

FRAMEWORK ACT ON ENVIRONMENTAL POLICY

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Act No. 11268, Feb. 1, 2012

Act No. 11603, Jan. 1, 2013

Act No. 11751, Apr. 5, 2013

Act No. 11913, Jul. 16, 2013

Act No. 11917, Jul. 16, 2013

Act No. 11980, Jul. 30, 2013

Act No. 13410, Jul. 20, 2015

Act No. 13535, Dec. 1, 2015

Act No. 13534, Dec. 1, 2015

Act No. 13550, Dec. 15, 2015

Act No. 13603, Dec. 22, 2015

Act No. 13879, Jan. 27, 2016

Act No. 13886, Jan. 27, 2016

Act No. 13872, Jan. 27, 2016

Act No. 13873, Jan. 27, 2016

Act No. 13883, Jan. 27, 2016

Act No. 13889, Jan. 27, 2016

Act No. 13894, Jan. 27, 2016

Act No. 14229, May 29, 2016

Act No. 14494, Dec. 27, 2016

Act No. 14532, Jan. 17, 2017

Act No. 16096, Dec. 31, 2018

Act No. 16267, Jan. 15, 2019

Act No. 16305, Apr. 2, 2019

Act No. 16619, Nov. 26, 2019

Act No. 16861, Dec. 31, 2019

Act No. 17326, May 26, 2020

Act No. 17797, Dec. 29, 2020

Act No. 17857, Jan. 5, 2021
Act No. 18283, jun. 15, 2021
Act No. 18469, Sep. 24, 2021
Act No. 18584, Dec. 21, 2021
Act No. 18918, jun. 10, 2022

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to ensure that all citizens enjoy a healthy and pleasant life by preventing environmental pollution and environmental damage and by managing and preserving the environment in an appropriate and sustainable manner through defining the rights and obligations of citizens and the responsibilities of the State with regard to environmental conservation and determining the fundamental matters for environmental policies.

Article 2 (Fundamental Concepts)

(1) The State, local governments, business entities and citizens shall ensure that the current generation of citizens can fully enjoy environmental benefits and future generations will continue to enjoy such benefits by endeavoring to maintain and create a better environment, by considering environmental conservation first while engaging in any activities utilizing the environment and by combining their efforts to prevent any environmental harms on the earth, such as climate changes, in view of the fact that the creation of a delightful environment through a qualitative improvement and conservation of the environment and the maintenance of harmony and balance between human beings and the environment therethrough are indispensable elements for citizens' health and enjoyment of a cultural life, for the maintenance of the territorial integrity and for the everlasting development of the nation. *<Amended on Feb. 1, 2012; Jan. 15, 2019>*

(2) The State and local governments shall endeavor to realize environmental justice by ensuring all citizens' substantial participation in the enactment or amendment of environmental statutes, regulations, ordinances and rules or the formulation or implementation of policies, access to information about environment, equitable sharing of environmental benefits and burdens, and fair compensation for losses caused by environmental pollution or environmental damage. *<Amended on Jan. 15, 2019>*

Article 3 (Definitions)

The terms used in this Act are defined as follows: *<Amended on Jan. 27, 2016; Jan. 15, 2019>*

1. The term "environment" means the natural environment and the living environment;
2. The term "natural environment" means the natural conditions (including ecosystem and natural scenery) that include both all living things in the underground, on the earth's surface (including the seas) and above the ground and inanimate matters surrounding them;
3. The term "living environment" means the environment related to the daily life of human beings, such as air, water, soil, waste, noise, vibration, malodor, sunshine, artificial lighting, and chemical substances;
4. The term "environmental pollution" means air pollution, water pollution, soil pollution, sea pollution, radioactive contamination, noise, vibration, malodor, sunshine obstruction, light pollution from artificial lighting and other similar pollution caused by industrial activities and other human activities, such as inflicting damage on human health or the environment;
5. The term "environmental damage" means the conditions that inflict serious damage on intrinsic functions of the natural environment by overhunting or overgathering wild animals or plants, destroying their habitats, disturbing the order of the ecosystem, impairing the natural scenery, washing away the topsoil, etc.;
6. The term "environmental conservation" means any activity conducted to protect the environment from pollution and damage and to improve any polluted or damaged environment, as well as to maintain and create more delightful environmental conditions;
7. The term "environmental capacity" means the limit in which the environment can keep its quality by absorbing, purifying and restoring environmental pollution or environmental damage on its own within a certain area;
8. The term "environmental standards" means desirable environmental conditions or quality levels that the State should achieve and maintain to protect the health of citizens and create a delightful environment.

Article 4 (Responsibilities of the State and Local Governments)

- (1) In order to prevent any environmental pollution and environmental damage and any potential harms caused thereby and to properly manage and preserve the environment, the State shall be responsible for the development and implementation of an environmental plan. *<Amended on Jan. 5, 2021>*
- (2) A local government shall be responsible for the formulation and implementation of its own environmental plan according to the environmental plan of the State, taking into consideration the regional characteristics of its jurisdiction. *<Amended on Jan. 5, 2021>*
- (3) When formulating an environmental plan under paragraph (1) and an environmental plan of a local government under paragraph (2) to maintain the national land at a sustainable level, the State and local governments shall devise a measure to interlink such plan with a national land plan under the Framework Act on the National Land. *<Newly Inserted on Dec. 1, 2015; Jan. 5, 2021>*

(4) Where necessary to interlink the environmental plan and the national land plan under paragraph (3), the Minister of Environment may jointly determine matters, such as the scope of application and the methods and procedures for the interlinking, with the Minister of Land, Infrastructure and Transport.

<Newly Inserted on Dec. 1, 2015; Jan. 5, 2021>

Article 5 (Responsibilities of Business Entities)

Any business entity shall voluntarily take measures required for preventing any environmental pollution and environmental damage that may result from his or her business activities and shall be responsible for participating and cooperating in environmental conservation policies of the State or local governments.

Article 6 (Rights and Obligations of Citizens)

- (1) All citizens shall have the right to live in a healthy and agreeable environment.
- (2) All citizens shall cooperate in environmental conservation policies of the State and local governments.
- (3) All citizens shall endeavor to reduce any environmental pollution and environmental damage that may result from their daily lives and to preserve the national land and natural environment.

Article 6-2 (Relationship to Other Statutes)

Enactments or amendments of other statutes or regulations related to environmental policies shall conform to the purpose and fundamental concepts of this Act.

Article 7 (Principle of Liability of Persons Causing Pollution)

Any person who causes any environmental pollution or environmental damage due to his or her business or other activities shall, in principle, be liable to prevent the relevant pollution or damage and to recover and restore the polluted or damaged environment, as well as to bear expenses incurred in restoring the damage resulting from the environmental pollution or environmental damage.

Article 7-2 (Benefit Principle)

Where a person other than the State or a local government gains significant benefits from a project for environmental conservation, the State or a local government may require the person who gains benefits to fully or partially bear the cost of the project for environmental conservation within the limit of such benefits.

Article 8 (Prior Prevention of Environmental Pollution)

- (1) The State and local governments shall exert preferential efforts for a prior preventive management of pollution through reducing pollutants and pollution sources of the environment at source and devise policies to promote voluntary efforts by business entities for the prevention of environmental pollution.

(2) Business entities shall endeavor to use raw materials with less environmental pollution and to improve their production processes at the entire phases of their business activities such as production, sale, distribution and destruction of products, and to reduce the generation of pollutants at source and to minimize any harmful impacts arising from the use and destruction of their products on the environment by means of saving resources and promoting recycling.

(3) The State, local governments and business entities shall endeavor to minimize any harmful impacts arising from their administrative plans and development projects on the environment with the aim of preventing such administrative plans and development projects from damaging the national land and natural environment.

