

ENFORCEMENT DECREE OF THE RIVER ACT

Wholly amended By	1999· 8· 9	Presidential Decree No. 16535
Amended By	2001· 7·24	Presidential Decree No. 17315
Amended By	2002·12·26	Presidential Decree No. 17816
Amended By	2002·12·30	Presidential Decree No. 17854
Amended By	2004· 7·20	Presidential Decree No. 18475

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Decree is to provide matters delegated by the River Act and other matters necessary to enforce the delegated matters.

Article 2 (Area of River Designated by Management Agency)

(1) The term the "area of land prescribed by the Presidential Decree" in 305893C000200icle 2 (1) 2 (d) (1) of the River Actereinafter referred to as the "Act") means the area of land located between both banks, which is necessary to canalize the planned flood discharge (referring to the flood discharge that provides a basis for developing a plan for installing river appurtenances taking into account the flood control plan that features flood control facilities, including banks, dams, underflow lands, flood control areas and discharge channels; hereafter the same shall apply). <Newly Inserted by Presidential Decree No. 18475, Jul. 20, 2004>

(2) The term "area of land similar to the riverside area as determined by the Presidential Decree" in Article 2 (1) 2 (d) (2) of the Act means the area falling under the following subparagraphs: <Amended by Presidential Decree No. 18475, Jul. 20, 2004>

- 1.The area which is lower than a bank from among the areas of land which are located near banks and topographically, take the same shape as other areas of land where banks are constructed;
- 2.The area which is lower than that of an opposite bank and topographically, takes the same shape as the area of land where a bank is constructed;
- 3.The area of land which is capable of reserving the highest level of water making use of river appurtenances; and
- 4.The area of land surrounded by the area of a river.

Article 2-2 (Matters for River Basin Survey)

The term "matters as prescribed by the Presidential Decree" in Article 2 (1) 5 of the Act means

the matters falling under the following subparagraphs: <Amended by Presidential Decree No. 18475, Jul. 20, 2004>

- 1.Characteristics of river basin, such as its area, configuration, geography and geology, etc.;
 - 2.Rainfall and outflow in river basin;
 - 3.Level of river, flow quantity, drift sand volume and riverbed changes;
 - 4.Current use status of various using water including water for living, and current status of the inflow and outflow of river running water;
 - 5.Current damage status of drought or flood, and current status of its preventive facilities;
 - 6.Water quality and ecology environment of river; and
 - 7.Other matters necessary for the formulation of the plan for river management and the national land plan.
- [This Article Newly Inserted by Presidential Decree No. 17315, Jul. 24, 2001]

Article 3 (Mutatis Mutandis Application concerning Application for Permission)

The provisions of Article 20, 24 or 31 shall apply mutatis mutandis to the case where the State or a local government intends to implement a project which requires the State or the local government to consult with an agency in charge of managing rivers (hereinafter referred to as the "management agency") established under the provisions of Article 12 of the Act or obtain permission from the management agency under the provisions of Article 6 of the Act.

Article 4 (Designation of River)

(1) The names and sections of national rivers and local Class-I rivers under the provisions of Article 7 (1) of the Act shall be as shown in the attached Table 1.

(2) The Special Metropolitan City Mayor, the Metropolitan City Mayor or the Do governor (hereinafter referred to as the "Mayor/Do governor") shall, when he designates any local Class-II river, changes its designation or revokes its designation, comply with the requirements falling under each of the following subparagraphs: <Newly Inserted by Presidential Decree No. 18475, Jul. 20, 2004>

1.He is required to conform the ending point of any local class-II river that is linked with the starting point of any national river or any local class-I river to the starting point of any national river or the starting point of any local-class I river;

2.He is required not to designate one river in the names of not less than 2; and

3.He is required to change the ending point of any river if a change takes place in any coastline on the grounds of tidal flat reclamation, etc.

(3) The Mayor/Do governor shall, in case that he designates, alters or abolishes any local class-II river pursuant to the provisions of Article 7 of the Act, publish matters falling under each of the following subparagraphs: <Amended by Presidential Decree No. 18475, Jul. 20,

2004>

1.The name of the river;

2.The section of the river (starting point and ending point); and

3.The date and causes of designation, alteration or abolishment.

(4) The Mayor/Do governor shall, in case that he makes the publication referred to in paragraph (3), notify the Minister of Construction and Transportation of the contents of such publication within 10 days from the date of the publication. <Amended by Presidential Decree No. 18475, Jul. 20, 2004>

Article 5 (Boundary of River Section)

The management agency shall determine the boundary between river sections and the boundary between any area with a boundary and a bank and any area without a bank under the provisions of Article 8 (4) of the Act taking into account bank location, the installation of river appurtenances, topographical conditions, etc., and in case that there are not less than 2 management agencies with respect to the boundary of river section, the management agencies concerned shall determine it through consultations. <Amended by Presidential Decree No. 18475, Jul. 20, 2004>

Article 6 (Scope of Riverside Area)

The riverside area as provided in Article 10 (1) of the Act shall be the minimum areas to which usual floods reach and which are necessary to preserve rivers and river appurtenances, and the management agency shall determine them within the scope of not more than 500 meters from the boundary of river section: Provided, That if the management agency designates a riverside in an area that is in need of an underflow land according to the comprehensive flood control plan for river basins (hereinafter referred to as the "basin flood control plan") provided for in Article 11-2 of the Act, it may designate such riverside at a distance of not less than 500 meters from the boundary of the river area. <Amended by Presidential Decree No. 18475, Jul. 20, 2004>

Article 7 (Formulation of Long-Term Master Plan for Water Resources)

(1) The long-term master plan for water resources under the provisions of Article 11 (1) of the Act shall include matters falling under each of the following subparagraphs:

1.Natural environment, social and economic conditions affecting water resources;

2.Current state and prospects for the supply and demand of water;

3.Plans for development, supply and management of water resources;

4.Plans for the prevention of flood disasters;

5.Plans for the multiple-purpose utilization of rivers;

6.Survey, research and technology development with respect to water resources; and

7.Other matters concerning the management and preservation of water resources.

(2) The Minister of Construction and Transportation may ask the heads of central administrative agencies concerned and the Mayor/Do governor to furnish material necessary to formulate the long-term master plan for water resources.

Article 7-2 (Areas, etc. for Formulation of Comprehensive Water Control Plan for River Basin)

(1) The Minister of Construction and Transportation shall map out a flood control plan for the Han River, the Ansung River, the Sapgyo River, the Gum River, the Mangyong River, the Dongjin River, the Yung-san River, the Tamjin River, the Sumjin River, the Nakdong River, the Taehwa River, the Hyungsan River and the basins of local class-II rivers that are linked with such rivers, and the river basin falling under each of the following subparagraphs in accordance with Article 11-2 of the Act from among national rivers and local class-I rivers as shown in the attached Table 1: <Amended by Presidential Decree No. 18475, Jul. 20, 2004>

1.Areas where a great deal of damage to life and property is incurred due to frequent floods;

2.Areas where the flood prevention is difficult with only the flood prevention facilities, such as embankments, dams, underflow lands, flood control lands and discharge channels etc.;

3.Areas where the flowing volume into rivers is feared to drastically increase due to the development of river areas; and

4.Deleted. <by Presidential Decree No. 18475, Jul. 20, 2004>

(2) The basin flood control plan referred to in paragraph (1) shall contain the matters falling under the following subparagraphs: <Amended by Presidential Decree No. 17816, Dec. 26, 2002; Presidential Decree No. 18475, Jul. 20, 2004>

1.Relevancy to various development plans, such as the national land plan, urban management planning, etc.;

2.Relevancy to social infrastructures, such as roads, railways, etc.;

3.Flood discharge allotment plans for current and objective year in the river areas by area and by flood preventive facility;

4.Flood prevention plans by the flood preventive facilities, such as embankments, dams, underflow lands, flood control lands and discharge channels, etc.;

5.Flood prevention plans by the land utilization plan, etc.; and

6.Implementation schemes by year for the flood preventive facilities.

