exceeding the countermeasure standards, and the area requested by the Governor of a Special Self-Governing Province or the head of a Si/ Gun/Gu provided in paragraph (2) as an area requiring countermeasures for soil conservation (hereinafter referred to as an "area requiring countermeasures") in consultation with the head of the relevant central administrative agency and the competent Mayor/Do Governor: Provided, That any area that falls under the case that is prescribed by Presidential Decree shall be designated as an area requiring countermeasures.

(2) When the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu deems that soil conservation on a particular area under his/her jurisdiction is especially necessary, he/she may ask the Minister of Environment to designate the area as an area requiring countermeasures after consulting the Mayor/Do Governor having jurisdiction over the area even if the level of soil contamination in that area does not exceed the countermeasure standards.

(3) The standards and procedures of designating an area requiring countermeasures under paragraph (1), and other necessary matters shall be prescribed by Presidential Decree.

(4) In a case where the Minister of Environment designates an area requiring countermeasures under paragraph (1), he/she shall publicly announce the location, area, date, purpose of the designation and other matters as prescribed by Ordinance of the Ministry of Environment. This shall also apply when any matters announced are altered.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 18 (Formulation and Execution of Countermeasure Plans)

(1) The Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu (in cases where the relevant area requiring countermeasures extends over at least two Sis/Guns/Gus (referring to an autonomous

Gu; hereinafter the same shall apply), the head of a Si/Gun/Gu refers to the head of a Si/Gun/Gu prescribed by Presidential Decree) shall formulate a countermeasure plan for soil conservation (hereinafter referred to as the "countermeasure plan") with respect to an area requiring countermeasures and execute it after obtaining approval therefor from the Minister of Environment and consulting with the Mayor/Do Governor having jurisdiction over the area.

(2) The countermeasure plan shall include the following matters:

1. The project for improving contaminated soil;
2. The plan for using the land, etc.;
3. The survey of damage to the health of residents and the countermeasures against such damage;
4. Countermeasures to support the residents suffering damage;
5. Other matters deemed and prescribed by Ordinance of the Ministry of Environment as necessary for the formulation and execution of the countermeasure plan.

(3) The Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu may have the person responsible for purification bear part of the expenses required for countermeasures to support the residents suffering from damage under paragraph (2) 4. <Amended by Act No. 12522, Mar. 24, 2014>

(4) The types, standards and other necessary matters of the projects for improving contaminated soil under paragraph (2) 1 shall be determined by Presidential Decree.

(5) Detailed matters necessary for the survey of damage to the health of residents referred to in paragraph (2) 3 and the countermeasures against such damage referred to in paragraph (2) 4 shall be prescribed by Presidential Decree.

(6) When approving the countermeasure plan under paragraph (1), the Minister of Environment shall consult with the head of the relevant central administrative agency, and after granting the approval, he/she shall notify the head of the relevant central administrative agency thereof and may request him/her to take necessary measures. In such cases, the head of the relevant central administrative agency shall comply with such request, except in extenuating circumstances.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 18-2 (Report on Results of Implementing Countermeasure Plan)

The Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu shall report the result of implementing the countermeasure plan to the Minister of Environment.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 19 (Projects for Improving Contaminated Soil)

(1) The Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu may order the person responsible for purification to execute the whole or part of the project for improving contaminated soil as provided for in Article 18 (2) 1. In such cases, the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu may, if deemed necessary for preservation of soil, require the soil-related specialized agency prescribed by Ordinance of the Ministry of Environment to direct and supervise the contaminated soil improvement project. <Amended by Act No. 12522, Mar. 24, 2014>

(2) Where a person responsible for purification intends to execute a project for improving contaminated soil as provided for in paragraph (1), he/she shall prepare the plan for such project, and obtain approval therefor from the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Environment. This provision shall also apply when he/she intends to alter important matters prescribed by Ordinance of the Ministry of Environment from among other approved matters. <Amended by Act No. 12522, Mar. 24, 2014>

(3) In cases under paragraph (1), where a person responsible for purification does not exist or the project for improving contaminated soil is impracticable to be executed by the person responsible for purification, the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu may execute the pertinent project designed to improve contaminated soil. <Amended by Act No. 12522, Mar. 24, 2014>

(4) In cases under paragraph (3), where the pertinent area requiring countermeasures extends over at least two Sis/Guns/Gus, the head of a Si/Gun/Gu who is prescribed by Presidential Decree shall implement the project for improving contaminated soil.

(5) Where the project for improving contaminated soil as provided for in paragraph (3) or (4) is impracticable to be executed by the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu due to the lack of technology or the excess of project costs, etc., the Minister of Environment or the Mayor/Do Governor may, upon a request from the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu, provide technological and financial support to the relevant project.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 20 (Limitation on Use of Land, etc.)

The Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu may impose limitations on the use of land or the installation of facilities deemed to have a possibility to harm the purpose of the designation of the area requiring countermeasures, as prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 21 (Limitations on Activities)

(1) No one shall discharge into the soil in the area requiring countermeasures the specified substances harmful to water quality under subparagraph 8 of Article 2 of the Water Quality and Aquatic Ecosystem Conservation Act, wastes under subparagraph 1 of Article 2 of the Wastes Control Act, toxic chemicals under subparagraph 7 of Article 2 of the Chemicals Control Act, sewage and excreta under subparagraphs 1 and 2 of Article 2 of the Sewerage Act, or livestock excreta under subparagraph 2 of Article 2 of the Act on the Management and Use of Livestock Excreta: Provided, That acts prescribed by Ordinance of the Ministry of Environment shall be excluded therefrom: <Amended by Act No. 10314, May 25, 2010; Act No. 11862, Jun. 4, 2013>

(2) No one shall install facilities deemed and prescribed by Presidential Decree as likely to violate the purpose of the designation of the area requiring countermeasures in such area. <Amended by Act No. 10551, Apr. 5, 2011>

(3) Where the soil is contaminated or likely to be contaminated due to acts or installation of the facilities referred to in paragraphs (1) and (2), the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu may order a person who performed such acts to eliminate soil contaminants or an installer of such facilities to remove the facilities. <Amended by Act No. 10551, Apr. 5, 2011>

Article 22 (Cancellation of Designation of Area Requiring Countermeasures)

(1) The Minister of Environment may cancel or alter the designation of an area requiring countermeasures under Article 17 (1) in case where the relevant area falls under any of the following subparagraphs:

1. Where the level of soil contamination is improved by designing and implementing countermeasures, coming down to a level below the purification standards under Article 15-3 (1);
2. Where it is inevitable for public interest;
3. Where the purpose of designating the area requiring countermeasures has ceased to exist due to natural disasters or other reasons.

(2) The provisions of Article 17 (2) and (4) shall apply mutatis mutandis to the cancellation or alternation of the designation of an area requiring countermeasures as provided for in paragraph (1).

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 23 [Moved to Article 10-3]

CHAPTER III-2 SOIL-RELATED SPECIALIZED AGENCY AND SOIL PURIFICATION BUSINESS

Article 23-2 (Classification and Designation, etc. of Soil-Related Specialized Agency)

(1) Soil-related specialized agencies shall be classified into the following subparagraphs: <Amended by Act No. 11464, Jun. 1, 2012>

1. Soil environment assessment agency: an agency that assesses soil environment;
2. Hazard assessment agency: an agency that assesses hazardous levels;
3. Soil contamination survey agency: an agency that conducts the following duties:
  - (a) Detailed soil surveys;
  - (b) Inspection of soil contamination levels under Article 13 (3);
  - (c) Verification of soil purification under Article 15-6 (1);
  - (d) Guidance and supervision of projects to improve contaminated soil under Article 19 (1);
4. Leakage inspection agency: an agency that inspects leakage under Article 13 (3).

(2) Any person who intends to become a soil-related specialized agency according to the classifications in the subparagraphs of paragraph (1) shall be designated by the Minister of Environment or the Mayor/Do Governor as specified in the following subparagraphs after securing facilities, equipment and technological capabilities as prescribed by Presidential Decree. This shall also apply where the matters prescribed by Presidential Decree among those already designated are changed: <Newly Inserted by Act No. 11464, Jun. 1, 2012>

1. Soil environment assessment agencies under paragraph (1) 1 and hazard assessment agencies under paragraph (1) 2: The Minister of Environment;
2. Soil contamination survey agencies under paragraph (1) 3 and leakage inspection agencies under paragraph (1) 4: The Mayor/Do Governor.

(3) Soil contamination survey agencies under paragraph (1) 3 shall be designated from among the agencies falling under the following subparagraphs: Provided, That the agencies prescribed by Presidential Decree shall be deemed to be designated as a soil contamination survey agency under paragraph (1): <Amended by Act No. 11464, Jun. 1, 2012>

1. Regional environment offices;
2. National and public research institutes;
3. Universities under subparagraphs 1 through 6 of Article 2 of the Higher Education Act;
4. Special corporations established under the special Acts;
5. Nonprofit corporations under a permit for establishment by the Minister of Environment.

(4) The Minister of Environment or the Mayor/Do Governor shall, when he/she has designated a soil-related specialized agency, issue a certificate of designation and publicly announce such designation. <Amended by Act No. 11464, Jun. 1, 2012>

(5) Matters to be observed by soil-related specialized agencies, fees for inspection, and other necessary matters shall be prescribed by Ordinance of the Ministry of Environment.

(6) A soil environment assessment agency and a hazard assessment agency designated under paragraph (2) 1 may allow a soil contamination survey agency designated under subparagraph 2 of the same paragraph to collect or analyze soil samples on their behalf for assessment of soil environment or of hazardous levels. <Amended by Act No. 11464, Jun. 1, 2012>

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 23-3 (Disqualifications of Soil-Related Specialized Agencies)

None of the following persons shall be designated as a soil-related specialized agency: <Amended by Act No. 13169, Feb. 3, 2015>

1. A person under adult guardianship or a person under limited guardianship;
2. A person who has been sentenced to a bankruptcy and not reinstated as yet;
3. A person for whom two years have not yet elapsed after the revocation of designation under Article 23-6;
4. A person who has been sentenced to imprisonment with labor or a heavier punishment for violating this Act and for whom two years have yet to pass from the date on which the execution of the sentence is completed (including where the execution of the sentence is deemed completed) or the execution of the sentence is exempted;
5. A corporation that employs persons falling under one of subparagraphs 1 through 4 from as its executive officers.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 23-4 (Prohibition on Lending Written Designation of Soil-Related Specialized Agency, etc.)