Article 9 (Comprehensive Consideration of Environment and Economy)

(1) The Government shall develop methods by which the environment and economy can be evaluated in a comprehensive manner and shall utilize those methods when it formulates different types of policies.

(2) The Government shall assist in minimizing any harmful impacts on the environment through consultations between industries, regions and businesses within the environmental capacity.

Article 10 (Saving of Resources and Promotion of their Cyclical Use)

(1) The State and local governments shall develop policies necessary to economize on resources and energy and to promote the cyclical use of resources, including reuse and recycling of resources.

(2) Business entities shall cooperate with the State and local governments in implementing the policies under paragraph (1) when they conduct economic activities.

Article 11 (Reporting)

(1) The Government shall submit each year to the National Assembly a report on the situation of promoting major environmental conservation policies.

(2) A report under paragraph (1) shall include the following:

1. Current status of environmental pollution and environmental damage;
2. Environmental trends at home and abroad;
3. Promotion status of environmental conservation policies;
4. Other important matters relating to environmental conservation.

(3) The Minister of Environment may request the head of a relevant central administrative agency to submit the data required for preparing a report under paragraph (1), and the head of the relevant central administrative agency shall comply with it unless there is a compelling reason not to do so.

CHAPTER II ESTABLISHMENT OF ENVIRONMENTAL PLANS

SECTION 1 Environmental Standards

Article 12 (Formulation of Environmental Standards)

- (1) The State shall formulate environmental standards, based on the impacts, etc. on the ecosystem or human health and ensure that such standards maintain appropriateness according to changes in environmental conditions. *<Amended on Jan. 27, 2016>*
- (2) The environmental standards shall be prescribed by Presidential Decree.
- (3) The Special Metropolitan City, a Metropolitan City, a Special Self-Governing City, a Do, a Special Self-Governing Province (hereinafter referred to as "City/Do") may, by ordinance of the relevant City/Do, formulate separate environmental standards that are more expanded and strengthened than the environmental standards prescribed in paragraph (1) (hereinafter referred to as "local environmental standards") or modify any existing environmental standards for such purposes, if deemed necessary in view of the unique environmental characteristics of the relevant area. *<Amended on Jan. 5, 2021>*
- (4) If the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, a Do Governor, or a Special Self-Governing Province Governor (hereinafter referred to as a "Mayor/Do Governor") formulates or modifies any local environmental standards prescribed in paragraph (3), he or she shall, without delay, notify the Minister of Environment thereof. *<Amended on Jan. 5, 2021>*

Article 12-2 (Publication of Environmental Standards)

- (1) The Minister of Environment shall publish the environmental standards formulated under Article 12 and grounds for the formulation thereof.
- (2) The standards and methods for publication prescribed in paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment.

Article 12-3 (Evaluation of Environmental Standards)

- (1) The Minister of Environment shall evaluate environmental standards prescribed in Article 12 on a five-year basis to maintain the adequacy of the environmental standards.
- (2) Upon the evaluation of environmental standards prescribed in paragraph (1), the Minister of Environment shall report, without delay, the results without delay to the competent standing committee of the National Assembly.
- (3) The State and local governments shall reflect the evaluation result prescribed in paragraph (1) in formulating or modifying the environmental standards prescribed in Article 12 (1) and (3).
- (4) Other matters necessary for evaluating environmental standards shall be prescribed by Presidential Decree.

Article 13 (Maintenance of Environmental Standards)

If the State or a local government enacts or amends any statute or regulation related to the environment, establishes any administrative plan, or executes any project, he or she shall ensure that the environmental standards under Article 12 are appropriately maintained, in consideration of the following:

1. Prevention of the environmental deterioration and elimination of the factors thereof;
2. Restoration to the original state of any area the environment of which is polluted;
3. Prevention of environmental pollution and environmental damage following the use of any new scientific technology;
4. Proper distribution of financial resources for the prevention of environmental pollution.

SECTION 2 Fundamental Policies

Article 14 (Development of Comprehensive National Environmental Plan)

(1) The Minister of Environment shall develop a comprehensive plan to preserve the environment at the national level (hereinafter referred to as “comprehensive national environmental plan”), every 20 years, after consultation with the heads of relevant central administrative agencies. *<Amended on Dec. 1, 2015>*

(2) If the Minister of Environment intends to develop or modify a comprehensive national environmental plan, he or she shall prepare a draft therefor and finalize it subject to deliberation by the State Council after hearing opinions from citizens, related experts, etc. through a public hearing, etc.

(3) If it is intended to modify any minor matter prescribed by Presidential Decree with respect to a comprehensive national environmental plan, the procedure under paragraph (2) may be omitted.

Article 15 (Details of Comprehensive National Environmental Plans)

A comprehensive national environmental plan shall include the following: *<Amended on Dec. 27, 2016; Jan. 15, 2019; Jan. 5, 2021>*

1. Matters concerning the given conditions for environmental changes, such as population, industry, economy, and utilization of land and sea;
2. Prediction of the sources of environment pollution, environmental pollution level and pollutant discharge quantity, and prospects of changes in environmental quality due to environmental pollution and environmental damage;
3. Current status of and prospects for the environment;
4. Goal-setting for realizing environmental justice, and measures to achieve the goals;
5. Setting the targets of environmental conservation and the phased measures and project programs on the following matters to attain such targets:
 - (a) Matters concerning the conservation of natural environment, such as biodiversity, ecosystem, ecological axis (referring to an ecological habitation space that links ecologically important areas or areas that need upkeep of ecological functions for the enhancement of biodiversity and continuity of

- ecosystem functions) and scenery;
- (b) Matters concerning the conservation of the soil environment and groundwater quality;
 - (c) Matters concerning the conservation of the marine environment;
 - (d) Matters concerning the conservation of the national land environment;
 - (e) Matters concerning the conservation of the air environment;
 - (f) Matters concerning the conservation of the water environment;
 - (g) Matters concerning the efficient use and management of water resources;
 - (h) Matters concerning the wider availability of waterworks and sewerage systems;
 - (i) Matters concerning wastes control and recycling;
 - (j) Matters concerning chemical substances control;
 - (k) Matters concerning the control of radioactive contaminants;
 - (l) Matters concerning climate changes;
 - (m) Other matters concerning the management of the environment;
6. Computation of expenses incurred in executing projects, and methods for securing financial resources therefor;
7. Appraisal of the preceding comprehensive plan;
8. Other matters incidental to those listed in subparagraphs 1 through 6.

Article 16 (Implementation of Comprehensive National Environmental Plan)

- (1) The Minister of Environment shall, without delay, notify the heads of relevant central administrative agencies of a comprehensive national environmental plan developed or modified under Article 14.
- (2) The heads of relevant central administrative agencies shall take measures necessary to implement a comprehensive national environmental plan.

Article 16-2 (Adjustment of Comprehensive National Environmental Plan)

- (1) The Minister of Environment shall re-examine the appropriateness of the comprehensive national environmental plan every five years, taking into consideration matters such as changes in environmental and social conditions, and shall adjust it if necessary. *<Amended on Jan. 5, 2021>*
- (2) If the Minister of Environment intends to adjust the comprehensive national environmental plan under paragraph (1), he or she shall prepare a draft thereof and finalize it subject to consultation with the heads of relevant central administrative agencies after gathering consensus from citizens, related experts, etc. through a public hearing, etc. *<Newly Inserted on Jan. 5, 2021>*
- (3) The Minister of Environment shall notify the head of a relevant central administrative agency, a Mayor/Do Governor, or the head of a Si/Gun/Gu (referring to the head of an autonomous Gu; hereinafter the same shall apply) of the comprehensive national environmental plan adjusted under paragraphs (1) and (2). *<Newly Inserted on Jan. 5, 2021>*

Article 17 Deleted. <Jan. 5, 2021>

Article 18 (Formulation of City/Do Environmental Plans)

(1) A Mayor/Do Governor shall formulate and implement an environmental plan for the relevant City/Do (hereinafter referred to as “City/Do environmental plan”) according to the comprehensive national environmental plan (including the comprehensive national environmental plan adjusted under Article 16-2 (1); hereafter in Articles 19 through 21 the same shall apply), taking into consideration the regional characteristics of his or her jurisdiction. <Amended on Jan. 5, 2021>

(2) If a Mayor/Do Governor intends to formulate or modify a City/Do environmental plan, he or she shall prepare a draft thereof and gather consensus from residents, related experts, etc. through a public hearing, etc.: Provided, That this shall not apply to any modification of minor matters prescribed by Presidential Decree. <Amended on Jan. 5, 2021>

(3) Deleted. <Jan. 5, 2021>

(4) If necessary for the environmental management by affected zone provided in Article 39, the Minister of Environment may request the relevant Mayor/Do Governor to modify his or her City/Do environmental plan.