[This Article Newly Inserted by Presidential Decree No. 17315, Jul. 24, 2001]

Article 7-3 (Composition of River Basin Management Council)

(1) The River Basin Management Council (hereinafter referred to as the "Council") provided for in Article 11-2 of the Act shall consist of not more than 30 members, including one chairman.

(2) The members shall be appointed or commissioned by the Minister of Construction and Transportation from the persons falling under each of the following subparagraphs. In this case, not less than 1/2 of persons falling under subparagraphs 2 through 4 shall be commissioned:

1. Persons who are recommended by the heads of central administrative agencies concerned and local governments concerned from among public officials of Grade V or higher in their ranks, who belong to such central administrative agencies concerned and local governments concerned;

2. Persons who are recommended by the Mayor/Do governor from among the residents living in the relevant river basins;

3. Persons who are recommended by civic organizations (referring to nonprofit civic organizations provided for in Article 2 of the Assistance for Nonprofit Non-Governmental Organization Act); and

4. Persons of profound learning and experience in the development of water resources, rivers, cities, environment, laws and economy.

(3) The chairman shall be nominated by the Minister of Construction and Transportation from among the members.

(4) The terms of office for the members who are not public officials shall be 2 years and they may be reappointed or recommissioned.

[This Article Newly Inserted by Presidential Decree No. 18475, Jul. 20, 2004]

Article 7-4 (Operation of Council)

(1) The chairman shall represent the Council and exercise overall control of the work of the Council.

(2) If the chairman is unable to perform his duties on the grounds of inevitability, a member who has been nominated by the chairman in advance shall act on behalf of the chairman in performing the latter's duties.

(3) The Minister of Construction and Transportation or the chairman shall convene the Council's meetings and the chairman shall preside over such meetings.

(4) The Council's meetings shall open with the attendance of a majority of the total members on the register roll and resolve with the concurrent vote of a majority of those present.

(5) Necessary matters concerning the operation of the Council, with the exception of what is prescribed by this Decree, shall be prescribed by the chairman after going through a resolution thereof of the Council.

[This Article Newly Inserted by Presidential Decree No. 18475, Jul. 20, 2004]

Article 7-5 (Allowances)

The members who are present at the Council's meetings may be paid allowances within limits of budget: Provided, That the same shall not apply to a case where the members who are public officials are present at the Council's meetings in connection with their official business. [This Article Newly Inserted by Presidential Decree No. 18475, Jul. 20, 2004]

CHAPTER II MANAGEMENT OF RIVER

Article 8 (Checkup of River Management)

(1) The management agency shall check up matters falling under the following subparagraphs by the end of May every year pursuant to the provisions of Article 15 (1) of the Act and take necessary measures:

1. The maintenance state of banks and shore protection;
2. The upgrade state of structures such as floodgates attached to banks;
3. The current state of various obstacles impeding the running of streams;
4. The state of illegal occupancy of river; and
5. Other matters necessary for the management of river such as the prevention of floods, etc.

(2) The management agency shall notify the Minister of Construction and Transportation, as prescribed by the Ordinance of the Ministry of Construction and Transportation, of checkup matters and the results of measures taken pursuant to the provisions of paragraph (1).

Article 8-2 (Development of Emergency Measures Plan)

(1) The term "river appurtenances" prescribed by the Presidential Decree in Article 15-2 (1) of the Act means the dams falling under each of the following subparagraphs:

1. Multipurpose dams;
2. Power-generation dams; and
3. Dams with each of them having the total water storage capacity of not less than one million tons, which do not fall under subparagraph 1 or 2.

(2) The emergency measures plan (hereinafter referred to the "emergency measures plan") provided for in Article 15-2 (1) of the Act shall contain the matters falling under each of the following subparagraphs:

1. The summary of the relevant dam and its surrounding environment;
2. Areas that are expected to be inundated by the collapse of the relevant dam;
3. The emergency communication system;

4.The guideline of first aid action at the time of emergency;

5.Plan for evacuating residents; and

6.Other matters necessary to cope with emergency.

(3) The heads of central administrative agencies concerned may financially assist the managers of the dams referred to in each subparagraph of paragraph (1) to cover part of expenses necessary to develop their respective emergency measures plans.

(4) Procedures for putting residents on alert at the time of emergency in accordance with the emergency measures plan, etc. shall be prescribed by the Ordinance of the Ministry of Construction and Transportation.

[This Article Newly Inserted by Presidential Decree No. 18475, Jul. 20, 2004]

Article 9 (River Appurtenances Requiring Management Rules)

The term "river appurtenances as determined by the Presidential Decree" in Article 16 (1) of the Act means what falls under each of the following subparagraphs:

1.Dams, estuarine levees and lock gates;

2.Reservoirs for irrigation, floodgates (limited to the ones as determined by the management agency); and

3.Deleted. <by Presidential Decree No. 18475, Jul. 20, 2004>

Article 10 (Establishment of Basic Plan for Upgrading Rivers)

(1) In formulating the basic plan for upgrading rivers pursuant to Article 17 (1) of the Act (hereinafter referred to as the "basic plan for upgrading rivers"), the changed conditions of the national land plan and urban development plan for river areas shall be taken into consideration, and the matters falling under each the following subparagraphs shall be contained therein: <Amended by Presidential Decree No. 17315, Jul. 24, 2001; Presidential Decree No. 18475, Jul. 20, 2004>

1.Matters which fall under each of the following items and concern the general situation of rivers:

(a) The current general situation, especially characteristics of river basins;

(b) The natural conditions such as rain, weather and quality of water;

(c) The current state of damages from floods and droughts;

(d) The current state of utilization of river streams; and

(e) The matters concerning the datum point of surveying for grasping the topography and features of river basins;

2. Matters which fall under each of the following items and concern the execution of river works:

(a) The flood discharge in the state of nature that is not contained in the flood control plan to be executed by means of flood defense facilities such as banks, dams, underflow lands, flood control lands and discharge channels;

(b) The planned flood discharge;

(c) The planned flood elevation (meaning the planned flood elevation corresponding to the planned flood discharge);

(d) The boundary of the planned river width (meaning the distance between two banks, which is necessary to alleviate floods; hereinafter the same shall apply); and

(e) Deleted; <by Presidential Decree No. 18475, Jul. 20, 2004>

3. Survey performed to designate any predetermined river land, any river area and any riverside area; and

4. Other matters concerning the preservation and proper utilization of river environment.

(2) Deleted. <by Presidential Decree No. 18475, Jul. 20, 2004>

(3) The term the "time when it is intended to change minor matters prescribed by the Presidential Decree" in the proviso of Article 17 (5) of the Act means the time falling under each of the following subparagraphs: <Amended by Presidential Decree No. 18475, Jul. 20, 2004>