Anyone who is designated as the soil-related specialized agency shall be prohibited from permitting any other person to perform the work of his/her soil-related specialized agency by using his/her name or from lending the written designation of his/her soil-related specialized agency to any other person.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 23-5 (Prohibition on Concurrently Running other Businesses)

Neither those designated as a hazard assessment agency pursuant to Article 23-2 (2) 1 nor those designated as a soil contamination survey agency pursuant to subparagraph 2 of the same paragraph from among soil-related specialized agencies may concurrently run the soil purification business. <Amended by Act No. 11464, Jun. 1, 2012>

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 23-6 (Revocation, etc. of Designation of Soil-Related Specialized Agency)

(1) In case where a soil-related specialized agency falls under any of the following subparagraphs, the Minister of Environment or the Mayor/Do Governor shall revoke the designation: <Amended by Act No. 11464, Jun. 1, 2012>

1. Where it has been designated by deception or other unlawful means;
2. Where it has come to fall under any of the subparagraphs of Article 23-3: Provided, That a person falling under subparagraph 5 of Article 23-3 from among executive officers of the corporation is replaced within 3 months, this shall not apply;
3. Where it has concurrently run the soil purification business in violation of Article 23-5.

(2) In case where a soil-related specialized agency falls under any of the following subparagraphs, the Minister of Environment or the Mayor/Do Governor may either revoke the designation or order the agency to suspend business with setting a period of six months or less: <Amended by Act No. 11464, Jun. 1, 2012>

1. Where it has failed to meet the designation standards under Article 23-2 (2);
2. Where it has allowed others to conduct duties of the soil-related specialized agency by using its name or lent its certificate of designation to others in violation of Article 23-4;
3. Where it has falsely or poorly prepared the results of inspection or assessment by intention or gross negligence;
4. Where it poorly conducted the detailed soil survey under Article 11 (3), 14 (1) or 15 (1) by intention or gross negligence, reducing the scale of contaminated soil below the one subject to the verification of the purification process under the proviso to Article 15-6 (1);
5. Where it has conducted duties relating to the inspection of soil contamination levels, leakage inspection, soil environment assessment, or hazard assessment during the period of disposition of business suspension;
6. Where a person other than a technical expert falling under the requirements for designation of technological capabilities under Article 23-2 (2) has conducted a survey or assessment and notified of the result.

(3) In case where a soil-related specialized agency falls under any of the following subparagraphs, the Minister of Environment or the Mayor/Do Governor may order the agency to suspend its duty with setting a period of six months or less: <Amended by Act No. 11464, Jun. 1, 2012>

1. Where it poorly conducted the verification of soil purification under Article 15-6, failing to treat the contaminated soil below the purification standards under Article 15-3 (1);
2. Where it has failed to commence business within two years from the date of its designation (excluding the cases where it is deemed to have been designated as a soil contamination survey agency under the proviso to Article 23-2 (3)) or has no record of performance for not less than two consecutive years without any justifiable reason;
3. Where it has failed to notify without delay the competent Mayor/Do Governor or the head of the competent Si/Gun/Gu of the result of a detailed survey under Articles 11 (4), 14 (2) and 15 (2);
4. Where it has presented an untruthful opinion concerning approval for exemption from the soil contamination inspection under Article 13 (2);
5. Where it has failed to notify the results of the soil contamination inspection under Article 13 (4) to the Governor of the competent Special Self-Governing Province, the head of the competent Si/Gun/Gu and the head of competent fire station;
6. Where it has violated the matters of observance of soil-related specialized agencies under Article 23-2 (5);
7. Where it has failed to make report or to present data in violation of Article 26-2 (2), or has reported or presented data fraudulently.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 23-7 (Registration of Soil Purification Business, etc.)

(1) Anyone who intends to run a soil purification business shall secure facilities (including facilities for purification of contaminated soil brought into the facilities in case where the purification works are to be conducted by shipping it out to other facilities under the proviso to Article 15-3 (3)), equipment, technical manpower, etc. that are prescribed by Presidential Decree to register his/her business with the Mayor/Do Governor. The same shall apply where he/she changes any matter prescribed by Presidential Decree from among those already registered. <Amended by Act No. 11464, Jun. 1, 2012>

(2) The Mayor/Do Governor shall, when he/she makes the registration of a soil purification business, issue a registration certificate as prescribed by Ordinance of the Ministry of Environment. <Amended by Act No. 11464, Jun. 1, 2012>

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 23-8 (Grounds of Disqualification for Registration of Soil Purification Business)

The provision of Article 23-3 shall apply mutatis mutandis to anyone who intends to register his/her soil purification business pursuant to Article 23-7 (1). In this case, the "soil-related specialized agency" shall be deemed the "soil purification business" and the "designation" shall be deemed the "registration," respectively.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 23-9 (Matters to be Observed by Soil Purification Business Operators)

(1) Every soil purification business operator shall be prohibited from letting any other person run the soil purification business by getting the latter to use his/her name or his/her firm name or from lending his/her registration certificate to any other person.

(2) Every soil purification business operator shall be prohibited from subcontracting in bulk his/her contracted work for the soil purification (hereinafter referred to as the "soil purification work") or the work directly connected to the soil purification that is prescribed by Presidential Decree from among the soil purification work: Provided, That this shall not apply if there exists a natural disaster or any other unavoidable ground prescribed by Presidential Decree.