(5) A Mayor/Do Governor shall manage spatial environmental information on the environmental status by field, such as water, air, and natural ecology, as prescribed by Presidential Decree so that he or she can utilize such information when formulating or formulating or modifying a City/Do environmental plan. <Newly Inserted on Jan. 5, 2021>

(6) Matters necessary for the criteria for formulating a City/Do environmental plan and the methods for preparation thereof, etc. shall be prescribed by Ordinance of the Ministry of Environment. <Newly Inserted on Jan. 5, 2021>

Article 18-2 (Approval of City/Do Environmental Plans)

(1) If a Mayor/Do Governor intends to formulate or modify a City/Do environmental plan under Article 18, he or she shall obtain approval from the Minister of Environment: Provided, That this shall not apply to any modification of minor matters prescribed by Presidential Decree.

(2) If the Minister of Environment intends to approve a City/Do environmental plan under paragraph (1), he or she shall have a prior consultation with the head of a relevant central administrative agency.

(3) Upon obtaining approval under paragraph (1), a Mayor/Do Governor shall publicly announce the major content thereof without delay and notify the head of a Si/Gun/Gu of the same.

Article 19 (Formulation of Si/Gun/Gu Environmental Plans)

(1) The head of a Si/Gun/Gu shall formulate and implement an environmental plan for the relevant Si/Gun/Gu (hereinafter referred to as “Si/Gun/Gu environmental plan”) according to the comprehensive

national environmental plan and City/Do environmental plan, taking into consideration the regional characteristics of his or her jurisdiction. *<Amended on Jan. 5, 2021>*

(2) Deleted. *<Jan. 5, 2021>*

(3) If it is necessary for the environmental management by affected zone under Article 39, the head of a local environmental agency or a Mayor/Do Governor may request the head of the relevant Si/Gun/Gu to modify his or her Si/Gun/Gu environmental plan.

(4) If the head of a Si/Gun/Gu intends to formulate or modify a Si/Gun/Gu environmental plan, he or she shall prepare a draft thereof and gather consensus from residents, related experts, etc. through a public hearing, etc.: Provided, That this shall not apply to any modification of minor matters prescribed by Presidential Decree. *<Newly Inserted on Jan. 5, 2021>*

(5) The head of a Si/Gun shall manage spatial environmental information on the environmental status by field, such as water, air, natural ecology, etc., as prescribed by Presidential Decree, so that he or she can utilize the environmental plan when formulating or modifying an environmental plan of the relevant Si/Gun. *<Newly Inserted on Jan. 5, 2021>*

(6) Matters necessary for the criteria for formulating a Si/Gun/Gu environmental plan and the methods for preparation thereof, etc. shall be prescribed by Ordinance of the Ministry of Environment. *<Newly Inserted on Jan. 5, 2021>*

Article 19-2 (Approval of Si/Gun/Gu Environmental Plans)

(1) Where the head of a Si/Gun/Gu intends to formulate or modify a Si/Gun/Gu environmental plan pursuant to Article 19, he or she shall obtain approval from the Mayor/Do Governor: Provided, That this shall not apply to any modification of minor matters prescribed by Presidential Decree.

(2) Where a Mayor/Do Governor intends to approve a Si/Gun/Gu environmental plan pursuant to paragraph (1), he or she shall have a prior consultation with the head of the relevant local environmental agency.

(3) Upon obtaining approval under paragraph (1), the head of a Si/Gun/Gu shall publicly announce the main content thereof without delay.

Article 20 (Disclosure of Comprehensive National Environmental Plan)

The Minister of Environment, a Mayor/Do Governor, and the head of a Si/Gun/Gu shall disclose through his or her agency's website, etc. a comprehensive national environmental plan formulated or modified under Article 14 or 16-2, a City/Do environmental plan formulated or modified under Article 18 or 18-2, and a Si/Gun/Gu environmental plan formulated or modified under Article 19 or 19-2. *<Amended on Jan. 5, 2021>*

Article 21 (Environmental Consideration for Development Plans and Projects)

(1) Where the State or the head of a local government develops a plan for the utilization or development of land, it or he or she shall take into consideration the relevant comprehensive national environmental plan, City/Do environmental plan and Si/Gun/Gu environmental plan (hereinafter referred to as “comprehensive national environmental plan, etc.”) and the environmental capacity of the relevant area.

(2) Where the head of a relevant central administrative agency, a Mayor/Do Governor, or the head of a Si/Gun/Gu grants permission, etc. for any project involving the utilization or development of land, he or she shall take into consideration the relevant comprehensive national environmental plan, etc.

Article 22 (Survey and Evaluation of Environmental Conditions)

(1) The State and local governments shall survey and evaluate the following on a regular basis: *<Amended on Jan. 15, 2019>*

1. Current status of the natural environment and living environment;
2. Actual status of environmental pollution and environmental damage;
3. Sources of environmental pollution and the main causes of environmental damage;
4. Changes in the quality of the environment, such as climate changes;
5. Other matters needed to develop and implement a comprehensive national environmental plan, etc.

(2) The State and local governments shall maintain a system for research, monitoring, measurement, testing, and analysis to properly conduct the survey and evaluation referred to in paragraph (1).

(3) Matters necessary for the survey and evaluation referred to in paragraph (1) and the system of conducting research, monitoring, measurement, testing, and analysis referred to in paragraph (2) shall be prescribed by Presidential Decree.

Article 23 (Development and Dissemination of Environment-Friendly Planning Techniques)

(1) The Government may develop and disseminate environment-friendly planning techniques and standards for the utilization and development of land (hereinafter referred to as “environment-friendly planning techniques, etc.”) to ensure that administrative plans and development projects affecting the environment are designed, developed and implemented in an environmentally sound and sustainable manner.

(2) The Minister of Environment may develop and disseminate an environmental assessment map that indicates the current environmental state by grade after assessing the environmental value of the national land with the aim of efficiently preserving the environment of the national land and making use of the national land in an environment-friendly manner.

(3) The methods of developing environment-friendly planning techniques, etc. and environmental assessment maps, the details thereof, and other necessary matters shall be prescribed by Presidential Decree.

Article 24 (Propagation of Environmental Information)

- (1) The Minister of Environment shall endeavor to propagate knowledge and information on environmental conservation to all citizens and to make information on the environment easily accessible to citizens.
- (2) The Minister of Environment may set up and operate an environmental information network to produce and propagate smoothly the knowledge and information on environmental conservation referred to in paragraph (1).
- (3) The Minister of Environment may request the head of a relevant administrative agency to submit materials necessary to set up and operate an environmental information network. In such cases, the head of the relevant administrative agency shall comply with the request unless there is a compelling reason not to do so.
- (4) If it is necessary to efficiently set up and operate an environmental information network under paragraph (2), the Minister of Environment may commission a specialized institution to survey the current state of the environment or entrust a specialized institution with the setup and operation of an environmental information network.
- (5) The setup and operation of an environmental information network under paragraph (2), the commission of the survey on the current state of the environment and the entrustment of the setup and operation of an environmental information network under paragraph (4), and other necessary matters shall be prescribed by Presidential Decree.