1. The time when it is intended to expand the planned river width within the scope of not more than 10/100; and

2. The time when it is intended to increase the planned flood discharge within the scope of not more than 10/100.

Article 11 (Execution of River Basin Survey)

(1) Deleted. <by Presidential Decree No. 17315, Jul. 24, 2001>

(2) The Minister of Construction and Transportation or the Mayor/Do governor shall, in executing the river basin survey under Article 18 of the Act, set up observatories at places necessary for gathering observatory data on precipitation amount, the level of river, flow quantity and drift sand amount through observation. <Amended by Presidential Decree No. 17315, Jul. 24, 2001>

(3) Necessary matters concerning standards for setting up observatories, methods of observation and report on the results of observation, etc. under the provisions of paragraph (2) shall be determined by the Minister of Construction and Transportation, in consultation with the head of related administrative agency in advance. <Amended by Presidential Decree No. 17315, Jul. 24, 2001>

Article 11-2 (Survey of State of River Inundation)

(1) The Minister of Construction and Transportation shall, when he conducts the survey of the state of river inundation (hereinafter referred to as the "survey of the state of river inundation") provided for in Article 18-2 (1) of the Act, conduct the survey or the analysis, etc. falling under each of the following subparagraphs:

1.The collection and analysis of data pertaining to various weather conditions, the utilization of water, floodgates, geographical features and topography;

2.The survey of details of damage, including the amount of damage and casualties, etc.;

3.The area affected by the river inundation, the period of river inundation, the record of inundation caused by the river inundation and other inundation situation, including the depth of inundation, etc.;

4.The analysis of the cause of river inundation;

5.The making of a map showing areas vulnerable to flood inundation; and

6.The survey and analysis of other necessary matters.

(2) Specific ways of conducting the survey of the state of river inundation shall be prescribed by the Minister of Construction and Transportation.

[This Article Newly Inserted by Presidential Decree No. 18475, Jul. 20, 2004]

Article 12 (Creation and Operation of Water Resources Information System)

(1) The water resources information system created pursuant to the provisions of Article 19 (1) of the Act shall include matters falling under each of the following subparagraphs:

<Amended by Presidential Decree No. 18475, Jul. 20, 2004>

1.Data pertaining to the survey of river basins under the provisions of Article 18 of the Act;

2.Data on the utilization and management of dams and urban tap water;

3.Data on the utilization and management of river and underground water; and

4.Data necessary to formulate plans for the efficient utilization and management of water resources.

(2) The Minister of Construction and Transportation may, if it is deemed necessary to create and operate efficiently the water resources information system, may promote the standardization of the production, management and distribution of data referred to in each subparagraph of paragraph (1) after consultations with administrative agencies and organizations concerned.

Article 13 (Calculation of River Maintenance Flow Quantity)

(1) The Minister of Construction and Transportation shall, when he calculates the river maintenance flow quantity pursuant to the provisions of Article 20 (1) of the Act, publish

matters falling under each of the following subparagraphs. The same shall apply to the case where the published river maintenance flow quantity is altered:

- 1.The names of rivers;
- 2.The names and locations of datum points; and
- 3.The river maintenance flow quantity.

(2) The Minister of Construction and Transportation shall, when he intends to determine methods of calculating the river maintenance flow quantity referred to in paragraph (1), consult in advance with the heads of the administrative agencies concerned.

(3) The Minister of Construction and Transportation shall, when he intends to determine the datum point pursuant to the provisions of Article 20 (2) of the Act, base such datum point on the standard falling under each of the following subparagraphs:

- 1.The point which is a standard for the management of flow quantity and water quality;
- 2.The point where the hydrologic data collected in the past is abundant and the observation of flow quantity has incessantly been made;
- 3.The point where the river flow is used in large quantity;
- 4.The point where any changes in seawater level affects nothing; and
- 5.The point where unlike dams and river mouth dikes, no flow water is reserved.

Article 14 (Scope of Users of River Flow Water)

The term "user of river flow water prescribed by the Presidential Decree" in Article 21 (1) of the Act means a person falling under any of the following subparagraphs:

- 1.A person who collects his livelihood water of not less than 5,000 cubic meters per day;
- 2.A person who collects his industrial water of not less than 1,000 cubic meters per day; and
- 3.A person who collects his agricultural water of not less than 8,000 cubic meters per day.

Article 15 (Installation of Facilities Necessary for Prevention, Reduction of Disaster Occurrence)

(1) Any person who has constructed or set up a dam, a river mouth dike, installations or a canal (hereinafter referred to as the "dam, etc.") which reserve the flow water of a river on the surface of the sea near the river mouth dike under the provisions of Article 22 of the Act, when any disaster is feared to occur due to the burying of the riverbed of a river running at the upstream of a dam, the rise of water level or the increase in water inflow into a dam, shall build or rebuild banks, bank low areas, dredge riverbeds and take other necessary measures according to circumstances.

(2) The installer of the dam, etc. shall, in case that any disaster is feared to occur if they discharge the water reserved in dams, etc. due to a notable increase in the quantity of flow water at the downstream of dams, etc., the rise of water level or sea surface in the area

where to the water flows, prevent the disaster from occurring by regulating the increasing quantity of flow water in an appropriate manner.

(3) The installer of the dam, etc. shall, in case that they intend to discharge pursuant to paragraph (2), take measures falling under each of the following subparagraphs for the prevention of any disaster due to it:

1. The installation of siren, alarm bell, loudspeaker, etc. and the alarm;
2. The public announcement of the time of discharge and other necessary matters; and
3. The notice to agencies concerned and other necessary measures.

Article 16 (Standards for Installing Observation Facilities)

(1) The installer of the dam, etc. shall, pursuant to Article 24 (1) of the Act, install observation facilities in conformity with the standards falling under each of the following subparagraphs:

1. The water level gauge shall be installed at the upstream of a reservoir and inside a reservoir near a dam, and in case that they intend to measure the quantity of discharge, such water level gauge shall be installed at the downstream of a dam; and
2. The rain gauge shall be installed at an appropriate place of the catchment area of the dam, etc., and not less than one rain gauge shall be installed in case that the catchment area is less than 200 square kilometers, not less than two rain gauges shall be installed in case that the catchment area is not less than 200 square kilometers to less than 600 square kilometers and not less than three rain gauges shall be installed in case that the catchment area is not less than 600 square kilometers, respectively.

(2) The water level gauge and rain gauge referred to in paragraph (1) shall record automatically.

(3) The installer of the dam, etc. shall, pursuant to Article 24 (2) of the Act, notify the management agency and the Mayor/Do governor concerned of the inflow volume, aggregate inflow volume per hour into reservoir, rainfall amount, aggregate precipitation amount, the date and time of scheduled discharge, the volume of scheduled discharge, the date and time of opening or closing flood gates, water level of reservoir, and other necessary matters.

(4) The installer of the dam, etc. shall install the communication facilities capable of smoothly making the notification under paragraph (3). <Newly Inserted by Presidential Decree No. 17315, Jul. 24, 2001>

Article 16-2 (Installation of Flood Forecast Facilities, etc.)