(3) Other matters that soil purification business operators are required to observe other than those prescribed in paragraphs (1) and (2) when they run their soil purification business shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 23-10 (Revocation, etc. of Registration of Soil Purification Business)

(1) In case where a soil purification business operator falls under any of the following subparagraphs, the Mayor/Do Governor shall revoke the registration: <Amended by Act No. 11464, Jun. 1, 2012>

1. Where he/she has registered by deception or other unlawful means;

2. Where he/she has come to fall under any of the subparagraphs of Article 23-3 which shall apply mutatis mutandis under Article 23-8: Provided, That a person falling under subparagraph 5 of Article 23-3 from among the executive officers of the corporation is replaced within 3 months, this shall not apply;

3. Where he/she conducted business activities during the period of business suspension.

(2) In case where a soil purification business operator falls under any of the following subparagraphs, the Mayor/Do Governor may either revoke the registration of the soil purification business operator or order him/her to suspend business with setting a period of not more than six months: <Amended by Act No. 11464, Jun. 1, 2012>

1. Where he/she has failed to conduct purification work in conformity with the standards and methods of purification under Article 15-3 (1);

2. Where he/she has conducted purification work after shipping the contaminated soil to a place other than the relevant land where the contamination has occurred or to a place other than the facilities owned by himself/herself in violation of Article 15-3 (3);

3. Where he/she has committed an act of lowering concentrations of contaminants by mixing the contaminated soil with other soil in violation of Article 15-3 (7) 1;

4. Where he/she has kept the contaminated soil in excess of the capacity of the registered facilities in violation of Article 15-3 (7) 2;

5. Where he/she has committed an act of dumping, reclaiming, leaking or discharging the contaminated soil in violation of Article 15-4;

6. Where he/she has shipped the contaminated soil to another place before the completion of verification by a soil-related specialized agency in violation of Article 15-6 (5);

7. Where he/she has fell short of the registration standards under Article 23-7 (1);

8. Where he/she has allowed other persons to conduct the duty of the soil purification business by using his/her name or lent his/her certificate of registration to other persons in violation of Article 23-9 (1);

9. Where he/she has subcontracted the soil purification work for which he/she has been contracted in violation of Article 23-9 (2).

(3) When a soil purification business operator has failed to commence his/her duty within two years from the date of registration or has no record of performance for not less than two consecutive years without any justifiable reasons, the Mayor/Do Governor may order him/her to suspend business with setting a period of six months or less. <Amended by Act No. 11464, Jun. 1, 2012>

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 23-11 (Uninterrupted Work of Soil Purification Business Operator Whose Business is Revoked or Suspended, etc.)

(1) Anyone who is subjected to the revocation of his/her registration or a disposition taken to suspend his/her business pursuant to Article 23-10 may conduct only the soil purification work for which the ground is broken prior to such disposition. In such cases, anyone who continues the soil purification work shall be deemed a soil purification business operator under this Act until the work is completed.

(2) Anyone subject to the revocation of his/her registration or a disposition taken to suspend his/her business pursuant to Article 23-10 shall notify without delay a person who places an order for the soil purification work and a subcontractor of details of such disposition.

(3) Anyone who awards or is awarded a contract of soil purification work to/from a soil purification business operator may terminate the work contract only within the limited period of 30 days from the date on

which he/she is informed pursuant to paragraph (2) by the relevant soil purification business operator or he/she learns of such fact unless extraordinary grounds exist.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

#### Article 23-12 (Succession of Rights and Duties)

(1) Anyone falling under any of the following subparagraphs shall succeed the rights and duties accruing from the designation or registration of the person designated as a soil-related specialized agency under Article 23-2 or the person registered as a soil purification business operator under Article 23-7. In such case, if the inheritor falls under any grounds for disqualification under Article 23-3 or 23-8, he/she shall transfer his/her soil-related specialized agency or soil purification business to another person within the period of three months:

1. Where the person designated as a soil-related specialized agency or registered as a soil purification business operator is deceased, the inheritor;

2. Where the person designated as a soil-related specialized agency transfers his/her soil-related specialized agency or the person registered as soil purification business operator transfers his/her soil purification business, the transferee;

3. Where a corporation designated as a soil-related specialized agency or registered as a soil purification business operator is merged, the corporation which remains after or is established by such merger.

(2) Anyone who acquires a soil-related specialized agency or soil purification business through any procedure of the following subparagraphs shall succeed the rights and the duties accruing from the previous designation or the previous registration provided in this Act:

1. Auction under the Civil Execution Act;

2. Conversion under the Debtor Rehabilitation and Bankruptcy Act;

3. Sale of the seized property under the National Tax Collection Act, the Customs Act or the Framework Act on Local Taxes;

4. Procedures corresponding to any of the provisions of subparagraphs 1 through 3.

(3) Anyone who succeeds the status of the soil-related specialized agency or the soil purification business operator pursuant to paragraph (1) or (2) shall make a report thereon to the Minister of Environment or the Mayor/Do Governor within one month from the date on which he/she succeeds such status as prescribed by Ordinance of the Ministry of Environment. <Amended by Act No. 11464, Jun. 1, 2012>

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

#### Article 23-13 (Succession of Effect of Administrative Disposition)

Where anyone who obtains the designation of his/her soil-related specialized agency pursuant to Article 23-2 or anyone who registers his/her soil purification business pursuant to Article 23-7 deceases or transfers his/her soil-related specialized agency or his/her soil purification business or in case where a merger of corporation takes place, the transferee, the inheritor, the corporation that is newly incorporated after a merger or the surviving corporation shall succeed the effect of the administrative disposition taken to the previous soil-related specialized agency or the previous soil purification business operator on the grounds of violating each subparagraph of Article 23-6 or 23-10 for one year from the date on which the disposition period expires and when the procedures for the administrative disposition are underway, such procedures for the administrative disposition to the transferee, the inheritor, the corporation that is newly incorporated after a merger or the surviving corporation may continue: Provided, That the same shall not apply to a case where the transferee, the corporation that is newly incorporated after a merger or the surviving corporation verifies that he/she or it does not learn of the disposition or the fact of violation at the time when the acquisition by transfer or the merger takes place.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

#### Article 23-14 (Training of Technical Manpower by Soil-Related Specialized Agencies, etc.)

(1) The technical manpower that works for any soil-related specialized agency and any soil purification business shall undergo training as prescribed by Ordinance of the Ministry of Environment.