Article 25 (Education on Environmental Conservation)

The State and local governments shall develop and execute policies necessary to deepen citizens' understanding of environmental conservation through education, publicity, etc. on environmental conservation and to inspire citizens to voluntarily participate in environmental conservation efforts and put them into practice in their daily lives.

Article 26 (Encouragement of Environmental Conservation Activities by Civil Environmental Organizations)

- (1) The State and local governments shall devise necessary policies, such as the provision of information, to encourage voluntary environmental conservation activities carried out by civil environmental organizations, etc.
- (2) Where a civil environmental organization, etc. carries out activities designed to preserve the environment such as the purchase and control of any area the scenery and ecosystem of which are highly valued, the State and the relevant local government may provide such civil environmental organization, etc. with necessary administrative assistance.

Article 27 (International Cooperation and Conservation of Global Environment)

The State and local governments shall actively participate in international efforts to preserve the global environment from any climate change, destruction of ozone layer, marine pollution, desertification, decrease of biological resources, etc. and to prevent damage due to long-range transport of air pollutants, such as fine dust and ultrafine dust, as follows: <Amended on Nov. 26, 2019>

1. Mutual cooperation concerning the monitoring, observation and protection of the global environment;
2. Cooperation with foreign countries or international organizations to reduce damage from environmental pollution, such as air pollution;
3. Exchange of environmental information and technology, and fostering of specialized human resources;
4. Other matters necessary for preserving the global environment.

Article 27-2 (Designation of International Environmental Cooperation Centers)

(1) The Minister of Environment may designate as an international environmental cooperation center an institution, a corporation or an organization with specialized human resources and facilities necessary for systematically promoting international cooperation prescribed in Article 27.

(2) An international environmental cooperation center prescribed in paragraph (1) (hereafter in this Article referred to as “international environmental cooperation center”) shall perform the following activities:

1. Research and studies on policies and the development of cooperation projects for international environmental cooperation;
2. Collection, analysis and dissemination of information on international environmental conventions and international environmental regulation;
3. Exchange of environmental information and technology and holding of exhibitions and academic conferences for international environmental cooperation;
4. Assistance in concluding memorandums of understanding with foreign governments and international organizations for international environmental cooperation;
5. Fostering of specialized human resources and international exchange for international environmental cooperation;
6. Assistance in building and operating an international environmental cooperation information system;
7. Other activities necessary for promoting international environmental cooperation.

(3) The Minister of Environment may, within the budgetary limits, reimburse all or some of expenses incurred by international environmental cooperation centers in performing their activities.

(4) The Minister of Environment may revoke the designation of an international environmental cooperation center or suspend its business in whole or in part for a fixed period of up to six months if it falls under any of the following subparagraphs: Provided, That when it falls under subparagraph 1, the designation thereof shall be revoked:

1. Where the trading agency has obtained the designation by fraud or other improper means;
 2. Where the support organization has performed any affairs in violation of any matter designated thereto;
 3. Where the institution no longer complies with the standards for designation of specialized manpower fostering institutions under paragraph (5);
 4. Where any event occurs similar to those under subparagraphs 1 through 3 and specified by Presidential Decree.
- (5) Matters necessary for standards, periods, procedures for designation and revocation of designation of international environmental cooperation centers, and for the operation thereof, shall be prescribed by Presidential Decree.

Article 27-3 (Inter-Korean Exchange and Cooperation in Environmental Sector)

The Government shall endeavor to reactivate exchanges and cooperation in the environmental sector, such as fact-finding surveys and joint research on the environment and ecology between South and North Korea.

Article 28 (Promotion of Environmental Science and Technology)

The State and local governments shall devise policies necessary for promoting environmental science and technology, such as experiments, research, studies, technology development, and fostering of specialized human resources for environmental conservation.

Article 29 (Installation and Management of Environmental Conservation Facilities)

The State and local governments shall take measures necessary for installing and managing public facilities for environmental conservation, such as the green zones to reduce environmental pollution, the facilities for treating waste water, sewage and wastes, the facilities for preventing noise, vibration and malodor, the facilities for protecting and restoring wild animals and plants and ecosystems, and the facilities for purifying polluted soil and groundwater.

Article 30 (Regulation for Environmental Conservation)

- (1) The Government shall keep necessary regulation, for the purpose of environmental conservation, over the discharge of substances causing the pollution of air, water, soil or sea, the generation of noise, vibration or malodor, the treatment of wastes, the obstruction of sunshine, and damage to the natural environment.
- (2) With respect to a place of business that holds in two or more fields of operations facilities which discharge substances causing environmental pollution, the Minister of Environment or the head of the relevant local government may coordinate the visitation and inspections of those facilities in conducting them pursuant to related statutes.

(3) If the Minister of Environment or the head of a local government has made an administrative disposition against a business entity for a violation of any statute or regulation governing environmental conservation, he or she may disclose such fact: Provided, That this shall not apply where it is deemed that the disclosure of such fact is likely to infringe remarkably on the business entity's legitimate interests because it contains the business entity's trade secrets. *<Amended on May 26, 2020>*

(4) Matters necessary for the content of and methods for disclosure, etc. under paragraph (3) shall be prescribed by Presidential Decree. *<Newly Inserted on Jan. 5, 2021>*

Article 31 (Prior Notification of Permissible Emission Levels)

If the State sets or alters any permissible emission levels with respect to environmental pollution in accordance with the relevant statutes or regulations, it shall notify such levels in advance through relevant agencies' websites, etc.

Article 32 (Economic Incentives)

The Government shall devise incentives necessary for promoting the efficient utilization of resources and for inducing those who have given rise to environmental pollution to voluntarily reduce the discharge of pollutants.

Article 33 (Control of Chemical Substances)

The Government shall devise policies to properly control chemical substances in order to prevent chemicals from causing any environmental pollution and damage to health. *<Amended on Jan. 15, 2019>*

Article 34 (Prevention of Environmental Pollution by Radioactive Substances)

(1) The Government shall take appropriate measures with regard to environmental pollution by radioactive substances, the prevention of such pollution, etc.

(2) The measures under paragraph (1) shall be governed by the Nuclear Safety Act and other relevant Acts.

Article 35 (Evaluation of Harmful Impacts of Science and Technology)

Where it is deemed necessary to prevent any harmful impact arising from the development of science and technology on the ecosystem and human health, the Government shall take appropriate measures to analyze such harmful impact and evaluate its danger.

Article 36 (Countermeasures against Environment-Caused Diseases)

The State and local governments shall find out how environmental pollution causes damage to citizens' health and prepare countermeasures to address diseases caused by environmental pollution.

Article 37 (Promotion of Environment-Friendliness in State Policies)

- (1) The State and local governments shall formulate policies necessary to build an environment-friendly traffic system to minimize environmental pollution or environmental damage in the traffic sector.
- (2) The State and local governments shall formulate policies necessary to use energy rationally and efficiently and to develop and disseminate environment-friendly energy so as to minimize environmental pollution or environmental damage arising from energy use.
- (3) The State and local governments shall formulate policies necessary to develop environment-friendly agriculture, forestry and fisheries to minimize environmental pollution or environmental damage in the agricultural, forestry and fishery sectors.

Article 38 (Establishment of Special Comprehensive Measures)

- (1) The Minister of Environment may designate as a special measures area for environmental conservation an area where any environmental pollution, environmental damage or change in the natural ecosystem is remarkable or likely to become remarkable and an area where the environmental standards are often exceeded and publicly notify the designation, in consultation with the head of the relevant central administrative agency and the competent Mayor/Do Governor, and devise special comprehensive measures for environmental conservation in the relevant area to have the competent Mayor/Do Governor implement them.
- (2) The Minister of Environment may restrict the utilization of land and the installation of facilities in a special measures area, as prescribed by Presidential Decree, if it is particularly required for environmental improvement in the special measures area under paragraph (1).