(1) The Minister of Construction and Transportation may install the facilities falling under each of the following subparagraphs as flood forecast facilities (including incidental facilities thereof; hereafter the same shall apply) (including the expansion of such facilities) that are necessary to forecast the scale of floods and the time of their arrivals in accordance with Article 25-2 of the Act:

1.Observation stations (including flood gate radars) used to secure observation data provided for in Article 11 (2);

2.Telecommunications facilities used to forecast floods; and

3.The computer system, including computer models, which is used to forecast floods.

(2) The plan for installing facilities used to forecast floods (hereinafter referred to as the "plan for installing facilities used to forecast floods") provided for in Article 25-2 (2) of the Act shall contain the matters falling under each of the following subparagraphs:

1.The name of project;

2.The location of the place where the project is undertaken;

3.The objectives and a summary of the project;

4.The name and address of the project undertaker (the title, location and the name of the representative in the case of any corporation);

5.The date on which the project is scheduled to be launched and the date on which the project is scheduled to be completed;

6.Details of the location, lot number, category, area, ownership and rights other than ownership of land and goods to be expropriated or used, and the name and address of the owner and right holder;

7.Implementation drawing and specification;

8.Project cost and plan for raising funds (including the investment plan by year);

9.Project implementation period (including the required period by work process); and

10.Matters concerning the management of flood forecast facilities after the completion of their installation.

(3) The plan for installing flood forecast facilities provided for in Article 25-2 (3) of the Act shall be published by means of the publication of the matters referred to in paragraph (2) 1 through 6 in the Official Gazette.

(4) The completion of the work of installing flood forecast facilities provided for in Article 25-2 (5) of the Act shall be published by means of the publication of the matters referred to in paragraph (2) 1 through 4 and 10, the commencement date of the project and the date of the completion of the project in the Official Gazette.

[This Article Newly Inserted by Presidential Decree No. 18475, Jul. 20, 2004]

Article 17 (Formulation of River Upgrade Plan)

(1) The river upgrade plan (hereinafter referred to as the "river upgrade plan") pursuant to Article 27 (1) of the Act shall include matters falling under each of the following subparagraphs:

1. The name of river work;
 2. The location of an area in which a river work is to be implemented;
 3. The purpose and summary of such river work;
 4. The name and address of the contractor of such river work;
 5. The scheduled date of commencement and completion of such river work;
 6. The document stating details of things or rights falling under each of the following items and names and addresses of owners and right holders other than owners:
 - (a) Land and rights other than ownership on such land; and
 - (b) Things fixed on land and rights other than ownership on such things;
 7. The implementation drawing and specification (in case that a river work is divided into not less than two work sections, such implementation drawing and specification shall be worked out by each work section);
 8. The estimated cost of such work project and plans for raising funds to meet such cost (including the annual investment plans);
 9. The schedule of the river work;
 10. Matters concerning the management of river appurtenances after the completion of their installation; and
 11. The estimated area of desolate river site after the completion of the river work.
- (2) The term "any minor river work prescribed by the Presidential Decree" in the proviso of Article 27 (1) of the Act means the work falling under each of the following subparagraphs:
1. The work undertaken to restore from any disaster under the Countermeasures against Natural Disasters Act; and
 2. The work undertaken to maintain and repair rivers.
- (3) The management agency shall, when it formulates or alters the river upgrade implementation plan, take into account matters referred to in paragraph (1) 1 through 6.

Article 18 (Work for Setup of Other Installations)

- (1) The management agency shall, when it intends to undertake a work for setting up other installations which has the same effect as that of river appurtenances or other work which is implemented simultaneously with a river work pursuant to Article 28 (2) of the Act, notify the manager of other installations or a person under an obligation to undertake the work of the fact (hereafter in this Article referred to as the "manager of other installations, etc."): Provided, That in case that the manager of other installations, etc. is an administrative agency, the management agency shall consult in advance with such administrative agency.

(2) The management agency shall, when it makes the notice or seeks consultations under the provisions of paragraph (1), make a written request for such consultations, attached with the drawing of design concerning the work.

(3) The management agency shall, when it completes the work referred to in paragraph (1), furnish without delay the work completion record, the drawing of design and the statement of account of expenses to the manager of other installations, etc.

(4) The management agency shall, when it intends to maintain and manage other installations pursuant to Article 28 (2) 1 of the Act, furnish a plan for the maintenance and management of such installations and the statement of account of expenses to the manager of the other installations, etc.

(5) The publication of the work completion under the provisions of Article 28 (5) of the Act shall include matters falling under each of the following subparagraphs: <Amended by Presidential Decree No. 18475, Jul. 20, 2004>

1.The name of the river work;

2.The location of an area where such river work is undertaken;

3.The purpose and summary of such river work;

4.The name and address of the contractor of such river work;

5.The date of commencement and completion of such river work;

6.The area of desolate river site following such river work and a plan for disposal thereof; and

7.Matters concerning the management of facilities whose work of installing them is completed.

Article 19 (Implementation by Proxy of River Work)

(1) The Minister of Construction and Transportation may undertake by proxy the river work falling under each of the following subparagraphs in accordance with Article 29 (1) of the Act:

1.The river work for local class-I river;

2.The local class-II river work which is required to be undertaken together with a national river or a local class-I river; and

3.The river work undertaken to repair a national river.

(2) The Minister of Construction and Transportation shall, when he intends to undertake a river work by proxy pursuant to Article 29 (1) of the Act, notify the Mayor/Do governor of matters referred to in Article 17 (1) 1 through 5.

(3) The term "government-invested institution prescribed by the Presidential Decree" in Article 29 (2) of the Act means the Korea Water Resources Corporation established pursuant to the Korea Water Resources Corporation Act.

(4) The Minister of Construction and Transportation may have the Mayor/Do governor or any government-invested institution undertake by proxy the river work falling under each of the following subparagraphs pursuant to Article 29 (2) of the Act: <Amended by Presidential Decree No. 18475, Jul. 20, 2004>

1.The work done to restore from any disaster; and

2.The river work that is done in connection with river appurtenances installed and managed by the Mayor/Do governor or a government-invested institution.

(5) The Minister of Construction and Transportation shall, when he intends to have the government-invested institution undertake a river work by proxy pursuant to Article 29 (2) of the Act, notify in advance such government-invested institution of matters falling under each of the following subparagraphs and hear its opinion:

1.Matters referred to in Article 17 (1) 1 through 5; and

2.Budget amount (including plans for annual injection of funds and raising such funds).

(6) The Minister of Construction and Transportation shall, when he publishes the completion of a river work which has been undertaken by proxy under the provisions of Article 29 (1) of the Act, notify without delay the Mayor/Do governor of the contents of such publication, whereas a person who executes by proxy a river work under Article 29 (2) of the Act shall, when he publishes the completion of the river work, notify without delay the Minister of Construction and Transportation of the expense account statement and published contents.

(7) The provisions of Article 18 (5) shall apply mutatis mutandis to the completion of any river work undertaken by proxy under the provisions of Article 29 (1) and (2) of the Act.