(2) Anyone who employs persons liable to undergo the training referred to in paragraph (1) shall get them to undergo the training. In this case, expenses required for the training shall be borne by the employer.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

### CHAPTER IV SUPPLEMENTARY PROVISIONS

#### Article 24 (Execution by Proxy)

Where any person subject to the soil contamination inspection under Article 13 (1) or any person given an order falling under any of the following subparagraphs fails to undergo such inspection or comply with such

order, the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu may carry out the orders by proxy as prescribed by the Administrative Vicarious Execution Act, and collect the relevant expenses from the person who has violated the orders:

1. An order under Articles 11 (3) and 14 (1);
2. An order of detailed soil survey under Article 15 (1);
3. An order under Article 15 (3);
4. An order to execute the project for improving contaminated soil under Article 19 (1);
5. An order to eliminate the soil contaminants or to remove the facilities, etc. under Article 21 (3).

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 25 (Assistance from Relevant Organizations)

The Minister of Environment may request the head of the relevant central administrative agency or the Mayor/Do Governor to take the measures as prescribed by the following subparagraphs if he/she deems it necessary to achieve the purpose of this Act:

1. Cultivation of fertile agricultural soil such as bringing fertile soil from another place to prevent soil contamination, etc.;
2. Measures to prevent contamination of surrounding agricultural land on account of wastes and hazardous materials from abandoned mines;
3. Restoration of soil that is damaged by installation of industrial facilities, etc.;
4. Other matters which are prescribed by Ordinance of the Ministry of Environment as necessary for soil conservation.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 26 (State Subsidy)

The State may subsidize or finance the soil conservation project that is promoted by a local government within the budget.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 26-2 (Reports and Inspection, etc.)

(1) The Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu may, as prescribed by Ordinance of the Ministry of Environment, order the installer of the specified facilities subject to the control of soil contamination to furnish the data necessary for his/her supervision, and have public officials under his/her control enter the specified facilities subject to the control of soil contamination to inspect whether the facilities for preventing soil contamination are installed, the soil contamination inspection is conducted, its results are kept, etc.

(2) If deemed necessary, the Minister of Environment or the Mayor/Do Governor may request a soil-related specialized agency and a soil purification business operator to file reports or furnish the data necessary for his/her supervision, and have public officials under his/her control enter the office or business place of the soil-related specialized agency or the soil purification business operator, or other necessary places to inspect the documents, facilities, equipment, etc. <Amended by Act No. 11464, Jun. 1, 2012>

(3) The Mayor/Do Governor or the head of a Si/Gun/Gu may require the proprietor, occupant or operator of the land on which soil contamination has occurred or of the facilities subject to the control of soil contamination to submit necessary data, or have public officials belonging thereto enter the relevant land or facilities subject to the control of soil contamination and inspect the documents, the facilities, equipment, etc. <Newly Inserted by Act No. 12522, Mar. 24, 2014>

(4) Public officials conducting the inspections under paragraphs (1) through (3) shall carry an identification indicating their authority, and present it to the relevant persons. <Amended by Act No. 12522, Mar. 24, 2014>

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

Article 26-3 (Report on Current State of Specific Facilities Subject to Control of Soil Contamination, etc.)

(1) The head of a Si/Gun/Gu shall submit the material of the preceding year concerning the matters falling under each of the following subparagraphs to the Mayor/Do Governor by the end of January every year as prescribed by Ordinance of the Ministry of Environment:

1. The current state of the specified facilities subject to the control of soil contamination;
2. The result of the soil contamination inspection that is notified pursuant to Article 13 (4);
3. Details of the order given to take measures and the result of the survey provided in Article 14.

(2) The Mayor/Do Governor shall compile the material that is submitted pursuant to paragraph (1) and report such material to the Minister of Environment by the end of February every year.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

#### Article 26-4 (Standards for Administrative Disposition)

The detailed standards for the administrative disposition provided in Articles 23-6 and 23-10 shall be set by Ordinance of the Ministry of Environment, taking into account the categories of the act of violation and the extent of violation, etc.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

#### Article 26-5 (Hearing)

The Minister of Environment, the Mayor/Do Governor or the head of a Si/Gun/Gu shall, if he/she intends to make dispositions falling under any of the following subparagraphs, conduct the hearing: <Amended by Act No. 11464, Jun. 1, 2012>

1. Order to withdraw facilities under Article 21 (3);
2. Revocation of designation of the soil-related specialized agency under Article 23-6;
3. Revocation of the registration of the soil purification business provided in Article 23-10.

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

#### Article 27 (Delegation and Entrustment of Authority)

(1) The authority of the Minister of Environment prescribed by this Act may be delegated in part to the heads of agencies under his/her control, as prescribed by Presidential Decree.