Article 39 (Environmental Management by Affected Zone)

- (1) In order to grasp the situation of environmental pollution and to devise preventive measures thereagainst, the Minister of Environment shall manage the air pollution by affected zone, the water pollution by water-system zone, and the pollution of the ecosystem by affected zone.
- (2) The head of a local government may manage the environment by affected zone according to circumstances of his or her jurisdictional area to effectively manage the air pollution, water pollution, or ecosystem of his or her jurisdictional area.

SECTION 3 Conservation of Natural Environment and Environmental Impact Assessment

Article 40 (Conservation of Natural Environment)

The State and citizens shall endeavor to maintain and preserve the order and balance of nature, in view of the fact that the conservation of the natural environment is fundamental for human survival and living.

Article 41 (Environmental Impact Assessment)

(1) The State shall conduct strategic environmental impact assessment, environmental impact assessment, and small-scale environmental impact assessment in order to enable any plan and development project that have impacts on the environment to be developed and implemented in an environmentally sustainable manner with the eventual aim of maintaining the appropriateness of the environmental standards and preserving the natural environment.

(2) Matters regarding the targets, procedures, methods, etc. for the strategic environmental impact assessment, environmental impact assessment and small-scale environmental impact assessment under paragraph (1) shall be prescribed by other Acts.

SECTION 4 Mediation of Disputes and Relief of Damage

Article 42 (Mediation of Disputes)

In preparation for any disputes caused by environmental pollution or environmental damage or other environment-related disputes, the State and local governments shall devise policies necessary to settle such disputes in a rapid and fair manner.

Article 43 (Relief of Damage)

The State and local governments shall devise policies necessary to smoothly relieve any sufferings caused by environmental pollution or environmental damage.

Article 44 (Absolute Liability for Sufferings by Environmental Pollution)

(1) If any suffering is caused by environmental pollution or environmental damage, the person who has caused the environmental pollution or environmental damage shall compensate for the suffering.

(2) If the persons who have caused environmental pollution or environmental damage are two or more, they shall compensate for the suffering under paragraph (1) jointly where it is impossible to find out which person has caused the suffering.

SECTION 5 Establishment of Special Account for Environmental Improvement

Article 45 (Establishment of Special Account for Environmental Improvement)

(1) The Government shall establish a special account for environmental improvement (hereinafter referred to as the “account”) in order to increase investments in environmental improvement projects and to efficiently manage and operate such projects.

(2) The account shall be managed and operated by the Minister of Environment.

Article 46 (Revenues of Account)

The revenues of the account shall be as follows: <Amended on Jul. 28, 2011; Feb. 1, 2012; Apr. 5, 2013; Jul. 16, 2013; Jul. 30, 2013; Jul. 20, 2015; Dec. 22, 2015; Jan. 27, 2016; May 29, 2016; Jan. 17, 2017; Apr. 2, 2019>

1. Revenues from loans prescribed in the Introduction and Management of Public Loans Act;
2. Penalties for excess total pollutant load, additional charges, and penalty surcharges prescribed in Articles 8-5 and 8-6 of the Act on the Improvement of Water Quality and Support for Residents of the Han River Basin; penalties for excess total pollutant load, additional charges, and penalty surcharges prescribed in Articles 13 and 14 of the Act on Water Management and Resident Support in the Nakdong River Basin; penalties for excess total pollutant load, additional charges, and penalty surcharges prescribed in Articles 13 and 14 of the Act on Water Management and Resident Support in the Geum River Basin; and penalties for excess total pollutant load, additional charges, and penalty surcharges prescribed in Articles 13 and 14 of the Act on Water Management and Resident Support in the Yeongsan and Seomjin River Basins;
3. Emission dues and additional charges prescribed in Article 35 of the Clean Air Conservation Act, and penalty surcharges for release in excess of the total volume and additional charges prescribed in Article 22 of the Special Act on the Improvement of Air Quality in Air Control Zones;
- 3-2. Inspection fees for verification of defects prescribed in Article 51 of the Clean Air Conservation Act and fees prescribed in subparagraph 2 of Article 86 of that Act;
- 3-3. Deleted; <Dec. 29, 2020>
4. Charges for water quality improvement and additional charges prescribed in Article 31 of the Drinking Water Management Act;
5. Fees prescribed in Article 31 of the Noise and Vibration Control Act and expenses incurred in conducting inspections prescribed in Article 33 of that Act;
6. Effluent charges and additional charges prescribed in Article 41 of the Water Environment Conservation Act;
7. Charges for the public wastewater treatment facilities prescribed in Article 48-2 (1) and the latter part of Article 49-6 (1) of the Water Environment Conservation Act (limited to cases where the executor is the State) and additional charges;
- 7-2. Effluent charges and additional charges prescribed in Article 15 of the Act on the Integrated Control of Pollutant-Discharging Facilities and penalty surcharges prescribed in Article 23 of that Act;
- 7-3. Fees for the use of public wastewater treatment facilities prescribed in Article 48-3 (1) and the latter part of Article 49-6 (1) of the Water Environment Conservation Act (limited to cases where the operator is the State, and excluding cases of entrusting installation or operation to any of the persons falling under any subparagraph of Article 48 (1) of the Water Environment Conservation Act) and additional surcharges;

8. Fees for the use of hunting grounds prescribed in Article 50 of the Wildlife Protection and Management Act;
9. Cooperation charges on the conservation of ecosystem prescribed in Article 46 of the Natural Environment Conservation Act and additional charges prescribed in Article 48 of that Act;
- 9-2. Waste disposal charges and additional charges prescribed in Article 21 of the Framework Act on Resources Circulation;
10. Waste charges and additional charges prescribed in Article 12 of the Act on the Promotion of Saving and Recycling of Resources; recycling dues and additional charges prescribed in Article 19 of that Act; and the principal and interest on loans provided as a part of assistance prescribed in Article 20 of that Act;
11. Recycling charges for electrical and electronic equipment prescribed in Article 18, collection charges for electrical and electronic equipment prescribed in Article 18-2, and additional charges prescribed in Article 18-3, of the Act on Resource Circulation of Electrical and Electronic Equipment and Vehicles;
12. Guarantee for the performance of follow-up management prescribed in Article 51 of the Wastes Control Act and advance reserves prescribed in Article 52 of that Act;
13. Fees prescribed in Article 23 of the Act on the Transboundary Movement of Hazardous Wastes and Their Disposal;
14. Environmental improvement charges and additional charges prescribed in Articles 9 and 20 of the Environment Improvement Cost Liability Act;
15. Principal and interest on loans prescribed in Article 11 of the Environment Improvement Cost Liability Act;
16. Penalty surcharges prescribed in Article 12 of the Act on Control and Aggravated Punishment of Environmental Offenses;
17. Principal and interest on loans prescribed in Article 47 (1) 14;
18. Transfers from general accounts under Article 48;
19. Borrowings prescribed in Article 49 (1) and (2);
20. Surplus of the account at closing prescribed in Article 51;
21. Transfers and deposits from other special accounts or other funds;
22. Proceeds transferred to the account prescribed in other Acts;
23. Proceeds from the sale or management of property belonging to the account;
24. Other proceeds accruing from the management and operation of environmental improvement projects.