Article 20 (Permission for River Work Undertaken by Non-Management Agency)

(1) In case that a person who is not the management agency (hereinafter referred to as the "non-management agency") intends to obtain permission for a river work or the maintenance and management of a river in accordance with the provisions of Article 30 (1) of the Act, he shall file an application stating matters falling under each of the following subparagraphs for permission, attached with a document prescribed by the Ordinance of the Ministry of Construction and Transportation, to the management agency:

1.The name and address of an applicant (in case of a corporation, the name and address of such corporation and the name of its representative);

2.The purpose of and reason for the river work or the maintenance and management of the river;

3.The location of an area in which the river work or the maintenance and management of rivers are to be undertaken; and

4.The period of the river work or that of the maintenance and management of the river.

(2) The term "minor matters prescribed by the Presidential Decree" in the proviso of Article 30 (1) of the Act means a work undertaken to repair a river or the normal maintenance and management of a river which does not affect the structures of such river.

Article 21 (Package Handling of Overlapping Permission Matters)

(1) The management agency may, in case that not less than two permission matters are overlapped with each other or related to each other from among the permission matters under the provisions of Articles 30 (1) and 33 (1) of the Act, and the authority to grant permission for main permission matters in accordance with the classification of the attached Table 2 and other permission matters overlapped with or related to such main permission matters rests with the management agency, grant the main permission matters and other permission matters overlapped with or related to such main permission matters as a package.

(2) In case that the authority to grant the main permission matters in accordance with the classification of the attached Table 2 and other permission matters overlapped with or related to such main permission matters rests with different agencies under the provisions of Article 57, any agency which holds the authority to grant the main permission matters may grant the main permission matters and other permission matters overlapped with or related to such main permission matters as a package notwithstanding the provisions of the same Article. In this case, the head of the agency which holds the authority to grant the main permission matters shall consult in advance with the head of the agency which holds the authority to grant other permission matters overlapped with or related to the main permission matters.

Article 22 (Deposit of Construction Cost)

(1) In case that the management agency has an applicant for permission deposit the amount equivalent to the cost of a river work pursuant to Article 30 (5) of the Act, such applicant shall deposit the amount in the joint names of the management agency and the applicant for permission at a financial institution designated by the management agency.

(2) The applicant may deposit guaranties or stocks falling under the following subparagraphs at the management agency in lieu of the deposit of the amount referred to in paragraph (1):
<Amended by Presidential Decree No. 17854, Dec. 30, 2002>

1.Payment certificates, securities, guaranty insurance policies, guaranties, fixed deposit certificates and beneficiary certificates under provisions Article 37 (2) of the Enforcement Decree of the Act on Contracts to Which the State is a Party; and

2.Government bonds and local government bonds under the Act on the Acquisition of Land, etc. for Public Works and the Compensation Therefor.

(3) The management agency shall, upon receiving a request from a person who has obtained permission, allow him to withdraw the amount deposited pursuant to paragraph (1) according to the progress of the work concerned.

Article 23 (Application for Implementation Plan Approval)

(1) Any person who has obtained permission pursuant to the provisions of Article 30 (1) of the Act shall file an application for approval of his implementation plan within 6 months from the date of permission as prescribed by the Ordinance of the Ministry of Construction and Transportation. In this case, the management agency may, when it recognizes the existence of inevitable reasons, extend the application period for approval of the implementation plan

within the limit of 6 months.

(2) The implementation plan under the provisions of Article 30 (6) of the Act shall include matters falling under each subparagraph of Article 17 (1).

(3) Any person who has obtained approval of the implementation plan under the provisions of Article 30 (6) of the Act shall, in case that he commences his work, file a report on the start of the work to the management agency within 5 days from the date of commencement as prescribed by the Ordinance of the Ministry of Construction and Transportation.

(4) In case that the non-management agency has to obtain approval for altering the implementation plan with respect to a river work from the management agency under the provisions of the later part of Article 30 (6) of the Act, such alteration shall be excluded from the alteration falling under each of the following subparagraphs:

1. The alteration of address of a work contractor;
2. In case that the work contractor is a corporation, the alteration of its representative;
3. The alteration of an implementation area set by mistake, which does not cause a change in the work area; and
4. The alteration of facilities and equipment which does not cause any change in the work cost.

Article 24 (Application for River Occupancy Permission)

(1) Any person who intends to obtain permission for occupancy of a river under the provisions of Article 33 (1) of the Act shall submit to the management agency an application for such permission, accompanied by a document prescribed by the Ordinance of the Ministry of Construction and Transportation.

(2) The management agency shall, where deemed that the contents of an application for the permission for occupancy of a river under paragraph (1) affect the social infrastructures, such as the roads and railways, etc., consult with the head of related administrative agency in advance. <Newly Inserted by Presidential Decree No. 17315, Jul. 24, 2001>

Article 25 (River Products, etc.)

(1) The term "other river products determined by the Presidential Decree" in Article 33 (1) 6 of the Act means bamboos, reeds, pasture and other river products determined by the Minister of Construction and Transportation.

(2) The term "plants determined by the Presidential Decree" in Article 33 (1) 8 of the Act means what falls under each of the following subparagraphs:

1. Sod;
2. One-year plant; and
3. Perennial trees and flowering plants in conformity with standards set by the Minister of Construction and Transportation after consultations with the heads of administrative agencies

concerned.

(3) The term "ships determined by the Presidential Decree" in Article 33 (1) 9 of the Act means the ships falling under the following subparagraphs: <Amended by Presidential Decree No. 18475, Jul. 20, 2004>

1. The excursion ship provided for in the Excursion Ship and Ferry Business Act;
2. Barges provided for in the Ship Act;
3. Periodically-running ships;
4. Ships running designated routes; and
5. Water-related leisure apparatuses (limited to ships) provided for in the Water-Related Leisure Activities Safety Act.

Article 25-2 (Permission Certificate for Occupying and Using Rivers, etc.)

The management agency shall, when it grants permission for occupying and using any river pursuant to Article 33 (1) of the Act, deliver a permission certificate to the relevant applicant and enter the permission certification in the permission register and manage such permission register under the conditions as prescribed by the Ordinance of the Ministry of Construction and Transportation.

[This Article Newly Inserted by Presidential Decree No. 18475, Jul. 20, 2004]

Article 26 (Publication of Occupancy Permission)

The management agency shall, in case that it grants permission for occupancy of a river under the provisions of Article 33 (1) of the Act, publish matters falling under each of the following subparagraphs:

1. The name of the river;
2. The name and address of the occupant (in case of a corporation, the name and address of such corporation and the name of its representative);
3. The location and size of occupancy area;
4. The purpose and summary of occupancy of such river; and
5. The period of occupancy.

Article 27 (Scope of Vested River User)

The term "person who has the right on the river prescribed by the Presidential Decree" in Article 34 of the Act means the person falling under each of the following subparagraphs:

1. The person who has obtained permission for a river work under the provisions of Article 30 (1) of the Act or for occupancy of a river under the provisions of Article 33 (1) of the Act (including any person who is deemed to have obtained permission for a river work or

occupancy of a river under other Acts and subordinate statutes); and

2.The person who has obtained the right on rivers under the provisions of other Acts and such person includes the fishing right holder, the mining right holder and the dam using right holder, etc.

Article 28 (Application for Adjudication)

Any person who intends to apply for an adjudication on the compensation of loss under the provisions of Article 35 (3) of the Act shall file an application stating matters falling under each of the following subparagraphs for such adjudication with the competent Land Expropriation Committee:

1.The name and address of the applicant seeking an adjudication and the name and address of the other party;

2.The fact of the occurrence of loss;

3.Details of the amount of compensation for loss presented or demanded by the applicant for the adjudication and the amount of compensation offered by the other party in the process of negotiations;

4.Particulars of negotiations; and

5.Other matters that could be used as a reference to the adjudication.