(2) The Minister of Environment may entrust part of his/her duties vested under this Act to the Korea Environment Corporation and the Korea Environmental Industry and Technology Institute in accordance with the Korea Environment Corporation Act, as prescribed by Presidential Decree. <Newly Inserted by Act No. 11464, Jun. 1, 2012; Act No. 12522, Mar. 24, 2014>

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

### CHAPTER V PENALTY PROVISIONS

#### Article 28 (Penalty Provisions)

Anyone who fails to carry out an execution order pursuant to Article 19 (1) or a person who implements a project for improving soil contamination without obtaining the approval pursuant to Article 19 (2) shall be punished by imprisonment with labor for not more than five years or a fine not exceeding 50 million won. <Amended by Act No. 12522, Mar. 24, 2014>

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

#### Article 29 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than two years or by a fine not exceeding 20 million won: <Amended by Act No. 11464, Jun. 1, 2012; Act No. 12522, Mar. 24, 2014>

1. A person who has failed to execute an order given to take measures to purify contaminated soil under Article 11 (3) or 14 (1);
2. A person who has failed to execute an order issued to suspend the use of the specified facilities subject to the control of soil contamination under Article 14 (3);
3. A person who has failed to execute an order issued under Article 15 (3);
4. A person who has commissioned purification of the contaminated soil in violation of Article 15-3 (2);
5. A person who has dumped or reclaimed any contaminated soil in violation of subparagraph 1 of Article 15-4;
6. A person who has failed to execute an order to eliminate soil contaminants or withdraw facilities, etc. under Article 21 (3);
7. A person who performs the work of the soil-related specialized agency without obtaining designation required under Article 23-2 (2);
8. A person who runs the soil purification business without having his/her business registered pursuant to Article 23-7 (1).

[This Article Wholly Amended by Act No. 10551, Apr. 5, 2011]

#### Article 30 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with prison labor for not more than one year or by a fine not exceeding 10 million won: <Amended by Act No. 10314, May 25, 2010; Act No. 10551, Apr. 5, 2011; Act No. 11464, Jun. 1, 2012; Act No. 12522, Mar. 24, 2014>

1. A person who conducts an assessment of soil environment as differently from the actual state not conforming to the items, methods and procedures under Article 10-2 (3) by intention or gross negligence;

- 1-2. A person who fails to make a report, in violation of Article 11 (1), on the fact that soil contaminants have been leaked or discharged in the course of production, transportation, storage, handling, processing or disposal;
- 1-3. A person who manipulates the contamination level to be less than the scale subject to verification of the purification process pursuant to the proviso to Article 15-6 (1) by flimsily conducting the detailed soil survey under Article 11 (3), 14 (1) or 15 (1) by intention or gross negligence;
2. A person who installs specified facilities subject to the control of soil contamination without making a report thereon under the former part of Article 12 (1) or has made a false report thereon;
3. A person who fails to install the facilities for preventing soil contamination in violation of Article 12 (3);
4. A person who fails to execute an order to install or improve the facilities for preventing soil contamination pursuant to Article 14 (1);
5. A person who purifies any contaminated soil in violation of Article 15-3 (1);
6. A person who ships out any contaminated soil to a place that is neither a site where the soil is contaminated nor a site of the facilities owned by any soil purification business operator for the purpose of purifying such contaminated soil in violation of Article 15-3 (3);
7. A person who lowers concentrations of contaminants by mixing the contaminated soil with other soil in violation of Article 15-3 (7) 1;
8. A person who discharges or leaks any contaminated soil in violation of subparagraph 2 of Article 15-4;
- 8-2. A person who uses the soil, the purification of which is complete in an area where a stricter criteria is applied to its soil than the criteria applied to the purified soil in violation of subparagraph 3 of Article 15-4;
9. A person who fails to order the soil-related specialized agency to perform the verification in violation of Article 15-6 (1);
10. A person who fails to comply with procedures, details and methods of the verification under Article 15-6 (4) by intention or gross negligence, obstructing the contaminated soil to be treated within the purification standards under Article 15-3 (1);
11. A person who ships contaminated soil to other facilities when the verification by the soil-related specialized agency is not completed in violation of Article 15-6 (5);
12. A person who has installed any facilities in areas requiring countermeasures in violation of Article 21 (2);
13. A person who obtains designation of a soil-related specialized agency or register his/her soil purification business by fraudulent and illegal means;
14. A person who allows any other person to perform the work of the soil-related specialized agency under his/her name or who lends his/her written designation to any other person in violation of Article 23-4;
15. A person who allows any other person to run the soil purification business under his/her name or trade name or who lends his/her registration certificate to any other person in violation of Article 23-9 (1);
16. A person who subcontracts contracted soil purification work in violation of Article 23-9 (2);
17. A person who refuses, obstructs, or evades the entry and inspection by public officials under Article 26-2 (2).

[This Article Wholly Amended by Act No. 7291, Dec. 31, 2004]

#### Article 31 (Joint Penalty Provisions)

When the representative of a corporation, or an agent, employee, or other servant of a corporation or individual commits an offence under Articles 28 through 30 in relation to the business of such corporation or individual, not only shall such violator be punished, but the corporation or the individual shall also be punished by a fine under the relevant provisions: Provided, That this shall not apply where the corporation or the individual has not neglected to pay due attention and supervision concerning the relevant business in order to prevent such violation.