Article 47 (Expenditures from Account)

- (1) Expenditures from the account shall be as follows: Provided, That financial resources consisting of the charges for water quality improvement and additional charges under subparagraph 4 of Article 46 shall be

used only for the purpose of subparagraph 3; financial resources consisting of the charges for the installation of public wastewater treatment facilities and additional charges under subparagraph 7 of that Article and fees for the use of public wastewater treatment facilities and additional charges under subparagraph 7-3 of that Article, only for the purpose of subparagraph 4; financial resources consisting of the cooperation charges on the conservation of ecosystem and additional charges under subparagraph 9 of that Article, only for the purpose of subparagraph 6; financial resources consisting of the waste disposal charges and additional charges under subparagraph 9-2 of that Article, only for the purpose of subparagraph 6-2; financial resources consisting of the waste charges, recycling dues, and additional charges under subparagraph 10 of that Article, only for the purpose of subparagraph 7; financial resources consisting of the recycling charges and additional charges under subparagraph 11 of that Article, only for the purpose of subparagraph 8; financial resources consisting of the guarantee for the performance of follow-up management and advance reserves under subparagraph 12 of that Article, only for the purpose of subparagraph 9; and financial resources consisting of the environmental improvement charges and additional charges under subparagraph 14 of that Article, only for the purpose of subparagraph 12, respectively: <Amended on Jul. 28, 2011; Apr. 5, 2013; Jul. 30, 2013; Jan. 27, 2016; May 29, 2016; Jan. 17, 2017>

1. Projects to improve the national environment;
2. Support for the environmental improvement projects by local governments;
- 2-2. Deleted; <Dec. 29, 2020>
3. The purposes under Articles 31 (7) and 33 of the Drinking Water Management Act;
4. Expenditure to cover expenses needed for the installation or operation of public wastewater treatment facilities by the State under Article 48 (1) of the Water Quality and Aquatic Ecosystem Conservation Act;
5. The use under each subparagraph of Article 58 of the Wildlife Protection and Management Act;
6. The use under Article 49 of the Natural Environment Conservation Act;
- 6-2. The use under Article 22 of the Framework Act on Resources Circulation;
7. The usage under Article 20 of the Act on the Promotion of Saving and Recycling of Resources;
8. The use under Article 19 of the Act on Resource Circulation of Electrical and Electronic Equipment and Vehicles;
9. The purposes of use under Article 53 of the Wastes Control Act;
10. The reimbursement of expenses incurred, by the State, in performing its responsibilities under Article 4 of the Act on the Transboundary Movement of Hazardous Wastes and Their Disposal and in conducting the vicarious execution under Article 21 of that Act;
11. Contributions to reimburse the project expenses and operational expenses incurred by the Korea Environment Corporation established under the Korea Environment Corporation Act (hereinafter referred to as the “Korea Environment Corporation”);
12. The use under Article 11 of the Environmental Improvement Cost Liability Act;

13. The payment of monetary rewards under Article 15 of the Act on Control and Aggravated Punishment of Environmental Offenses;
14. Redemption of the principal and interest on loans, borrowings, and deposits under subparagraphs 1, 19, and 21 of Article 46;
15. Provision of loans needed by local governments for the installation of environmental infrastructure or needed in the private sector for the installation of environmental pollution prevention facilities or for the installation of and technology development for low-polluting product manufacturing facilities;
16. Support for the private sector regarding environmental policy research, technology development, publicity activities, investigations and research, and environment research institutes;
17. Reimbursement of expenses for collection of the account revenue;
18. Other costs incurred in operating the accounts.

(2) Matters regarding the eligible persons, and conditions of and procedures for loans provided pursuant to paragraph (1) 7, 12, and 15 shall be determined and publicly notified by the Minister of Environment. In such cases, the interest rates and terms for loans shall be determined by the Minister of Environment in consultation with the Minister of Economy and Finance.

(3) Performance of affairs concerning the loans under paragraph (1) 7, 12 and 15 may be entrusted to the Korea Environment Corporation or the Korea Environmental Industry and Technology Institute established under the Korea Environmental Industry and Technology Institute Act. *<Amended on Apr. 5, 2013; Jul. 16, 2013; Dec. 1, 2015>*

Article 48 (Transfers from General Accounts)

Transfers may be made from the general account to the account, as provided in the budget, so that the account can secure financial resources available for its expenditure.

Article 49 (Loans)

- (1) If the account is in need of financial resources available for its expenditure, long-term borrowings may be made for the account within the limits of the amount of money determined by a resolution of the National Assembly.
- (2) If the account is temporarily in need of its working funds, temporary borrowings may be made for the account.
- (3) The principal of the temporary loans under paragraph (2) and interest thereon shall be paid off within the pertinent fiscal year.

Article 50 (Carry-forward of Expenditure Budget)

The expenditure budget of the account not spent during the fiscal year for which such budget is earmarked may be carried forward to the next fiscal year, notwithstanding Article 48 of the National Finance Act.

Article 51 (Disposal of Surplus)

Any surplus remaining after the closing of accounts shall be appropriated as the revenues of the following year.

Article 52 (Reserve Funds)

The account may include a considerable sum of money in its expenditure budget as a reserve fund to cover any unexpected expenditures not included in the appropriated budget or any expenditures exceeding the appropriated budget.

Article 53 (Direct Use of Excess Revenues)

(1) If there are any emission dues, discharge imposition amounts, penalty surcharges for release in excess of the total volume and additional charges under subparagraphs 3 and 6 of Article 46, any charges for water quality improvement and additional charges under subparagraph 4 of that Article, any charges for the installation of public wastewater treatment facilities and additional charges under subparagraph 7 of that Article, fees for the use of public wastewater treatment facilities and additional charges under subparagraph 7-3 of that Article, and any environmental improvement charges and additional charges under subparagraph 14 of that Article that exceed or are expected to exceed the revenue budget of the account (hereinafter referred to as “excess revenues”), the Minister of Environment may directly use such excess revenues to reimburse expenses for collection of the emission dues and discharge imposition amounts exceeding the expenditure budget of the account, charges for water quality improvement and additional charges under Article 31 (7) of the Drinking Water Management Act, expenses for collection of charges for water quality improvement, expenses for the installation or operation of public wastewater treatment facilities, and expenses for collection of environmental improvement charges, respectively.

<Amended on Jul. 20, 2015; Jan. 27, 2016>

(2) If the Minister of Environment intends to use any excess revenues under paragraph (1), he or she shall obtain approval in advance from the Minister of Strategy and Finance.

(3) If the Minister of Environment intends to obtain approval under paragraph (2), he or she shall prepare a specification stating the reasons therefor and necessary amounts of money and submit it to the Minister of Economy and Finance.

(4) If the Minister of Economy and Finance approves the use of excess revenues under paragraph (2), he or she shall notify the Minister of Environment and the Board of Audit and Inspection of such fact.

CHAPTER III LEGISLATIVE AND FINANCIAL MEASURES

Article 54 (Legislative Measures)

The State and local governments shall take legislative and financial measures and other administrative measures necessary for implementing the policies for environmental conservation.

Article 55 (Financial Support to Local Governments)

- (1) The State may reimburse from the national treasury all or some of the expenses required for environmental conservation projects of local governments.
- (2) In order to enhance the capability of local governments to manage the environment and to promote environment-friendly local administration, the Minister of Environment may designate a local government as a model for environmental management and take measures necessary for supporting it.

Article 56 (Support for Business Entities' Environmental Management)

- (1) The State and local governments may take any tax measures and grant other financial supports necessary for supporting the installation and operation of facilities for the environmental conservation conducted by business entities.
- (2) The State and local governments may grant administrative and financial supports necessary for the settlement and expansion of systems for voluntary environmental management under which business entities endeavor toward the voluntary management of the environment.

Article 57 (Financial Support for Research, Studies and Technology Development)

The State and local governments may grant financial supports necessary for scientific research and studies and technology development related to environmental conservation.