Article 29 (Applicable Provisions for Occupancy and Use Work Undertaken by Proxy)

The provisions of Article 18 shall apply mutatis mutandis to the case where the management agency undertakes a river work for occupancy and use by proxy under the provisions of Article 36 of the Act.

Article 30 (Reduction and Exemption of Occupancy and Use Charges)

(1) The term "the case of the nonprofit business that is run for the purpose of official use, public use and public interest" in subparagraph 1 of Article 30 of the Act means the case falling under each of the following subparagraphs: <Amended by Presidential Decree No. 18475, Jul. 20, 2004>

1.The case of emergency restoration from disasters;

2.The case of a river work undertaken by the management agency (including a river work undertaken by the management agency by proxy under the provisions of Article 29 of the Act) and other river management;

3.The case of a work undertaken by State organs or the Mayor/Do governor to maintain and repair roads;

4.The case of use charges paid to the Korea Water Resources Corporation under the provisions of Article 16 of the Korea Water Resources Corporation Act;

- 5.The case of setting up installations which will revert to the State or local government;
- 6.The case of occupying flow water within the limit of natural drought flow set by the management agency;
- 7.The case where a school juristic person opens and operates a private school under the Private School Act; and
- 8.The case of serving to military operations or the national security.

(2) The term "the project prescribed by the Presidential Decree" in subparagraphh 2 of Article 39 of the Act means the project of installing electricity supply facilities, telecommunications facilities, oil pipe lines, gas supply facilities and heat transport facilities, etc. <Amended by Presidential Decree No. 18475, Jul. 20, 2004>

(3) The reduction and exemption of occupation and use fees provided for in Article 39 of the Act shall be set according to the each of the following subparagraphs: <Amended by Presidential Decree No. 18475, Jul. 20, 2004>

- 1.The reduction of the total amount in the case falling under subparagraph 1 of Article 39 of the Act;
- 2.The reduction of 1/2 in the case falling under subparagraph 2 of Article 39 of the Act; and
- 3.The reduction and exemption that are determined according to the ratio set by the management agency taking into account the extent of special circumstances in the case falling under subparagraph 3 of Article 39 of the Act.

Article 31 (Permission for Act in Predetermined River Land and River-side Area)

(1) Any person who intends to obtain permission for his act in predetermined river land and its riverside area under the provisions of of Article 40 (1) of the Act shall file with the management agency an application for such permission, accompanied by a document prescribed by the Ordinance of the Ministry of Construction and Transportation.

(2) The management agency shall, when an act for which an application for permission has been filed pursuant to the provisions of paragraph (1) is deemed to affect adversely railroad facilities and other major national facilities, consult in advance with administrative agencies concerned before it grants such permission.

(3) The term "minor act prescribed by the Presidential Decree" in the proviso of Article 40 (1) of the Act means the act falling under each of the following subparagraphs:

- 1.The act of restoring to the original state installations damaged by a flood or a natural disaster;
- 2.The act of planting decorative plants which can be easily transplanted;
- 3.The act of improving farmland and cultivating them; and
- 4.The act for which permission or approval, etc is granted in accordance with relevant Acts and subordinate statutes at the time of designating and publishing the area of a predetermined

river land and its riverside area.

(4) The provisions of Article 25-2 shall apply mutatis mutandis to the permission for any act performed in any predetermined river land and any riverside area provided for in Article 40 (1) of the Act. <Newly Inserted by Presidential Decree No. 18475, Jul. 20, 2004>

CHAPTER III DISPUTE MEDIATION OF FLOW WATER USE

Article 32 (Application for Mediation)

Any person who intends to apply for mediation pursuant to Article 41 (1) of the Act shall file an application for such mediation, expressly giving the purpose of such application and the contents of the case, to the River Management Committee as prescribed by the Ordinance of the Ministry of Construction and Transportation.

Article 33 (Request for Judgment, etc.)

The River Management Committee may, in case that it is deemed necessary to deliberate a dispute case for which an application has been filed for mediation, ask specialized institutions concerned to judge, affirm and test.

Article 34 (Procedures for Hearing Opinions)

The River Management Committee shall, in case that it intends to hear opinions from parties and specialists by letting them attend a meeting under the provisions of Article 44 (1) of the Act, notify them in writing 7 days prior to the holding of such meeting.

Article 35 (Bearing of Expenses)

(1) The scope of expenses to be born by an applicant for dispute mediation or parties under the provisions of Article 46 (1) of the Act shall be what falls under each of the following subparagraphs:

1. Expenses required for judgment, affirmation and tests, etc.;
2. Expenses required for the adoption of witnesses or evidences;
3. Expenses required for examination and investigation; and
4. Expenses required for the mediation such as recording, stenography and interpretation, etc.

(2) The River Management Committee shall, in case that it has expenses required for the dispute mediation deposited pursuant to Article 46 (2) of the Act, determine the amount to be deposited, details of such amount, a place where such amount is deposited and a period for which the amount has to be deposited and then notify in writing persons to bear such amount.

(3) The River Management Committee may, in case that persons under an obligation to deposit the prescribed amount within a fixed period fail to deposit such amount after they are notified of the deposit of such amount under the provisions of paragraph (2), withhold the

mediation of such dispute.

(4) The River Management Committee shall, in case that it prepares a draft mediation and produces it to the parties pursuant to Article 45 of the Act, or it notifies the parties of its decision to reject or halt the mediation pursuant to Article 42 of the Act, prepare a settlement of accounts within 5 days from the date of producing or notice and notify persons who have deposited such expenses.

CHAPTER IV EXPENSES AND REVENUES CONCERNING RIVER

Article 36 (Scope of Expenses and Revenues concerning River)

(1) Expenses falling under each of the following subparagraphs shall be required for river work, the maintenance and management, etc. of river under the provisions of Article 47 of the Act:

1. Expenses necessary for river work;
2. Expenses necessary for the maintenance and management of river;
3. Expenses necessary for the inspection, survey and design of river;
4. Expenses necessary for purchase of and compensation for land needed for river work, etc.;
5. Expenses necessary for purchase, relocation and compensation of installations required for the maintenance and management of river or materials impeding them;
6. Expenses necessary for loss compensation under the provisions of Articles 74 or 75 of the Act; and
7. Other expenses necessary for the management of rivers.

(2) Revenues from rivers under the provisions of Article 47 of the Act shall accrue from what falls under each of the following subparagraphs:

1. River occupancy and use charges, etc.;
2. Income accruing from the dispositions of installations and other materials which have been nationalized under the provisions of Article 73 (3) of the Act;
3. The disposal amount of desolate river sites which have been transferred pursuant to Article 78 of the Act;
4. Permission fees under the provisions of Article 80 of the Act; and
5. Other revenues from the management of rivers.