[This Article Wholly Amended by Act No. 10314, May 25, 2010]

#### Article 32 (Administrative Fines)

(1) Any of the following persons shall be punished by an administrative fine not exceeding three million won: <Amended by Act No. 11464, Jun. 1, 2012; Act No. 12522, Mar. 24, 2014>

1. A person who finds out the fact that the soil has been contaminated but fails to report such fact in violation of Article 11 (1);
2. A person who fails to submit the soil transfer form or enter information in the form into the contaminated soil information system in violation of Article 15-3 (6);

3. A person who refuses, obstructs or avoids the entry and inspection by a public official under Article 26-2 (1) or (3);
- (2) Any of the following persons shall be punished by an administrative fine not exceeding two million won: <Amended by Act No. 11464, Jun. 1, 2012>
  1. A person who obstructs or rejects activities of the relevant public officials or staff of a soil-related specialized agency pursuant to Article 8 (5) without any justifiable grounds;
  2. A person who fails to execute an order to conduct the detailed soil survey pursuant to Article 11 (3), 14 (1) or 15 (1);
  3. A person who fails to promptly inform the Mayor/Do Governor or the head of a Si/Gun/Gu of the results of the detailed soil survey in violation of Article 11 (4), 14 (2) or 15 (2);
  4. A person who fails to report amendments (including closedown of facilities) in violation of the latter part of Article 12 (1);
  5. A person who has failed to undergo the inspection or to keep the results of the inspection pursuant to Article 13 (1) or (4);
  - 5-2. A person who fails to report the results of the soil contamination inspection to the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu and the head of the competent fire station in violation of Article 13 (4);
  - 5-3. A person who ships out and purifies the contaminated soil without receiving notification of appropriateness on a contaminated soil ship-out and purification plan in violation of Article 15-3 (4);
  - 5-4. A person who submits or fills out the soil transfer form under Article 15-3 (6) falsely or poorly;
  6. A person who fails to submit a plan for purifying the contaminated soil or the amended plan for purifying the contaminated soil pursuant to Article 15-6 (2);
  7. A person who refuses, obstructs or evades the guidance and supervision pursuant to Article 19 (1);
  8. A person who dumps specific substances harmful to water quality, wastes, toxic chemicals, sewage, excreta or livestock excreta in the area requiring countermeasures in violation of Article 21 (1);
  9. A person who fails to obtain the changed designation pursuant to the latter part of Article 23-2 (2);
  10. A person who fails to observe matters pursuant to Articles 23-2 (5) and 23-9 (3);
  11. A person who fails to register the changed matters pursuant to the latter part of Article 23-7 (1);
  - 11-2. A person who fails to file a report in violation of Article 23-12 (3);
  12. A person who fails to receiving training or who prevents another person from receiving training in violation of Article 23-14 (1) or (2);
  13. A person who fails to make a report or submit materials or has made a false report or submitted false materials in violation of Article 26-2 (1) or (2).
- (3) The Minister of Environment, the Mayor/Do Governor, or the head of a Si/Gun/Gu shall impose and collect administrative fines under paragraphs (1) and (2), as prescribed by Presidential Decree.  
[This Article Wholly Amended by Act No. 10314, May 25, 2010]

#### ADDENDA

- (1) (Enforcement Date) This Act shall enter into force one year following the date of its promulgation.
- (2) (Transitional Measures concerning Installer of Facilities Inducing Soil Contamination) The person who is in the process of installing the facilities inducing soil contamination (including those who operates such the facilities) at the time of the enforcement of this Act, shall make a report to the Mayor/Do Governor with respect to the matters as prescribed in Article 11 (1), and take preventive measures against soil contamination as prescribed in Article 11 (2), within six months after the enforcement date of this Act.

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

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

#### ADDENDUM <Act No. 5878, Feb. 8, 1999>

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

#### ADDENDA <Act No. 6452, Mar. 28, 2001>

##### Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2002.

##### Article 2 (Transitional Measures for Result of Regular Measuring)

The result of regular measuring of the measurement networks installed by the Mayor/Do Governor under the previous provisions at the time of enforcement of this Act shall be deemed to be the result of investigation of actual conditions of soil contamination under the amendments to Article 5 (2).

##### Article 3 (Transitional Measures for Facilities Inducing Soil Contamination)

Activities of reports, etc. filed with the Mayor/Do Governor and activities of corrective orders, etc. by the Mayor/Do Governor in connection with the facilities inducing soil contamination under the previous provisions at the time of enforcement of this Act shall be deemed to be activities against the Mayor/Do Governor or activities by the Mayor/Do Governor in connection with the facilities inducing a specific soil contamination under this Act.

Article 4 (Transitional Measures for Soil-Related Specialized Agency)

The soil-related specialized agency under the previous provisions at the time of enforcement of this Act shall be deemed to be the soil-related specialized agency designated under the amendments to Article 23-2.

Article 5 (Transitional Measures for Penalty Provisions)

In applying penalty provisions to activities committed prior to the enforcement of this Act, the previous provisions shall govern.

Article 6 Omitted.

ADDENDA <Act No. 6627, Jan. 26, 2002>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Act No. 6656, Feb. 4, 2002>

Article 1 (Enforcement Date)

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

Articles 2 through 12 Omitted.

ADDENDA <Act No. 6846, Dec. 30, 2002>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Act No. 6893, May 29, 2003>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Act No. 7291, Dec. 31, 2004>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Articles 15-3 (2) and (3), 15-6, 23-2 (1) 1 (d) and (e) and 23-14 shall enter into force one year after the date of its promulgation.

Article 2 (Applicability concerning Soil Purification Work)

The amended provisions of Article 15-3 (2), Article 15-6 and Article 23-9 (2) shall apply to the soil purification work that is performed on and after the enforcement of this Act.