CHAPTER IV ENVIRONMENTAL POLICY COMMITTEE

Article 58 (Environmental Policy Committee)

(1) The Minister of Environment may establish a Central Environmental Policy Committee that deliberates and gives advice on the following matters: *<Amended on Dec. 22, 2015; Jan. 27, 2016; Jan. 5, 2021; Jun. 15, 2021>*

1. Matters concerning the formulation and modification of a comprehensive national environmental plan under Article 14;
- 1-2. Matters concerning the adjustment of a comprehensive national environmental plan under Article 16-2;
2. Matters concerning environmental standards, permissible emission levels for pollutants, water quality standards for discharged water, etc.;
3. Matters concerning the designation of a special measures area and the establishment of special comprehensive measures prescribed in Article 38;

4. Matters concerning basic plans for the management of livestock excreta prescribed in Article 5 of the Act on the Management and Use of Livestock Excreta and other basic policies for the disposal and recycling of livestock excreta;
 5. Matters concerning basic plans for encouraging the purchase of green products prescribed in Article 4 of the Act on the Promotion of Purchase of Green Products and other basic policies to encourage the purchase of green products;
 6. Matters concerning master plans for the control of persistent pollutants prescribed in Article 5 of the Persistent Pollutants Control Act and other basic policies to control persistent pollutants;
 7. Matters concerning master plans for the development of environmental examination and inspection prescribed in Article 3 of the Environmental Testing and Inspection Act and other basic policies regarding the fields of environmental examination, inspection and environmental technology;
 8. Matters concerning the formulation of the standards for the contents of hazardous substances, the improvement of materials and structure, mandatory recycling rates, etc. prescribed in Articles 9 (1), 10 (1) and (2), 12 (3), 16 (1) and 25 (1) of the Act on Resource Circulation of Electrical and Electronic Equipment and Vehicles;
 - 8-2. Matters concerning best available techniques prescribed in Article 24 (1) of the Act on the Integrated Control of Pollutant-Discharging Facilities and the standard for best available techniques prescribed in paragraph (2) of that Article;
 - 8-3. Matters concerning the master plans and development plans for green convergence clusters under Articles 6 and 9 of the Act on the Creation and Fostering of Green Convergence Clusters;
 9. Matters concerning the formulation and modification of any master plans and measures for environmental conservation by specific areas including environmental policy, natural environment, climate and air, water, water supply and sewerage, natural circulation and global environment, and other matters on which the chairperson of the Central Environmental Policy Committee or of any subcommittee thereof requests the Central Environmental Policy Committee to deliberate or advise.
- (2) In order to deliberate and advise on any regional environmental policy, a City/Do environmental policy committee shall be set up under the jurisdiction of a Mayor/Do Governor, and a Si/Gun/Gu environmental policy committee may be set up under the jurisdiction of the head of a Si/Gun/Gu.
- (3) The Central Environmental Policy Committee prescribed in paragraph (1) shall consist of up to 200 members, including the chairperson thereof and not more than 10 chairpersons of subcommittees in consideration of the gender. <Amended on Jan. 5, 2021>
- (4) The Central Environmental Policy Committee prescribed in paragraph (3) shall be co-chaired by the Minister of Environment and a person elected from among such Committee members who are commissioned by the Minister of Environment from the private sector, and the chairpersons of subcommittees shall be persons who are nominated by the Minister of Environment by specific areas of environmental management including environmental policy, natural environment, climate and air, water, water supply and sewerage, and resource circulation.

(5) Matters necessary for the constitution and operation of the Central Environmental Policy Committee prescribed in paragraph (1) shall be prescribed by Presidential Decree, and other matters necessary for the constitution, operation, etc. of City/Do environmental policy committees and Si/Gun/Gu environmental policy committees prescribed in paragraph (2) shall be prescribed by ordinances of the relevant Cities/Dos and Sis/Guns/Gus.

Article 59 (Korea Environmental Conservation Institute)

(1) For purposes of maintaining pleasant environments and contributing to the improvement of citizens' life by efficiently conducting any research, studies, technology development, education, publicity, ecosystem restoration, etc. regarding environmental conservation, the Korea Environmental Conservation Institute (hereinafter referred to as the "Institute") shall be established. *<Amended on Jun. 10, 2022>*

(2) The Institute shall be a corporation. *<Amended on Jun. 10, 2022>*

(3) The State and local governments may provide contributions or subsidies to cover expenses incurred in the operation and programs of the Institute within the budget. *<Amended on Jun. 10, 2022>*

(4) Funds necessary for the operation and programs of the Institute shall be appropriated from contributions and subsidies referred to in paragraph (3), revenues and fees relating to the programs referred to in the subparagraphs of paragraph (5), donations from persons other than the Government, loans, and other financial resources prescribed by the articles of incorporation. In such cases, matters necessary for the payment, management, and use of contributions or subsidies shall be prescribed by Presidential Decree. *<Amended on Jun. 10, 2022>*

(5) The Institute may, upon entrustment by the State, local governments, or other persons (hereinafter referred to as the "State, etc."), conduct the following programs: *<Amended on Jun. 10, 2022>*

1. Environmental education programs for environmental engineers and others and programs to strengthen and support environmental education of the State and local governments;
2. Water environment conservation programs, such as the management and utilization of purchased land, etc. by river system for the improvement of water quality and the restoration of waterside ecosystems, and the investigation of water quality and flow;
3. Programs to restore damaged natural environments and ecosystems;
4. Programs for measuring, investigating, inspecting, evaluating, and researching environmental pollution;
5. Programs for diagnosing, improving, or supporting facilities, etc. for the prevention of environmental pollution;
6. Public relations and domestic and international exchange, cooperation, and support programs regarding environmental conservation or climate change;
7. Programs that may be performed by the Institute under other statutes or regulations or those entrusted by the State, etc.;

8. Other programs prescribed by Presidential Decree to achieve the objectives of the establishment of the Institute or programs incidental to those referred to in subparagraphs 1 through 7 as prescribed by the articles of incorporation.
- (6) The Minister of Environment shall guide and supervise the operation, programs, etc. of the Institute and submit a business plan, budget, program performance, and the closing of accounts for each fiscal year to the Minister of Environment, as prescribed by Presidential Decree. *<Amended on Jun. 10, 2022>*
- (7) The president of the Institute shall be a full-time executive officer appointed by the Minister of Environment, who represents the Institute, have general supervision and control of its affairs and employees. *<Newly Inserted on Jun. 10, 2022>*
- (8) Matters regarding the appointment, dismissal, etc. of executive officers and employees, other than the president of the Institute, shall be prescribed by the articles of incorporation. *<Newly Inserted on Jun. 10, 2022>*
- (9) No person, other than the Institute under this Act, shall use the name "Korea Environmental Conservation Institute" or any similar name. *<Amended on Jun. 10, 2022>*
- (10) Except as provided in this Act, the provisions of the Civil Act governing incorporated foundations shall apply mutatis mutandis to the Institute.

CHAPTER V SUPPLEMENTARY PROVISIONS

Article 60 (Delegation and Entrustment of Authority)

- (1) The authority of the Minister of Environment provided in this Act may be delegated in part to Mayors/Do Governors or to the heads of regional environmental agencies, as prescribed by Presidential Decree.
- (2) The Minister of Environment may entrust the heads of relevant specialized institutions with some of his or her services provided in this Act, as prescribed by Presidential Decree.

Article 61 (Legal Fiction as Public Officials for Purposes of Applying Penalty Provisions)

A person who performs affairs entrusted pursuant to Article 60 (2) shall be deemed a public official for purposes of applying Articles 129 through 132 of the Criminal Act.

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

Article 1 (Enforcement Date)

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

Article 2 (Repeal of Other Acts)

The Act on Special Accounts for Environmental Improvement is hereby repealed.

Article 3 (General Transitional Measures)

Any designation, publication or other act done by or any act done in relation to an administrative agency under the previous provisions as at the time when this Act enters into force shall be deemed any designation, publication or other act done by or any act done in relation to an administrative agency under this Act.

Article 4 (Transitional Measures concerning Special Accounts for Environmental Improvement)

Any special account for environmental improvement established pursuant to the Act on Special Accounts for Environmental Improvement repealed by the enforcement of this Act shall be deemed any special account for environmental improvement under this Act.