Article 37 (Bearing of Expenses by Special Metropolitan City, Metropolitan City or Do)

(1) The Minister of Construction and Transportation may have the Special Metropolitan City, the Metropolitan City or the Do (hereinafter referred to as the "City/Do") bear expenses falling

under each of the following subparagraphs in accordance with the provisions of Article 51 (1) and (2) of the Act:

1. In case that the treasury bears expenses concerning rivers under the provisions of Article 48 of the Act, the City/Do in the location of the river concerned shall be made to bear not more than 1/4 of such expenses;

2. In case that the treasury bears expenses concerning rivers under the provisions of Article 49 of the Act, the City/Do shall be made to bear not more than 1/3 of such expenses; and

3. In case that other City/Do benefiting from any river work and the maintenance and management of river is made to bear such expenses under the provisions of Article 51 (2) of the Act, such City/Do shall be made to bear not more than 1/4 of such expenses.

(2) The Minister of Construction and Transportation shall, when he intends to have the City/Do bear part of the river expenses pursuant to Article 51 (1) and (2) of the Act, determine the amount of expenses required for river work or the maintenance and management of river and consult with the Minister of Government Administration and Home Affairs about the amount to be borne by the City/Do.

(3) The Mayor/Do governor may, in case that another City/Do benefits from any river work and the maintenance and management of river undertaken and carried out by him, ask the Minister of Construction and Transportation to have another City/Do bear part of the expenses pursuant to Article 51 (2) of the Act. In this case, the Mayor/Do governor shall file a written request, giving expressly the name of a river concerned, the name of a river work, the cost of the work and the amount to be borne by another City/Do, to the Minister of Construction and Transportation.

(4) The Minister of Construction and Transportation shall, when he deems the request made pursuant to (3) justifiable, order in writing another City/Do benefiting therefrom to bear the expenses. In this case, such written order to bear such expenses shall be accompanied by a copy of the written request referred to in paragraph (3).

Article 38 (Bearing of Expenses by Si/Gun/Gu)

(1) The expenses, which the Mayor/Do governor may have the Si/Gun/Gu (referring to the autonomous Gu; hereafter the same in this Article shall apply) bear pursuant to the provisions of Article 51 (3) of the Act, shall be not more than 1/4 of the expenses borne by the Mayor/Do governor.

(2) The Mayor/Do governor shall, when he intends to have the Si/Gun/Gu bear the expenses pursuant to the provisions of Article 51 (3) of the Act, give a written order, expressly indicating the name of the river involved, the name of a river work, the cost of such work and the amount to be borne by the Si/Gun/Gu.

Article 39 (Scope of Subsidy for Expenses)

The term "project prescribed by the Presidential Decree" in Article 55 of the Act means the project falling under each of the following subparagraphs: <Amended by Presidential Decree No. 18475, Jul. 20, 2004>

- 1.The river work undertaken for restoration from disasters;
- 2.The work undertaken for the maintenance and repair of a national river;
- 3.The river work in the area where the danger of disasters still exists or the flood disaster perennially occurs;
- 4.The creation of underflow lands, flood control lands and discharge channels; and
- 5.Other river work which is undertaken in the interest of both the State and a local government and requires subsidies form the treasury.

Article 40 (Standards, etc. for Using Receipts)

(1) The receipts referred to Article 57 of the Act shall be used for the purpose falling under each of the following subparagraphs, but the pririty shall be given to the use of such receipts for the purposes of subparagraphs 1 and 2:

- 1.The maintenance and management of river;
- 2.Compensation for the land incorporated into river areas;
- 3.Expenses necessary for the formulation of a river upgrade plan for the local class-I river and the local class-II river, the preparation of a river register and the management of such rivers;
- 4.Expenses necessary for the preparation and management of a river register with respect to river revenues and desolate river sites;
- 5.Expenses necessary for the management and disposition of desolate river sites;
- 6.Expenses for river work; and
- 7.Other expenses necessary for river management.

(2) The local governments which collect and use the receipts under Article 57 of the Act shall submit the current status of collections and the details of uses to the Minister of Construction and Transportation under the conditions as stipulated by the Ordinance of the Ministry of Construction and Transportation. <Newly Inserted by Presidential Decree No. 17315, Jul. 24, 2001>

Article 41 (Interest concerning Return of Payments Made By Mistake)

The term "interest determined by the Presidential Decree" in Article 59 of the Act means the interest of 8% per year.

CHAPTER V RIVER MANAGEMENT COMMITTEE

Article 42 (Duties of Chairman)

(1) The chairman of the River Management Committee (hereinafter referred to as the "chairman") shall represent the Committee and exercise general control of the business.

(2) The vice-chairman shall, in case that the chairman is unable to perform his duties due to inevitable reasons, act on behalf of the chairman and a member designated in advance by the chairman shall, in case that both the chairman and vice-chairman are unable to perform their duties due to inevitable reasons, vicariously perform the chairman's duties.

Article 43 (Meeting)

(1) The chairman shall, when he deems it necessary, convene a meeting of the River Management Committee.

(2) The meeting of the River Management Committee shall open with the attendance of a majority of its members and resolve with the consent of a majority of its members present.

Article 44 (Expert Member)

(1) The River Management Committee may, when it is deemed necessary for the efficiency of deliberation, have expert members.

(2) The expert members referred to in paragraph (1) shall be commissioned by the chairman from among the persons of professional learning and experiences with respect to the development of water resources and rivers.

Article 45 (Secretary and Clerk)

(1) The River Management Committee shall have a secretary and a few clerks.

(2) The secretary and clerks of the River Management Committee shall be designated by the chairman from among public servants belonging to the competent administrative agency.

Article 46 (Minutes)

(1) The secretary of the River Management Committee shall, upon orders from the chairman, prepare and keep minutes.

(2) The minutes referred to in paragraph (1) shall include the date and place, the contents of deliberation and other matters of the meetings.

Article 47 (Allowances and Travel Expenses)

Allowances and travel expenses may be paid to the members and expert members attending the meeting within the limits of budget: Provided, That the same shall not apply to the case where public servants attend the meeting as members in relation to their business.

Article 48 (Rules for Operation)

The chairman shall determine necessary matters concerning the operation of the River Management Committee, other than matters provided in this Decree, after a decision made by the Committee.

CHAPTER VI SUPERVISION

Article 49 (Use of Flow Water Affecting National Rivers)

The term "use of flow water determined by the Presidential Decree" in Article 67 of the Act means the use of flow water by the facilities falling under each of the following subparagraphs:

1. Power-generation facilities;
2. Tap-water facilities which intake not less than 5,000 tons of water per day and supply water to not less than 10,000 residents;
3. Industrial water facilities which intake not less than 1,000 tons of water per day; and
4. Agricultural water facilities which intake not less than 8,000 tons of water per day.

Article 49-2 (Custody and Handling of Occupation and Use Articles)

(1) The management agency shall, when it removes any occupation and use articles, etc. pursuant to Article 68-2 of the Act, take measures to get the owner or the manager of such occupation and use articles to easily learn of the custody place of the occupation and use articles under the conditions as prescribed by the Ordinance of the Ministry of Construction and Transportation.

(2) The management agency shall, when it keeps any removed occupation and use articles, etc. in custody pursuant to Article 68-2 of the Act, publish the custody of such occupation and use articles in the bulletin board of the management agency and on the Internet, etc. for a certain period, make and keep the list thereof and allow persons concerned to peruse the list.