Article 3 (Applicability concerning Administrative Disposition Taken to Soil-Related Specialized Agency)

In taking an administrative disposition provided in the amended provisions of subparagraph 7 of Article 23-6 to anyone who is designated as the soil-related specialized agency at the time of the enforcement of this Act, the date on which its business commences shall be deemed the date on which this Act enters into force.

Article 4 (Transitional Measures concerning Areas Requiring Countermeasures)

The development and implementation of any countermeasure plan, restrictions on the use of lands, etc. and restrictions on any act for and in the area that is designated as an area requiring countermeasures pursuant to the previous provisions at the time of the enforcement of this Act shall be governed by the previous provisions, notwithstanding the amended provisions of Articles 18, 20 and 21.

Article 5 (Transitional Measures concerning Ground of Disqualification of Soil-Related Specialized Agency)

The amended provisions of subparagraph 4 or 5 of Article 23-3 shall not apply to anyone who is designated as the soil-related specialized agency at the time of the enforcement of this Act for 2 years from the date on which this Act enters into force.

Article 6 (Transitional Measures concerning Registration of Soil Purification Business)

Anyone who runs the soil purification business at the time of the enforcement of this Act shall have his/her business registered with the Minister of Environment within 3 months from the date on which this Act enters into force in accordance with the amended provisions of Article 23-7.

Article 7 Omitted.

ADDENDA <Act No. 7428, Mar. 31, 2005>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Act No. 7459, Mar. 31, 2005>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Act No. 8010, Sep. 27, 2006>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDA <Act No. 8014, Sep. 27, 2006>

Article 1 (Enforcement Date)

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

Articles 2 through 11 Omitted.

ADDENDA <Act No. 8038, Oct. 4, 2006>

Article 1 (Enforcement Date)

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

Articles 2 through 11 Omitted.

ADDENDA <Act No. 8352, Apr. 11, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 16 Omitted.

ADDENDA <Act No. 8466, May 17, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDUM <Act No. 8469, May 17, 2007>

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

ADDENDA <Act No. 10219, Mar. 31, 2010>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2011.

Articles 2 through 12 Omitted.

ADDENDA <Act No. 10314, May 25, 2010>

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

(2) (Transitional Measures) The previous penalty provisions shall apply to the acts committed before this Act enters into force.

ADDENDA <Act No. 10551, Apr. 5, 2011>

Article 1 (Enforcement Date)

This Act shall enter into force from the date on which six months lapse after the promulgation of this Act.

Article 2 (Applicability concerning Revocation of Registration)

The amended provisions of Article 23-10 shall apply from the revocation of registration or the case where grounds for suspension of business take place for the first time after the enforcement of this Act.

Article 3 (Transitional Measures concerning Designation of Soil Environment Assessment Agency)

Any person who is designated as a soil contamination survey agency pursuant to the previous provisions of Article 23-2 (1) 1 at the time this Act enters into force may perform business of the agent to assess soil environment pursuant to the amended provisions of Article 23-2 (1) 3: Provided, That he/she shall obtain designation of the soil environment assessment agency within one year after the enforcement of this Act, meeting the requirements of facilities, equipment, and technical capability pursuant to the part other than each subparagraph of Article 23-2 (1).

ADDENDA <Act No. 11461, Jun. 1, 2012>

Article 1 (Enforcement Date)

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

Articles 2 through 10 Omitted.

ADDENDA <Act No. 11464, Jun. 1, 2012>

Article 1 (Enforcement Date)

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

Articles 2 (Applicability concerning Ship-Out and Purification of Contaminated Soil)

The amended provisions of Article 15-3 shall apply to a person who purifies contaminated soil by shipping it to other facilities on and after the enforcement of this Act.

Article 3 (General Transitional Measures concerning Dispositions, etc.)

Any act of, or toward, an administrative agency pursuant to the previous provisions at the time this Act enters into force shall be deemed an act of, or toward, an administrative agency pursuant to the corresponding provisions of this Act.

Article 4 (Transitional Measures concerning Change of Person Having Authority to Designate Soil Contamination Survey Agencies and Leakage Inspection Agencies)

Any person who has been designated as a soil contamination survey agency or a leakage inspection agency pursuant to the previous provisions of this Act at the time of this Act enters into force shall be deemed to have been designated by the Mayor/Do Governor pursuant to the amended provisions of Article 23-2 (2).

Article 5 (Transitional Measures concerning Change of Authority for Registration of Soil Purification Business)

Any person whose soil purification business has been registered pursuant to the previous provisions of this Act at the time of this Act enters into force shall be deemed that his/her soil purification business has been registered with the Mayor/Do Governor pursuant to the amended provisions of Article 23-7.

ADDENDA <Act No. 11862, Jun. 4, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 12 Omitted.

ADDENDUM <Act No. 12522, Mar. 24, 2014>

This Act shall enter into force one year after the date of its promulgation: Provided, That the amended provisions of Articles 28 through 30 shall enter into force on the date of its promulgation.

ADDENDA <Act No. 13169, Feb. 3, 2015>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Disqualifications of an Incompetent, etc.)

A person under adult guardianship or a person under limited guardianship prescribed in the amended provisions of Subparagraph 1 of Article 23-3 shall be deemed to have included a person for whom the effect of the sentence of incompetence or quasi-incompetence is maintained as provided for in Article 2 of the Addenda of a partial amended Act No. 10429 of the Civil Act.

ADDENDUM <Act No. 13533, Dec. 1, 2015>

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 12-2 shall enter into force six months after its promulgation.