Article 4-2 (Transitional Measures concerning Transfer from General Account to Special Account for Environmental Improvement)

Notwithstanding the amended provisions of Article 48, the traffic, energy and environment tax shall be transferred in accordance with the following until December 31, 2021: *<Amended on Jan. 1, 2013; Dec. 15, 2015; Dec. 31, 2018; Dec. 31, 2019>*

1. The Government shall transfer an amount corresponding to 250/1000 of the traffic, energy and environment tax prescribed in the Traffic, Energy and Environment Tax Act (hereinafter referred to as “amount transferred from the traffic, energy and environment tax”) every fiscal year from the general account to the special account for environmental improvement;
2. Any transfer may be made from the general account to the special account for environmental improvement, as provided in the budget excluding the amounts transferred from the traffic, energy and environment tax, so that the special account can secure financial resources available for its expenditure;
3. If there is any difference between the estimated amount and amount at closing with regard to amounts transferred from the traffic, energy and environment tax, such difference shall be adjusted by appropriating it in the budget for the next settlement year.

Article 5 Omitted.

Article 6 (Relationships with other Acts)

As at the time when this Act enters into force, references in other statutes to the provisions of the previous Framework Act on Environmental Policy or to the Act on Special Accounts for Environmental Improvement or the provisions thereof, if this Act includes any provisions corresponding thereto, shall be deemed references to this Act or the corresponding provisions thereof in lieu of the previous provisions.

ADDENDA *<Act No. 10911, Jul. 25, 2011>*

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Act No. 10977, Jul. 28, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 11 Omitted.

ADDENDA <Act No. 11256, Feb. 1, 2012>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDUM <Act No. 11268, Feb. 1, 2012>

This Act shall enter into force on July 22, 2012.

ADDENDA <Act No. 11603, Jan. 1, 2013>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2013.

Articles 2 and 3 Omitted.

ADDENDUM <Act No. 11751, Apr. 5, 2013>

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of subparagraph 3-3 of Article 46 and subparagraph 2-2 of Article 47 (1) shall enter into force on January 1, 2015.

ADDENDA <Act No. 11913, Jul. 16, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Act No. 11917, Jul. 16, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Act No. 11980, Jul. 30, 2013>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Act No. 13410, Jul. 20, 2015>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Act No. 13534, Dec. 1, 2015>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Act No. 13535, Dec. 1, 2015>

This Act shall enter into force on January 1, 2016.

ADDENDA <Act No. 13550, Dec. 15, 2015>

Article 1 (Enforcement Date)

This Act shall enter into force on Dec. 31, 2015.

Article 2 Omitted.

ADDENDA <Act No. 13603, Dec. 22, 2015>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2017.

Articles 2 through 5 Omitted.

ADDENDA <Act No. 13872, Jan. 27, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the proviso to the main body of Article 11 (1) and the amended provisions of Articles 13, 14 (5) and (6), 16-2, 40 and 40-2 shall enter into force six months after the date of its promulgation.

Articles 2 through 4 Omitted.

ADDENDA <Act No. 13873, Jan. 27, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 13, 14 (5) and (6), 43, and 43-2 shall enter into force six months after the date of its promulgation.

Articles 2 through 4 Omitted.

ADDENDA <Act No. 13879, Jan. 27, 2016>

Article 1 (Enforcement Date)

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

Articles 2 through 12 Omitted.

ADDENDA <Act No. 13883, Jan. 27, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 13, 14 (5) and (6), 40, and 40-2 shall enter into force six months after the date of its promulgation.

Articles 2 through 4 Omitted.

ADDENDA <Act No. 13886, Jan. 27, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force on the date when the Minamata Convention becomes effective in the Republic of Korea.

Articles 2 through 5 Omitted.

ADDENDA <Act No. 13889, Jan. 27, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 8-5, 29 and 29-2 shall enter into force six months after the date of its promulgation.

Articles 2 through 4 Omitted.

ADDENDUM <Act No. 13894, Jan. 27, 2016>

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Article 12 (1) shall enter into force on the date of its promulgation.

ADDENDA <Act No. 14229, May 29, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2018.

Articles 2 and 3 Omitted.

ADDENDUM <Act No. 14494, Dec. 27, 2016>

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

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

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Act No. 16096, Dec. 31, 2018>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2019.

Article 2 Omitted.

ADDENDUM <Act No. 16267, Jan. 15, 2019>

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

ADDENDA <Act No. 16305, Apr. 2, 2019>

Article 1 (Enforcement Date)

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

Articles 2 through 10 Omitted.

ADDENDUM <Act No. 16619, Nov. 26, 2019>

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

ADDENDUM <Act No. 16861, Dec. 31, 2019>

This Act shall enter into force on January 1, 2020.

ADDENDUM <Act No. 17326, May. 26, 2020>

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

ADDENDA <Act No. 17797, Dec. 29, 2020>

Article 1 (Enforcement Date)

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

Articles 2 through 11 Omitted.

ADDENDA <Act No. 17857, Jan. 5, 2021>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Comprehensive National Environmental Plan)

The amended provisions of Article 15 shall begin to apply to the formulation or modification of a comprehensive national environmental plan under Article 14 or the adjustment thereof under Article 16-2 (1) after this Act enters into force.

Article 3 (Transitional Measures concerning Formulation of City/Do Environmental Plans and Si/Gun/Gu Environmental Plans)

A City/Do environmental conservation plan and a Si/Gun/Gu environmental conservation plan formulated under the previous provisions as at the time this Act enters into force shall be deemed a City/Do environmental plan and a Si/Gun/Gu environmental plan formulated under the amended provisions of Articles 18, 18-2, 19, and 19-2, respectively.

Article 4 Omitted.

ADDENDA <Act No. 18283, Jun. 15, 2021>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Act No. 18469, Sep. 24, 2021>

Article 1 (Enforcement Date)

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

Articles 2 through 10 Omitted.

ADDENDA <Act No. 18584, Dec. 21, 2021>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2022.

Article 2 Omitted.

ADDENDA <Act No. 18918, Jun. 10, 2022>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Korea Environmental Preservation Association)

(1) The Korea Environmental Preservation Association established under the previous provisions as at the time this Act enters into force shall be deemed the Korea Environmental Conservation Institute established under this Act, and shall be deemed dissolved simultaneously with the establishment of the Korea Environmental Conservation Institute, notwithstanding the provisions of the Civil Act governing the dissolution and liquidation of corporations.

(2) The conduct of the Korea Environmental Preservation Association and other legal relations as at the time this Act enters into force shall be deemed done by the Korea Environmental Conservation Institute.

(3) The name of the Korea Environmental Preservation Association on the register and other public records as at the time this Act enters into force shall be deemed the name of the Korea Environmental Conservation Institute.

(4) The property, rights, and obligations of the Korea Environmental Preservation Association as at the time this Act enters into force shall be comprehensively taken over by the Korea Environmental Conservation Institute at the same time the Korea Environmental Conservation Institute is established. In such cases, the value of the property the Korea Environmental Conservation Institute has succeeded to shall be the book value as at the time the Korea Environmental Preservation Association acquires such property.

(5) Executive officers or employees of the Korea Environmental Preservation Association as at the time this Act enters into force shall be deemed selected or appointed as executive officers or employees of the Korea Environmental Conservation Institute. In such cases, the term of office of the executive officer shall be counted from the date he or she was appointed as an executive officer of the Korea Environmental Preservation Association.

Article 3 Omitted.

Article 4 (Relationship to Other Statutes or Regulations)

A citation of the Korea Environmental Preservation Association in other statutes or regulations as at the time this Act enters into force shall be deemed a citation of the Korea Environmental Conservation Institute in lieu of the Korea Environmental Preservation Association.

Last updated : 2023-04-21