(3) The management agency shall, when it is impossible to identify the owner or the manager of the occupation and use articles, etc. after the lapse of the publication period referred to in paragraph (2), publish again the matters that have been already published under paragraph (2) in dailies and on the Internet: Provided, That in the event that such occupation and use articles are recognized not to be of no property value worth publishing them in dailies, they shall be published on the Internet.

(4) In the event that the occupation and use articles, etc. are feared to be qualitatively changed, defaced or destroyed, etc. while being kept in custody under paragraph (1), the management agency may sell them and keep the proceeds therefrom. In this case, the provisions of paragraphs (2) and (3) shall apply mutatis mutandis to the publication of the keeping of such proceeds.

(5) When the occupation and use articles, etc. are sold in accordance with paragraph (4), with the exception of the case falling under each of the following subparagraphs, they shall be sold

by means of a competitive bidding under the conditions as prescribed by the Act on Contracts to Which the State is a Party:

1. Where it is recognized to be no bidder even if they are placed on a competitive bidding; and

2. Where they are of little property value worth placing them on a competitive bidding and such competitive bidding is recognized to be inappropriate.

[This Article Newly Inserted by Presidential Decree No. 18475, Jul. 20, 2004]

Article 49-3 (Return of Occupation and Use Articles, etc.)

(1) The management agency shall, when it intends to return any occupation and use articles (including the proceeds therefrom; hereafter the same shall apply) to the owner or the manager thereof, confirm whether the person who is to get the return of them is a justifiable right holder.

(2) The management agency shall, when it returns the occupation and use articles in accordance with paragraph (1), collect expenses accruing from removing, transporting and selling them from the owner or the manager thereof.

[This Article Newly Inserted by Presidential Decree No. 18475, Jul. 20, 2004]

Article 49-4 (Reversion of Unreturned Occupation and Use Articles, etc.)

The management agency may, when it has been impossible to identify the owner or the manager eligible to the return of the occupation and use articles or no request has been made for the return of the occupation and use articles even after the lapse of 3 month from the date of the publication provided for in Article 49-2 (3), revert them to the National Treasury in the case where the management agency is the Minister of Construction and Transportation and revert them to the Mayor/Do governor in the case where the management agency is the Mayor/Do governor.

[This Article Newly Inserted by Presidential Decree No. 18475, Jul. 20, 2004]

CHAPTER VII SUPPLEMENTARY PROVISIONS

Article 50 (Designation of Angling-Prohibited Area, etc.)

(1) The Mayor/Do governor shall, when he intends to designate an area in which the act of camping out, cooking and angling is prohibited pursuant to the provisions of subparagraph 4 of Article 71 of the Act, take into account the matters falling under each of the following subparagraphs:

1. The purpose of utilizing a river;

2. The current state of pollution source;

3. The degree of contamination of water quality;

4. The current state of the collection and disposal of garbages in adjacent areas; and

5.The current state of the species of inhabiting fish and underwater ecosystem.

(2) The Mayor/Do governor shall, when he intends to designate an area in which the act of camping out, cooking and angling is prohibited pursuant to the provisions of subparagraph 4 of Article 71 of the Act, publish matters falling under each of the following subparagraphs:

1.The location of the prohibited area and prohibited matters;

2.The restrictions on the act of angling such as the time and manner of angling, etc. (limited to the area where the act of angling is prohibited);

3.The fine for negligence against any violator of the prohibited matters; and

4.The methods of disposing of garbages in the prohibited area.

(3) The Mayor/Do governor shall, when he publishes and designated an area in which the act of camping out, cooking and angling is banned pursuant to paragraph (2), post signs announcing the contents of such publication in the both sides and middle of the prohibited area.

Article 51 (Prohibition of River Use, etc.)

(1) The management agency shall, when it intends to prohibit or limit the use of a river pursuant to the provisions of Article 72 (1) of the Act, post in advance signs specifying the river subject to the prohibition, the section and reasons thereof in the both sides and the middle of the river, and publish the contents of such prohibition or limitation in daily newspapers published in the region concerned.

(2) The management agency shall, when it makes the publication pursuant to the provisions of paragraph (1) and there exists a person who has obtained permission for occupying a river in the section in which the use of any river is prohibited or limited under the provisions of Article 33 of the Act, notify such person of the contents of such publication.

Article 52 (Deposit of Expenses for Restoration of Original State)

(1) In granting permission for a river work or permission for occupying a river pursuant to the provisions of Article 30 of the Act or Article 33 of the Act, the management agency shall, in case that it has expenses for the restoration of the original state deposited pursuant to the provisions of Article 73 (4) of the Act, have such expenses deposited in the joint names of the applicant and the management agency at a financial institution designated by the management agency according to the standards falling under each of the following subparagraphs:

1.30/100 of the river occupation charges in case that post arrangements are required following the extraction of river products such as earth and stones, sands, gravels and others, the establishment of skating rink and other river occupancy; and

2.10/100 of the river work cost in case that installations are newly set up, renovated or altered and the land is excavated, banked, or cut, changing the form and quality of such land.

(2) A permission applicant may deposit the guaranty certificates referred to in each subparagraph of Article 22 (2) at the management agency in lieu of the deposit of expenses for

the restoration of the original state referred to in paragraph (1). In this case, the deposit period of such guaranty certificates shall be on or by the date on which 6 months lapse after the expiration of the permission period and on or by the date on which 6 months lapse after the expiration of the extended permission period if the permission period is extended. <Amended by Presidential Decree No. 18475, Jul. 20, 2004>

(3) The management agency shall, in case that a river work is completed, a river is restored to its original state or it is deemed unnecessary to restore a river to its original state, return the deposits referred to in paragraph (1).

Article 53 (Inspection of Land Incorporated into River)

(1) The management agency shall, in case that it has to compensate for a land pursuant to the provisions of Article 74 (1) of the Act after such land has been incorporated into a river area or designated as a river area, prepare a record with respect to matters falling under each of the following subparagraphs and notify its contents to the owner of such land or materials attached to such land and a person who holds the right other than the ownership of such land or such materials (hereafter in this Article referred to as the "land owner, etc."), and enable the land owner, etc. to present their opinions by making such record available to the public for a period of not less than 14 days: Provided, That in case that a person to be notified is unknown or the address and residence of a person to be notified or a place to which a notice is made is unknown, a publication may be made as prescribed by the Ordinance of the Ministry of Construction and Transportation in lieu of such notice:

1. The name of a river;
2. The location of the incorporated land;
3. The size of the incorporated land and the size of such land on the land register;
4. The utilization of the incorporated land at the time of its incorporation; and
5. The name and address of the owner of the incorporated land.

(2) The management agency shall, when the opinion presented pursuant to paragraph (1) is deemed justifiable, inspect matters in question, and remake a record.

Article 54 (Application for Adjudication)

The provisions of Article 28 shall apply mutatis mutandis to an application for an adjudication under the provisions of Article 74 (4) of the Act (including the case where it is applied mutatis mutandis pursuant to Article 75 (1) of the Act).

Article 54-2 (Delegation or Entrustment of Loss Compensation Business)

(1) The Minister of Construction and Transportation shall, where he intends to delegate or entrust the compensation business of losses due to river works under Article 75-2 (1) of the Act, clarify the current status of lands, etc. to be compensated for loss and the conditions for delegation or entrustment.

(2) The term "government-invested institution as prescribed by the Presidential Decree" in Article 75-2 (1) of the Act means the government invested institution falling under any of the following subparagraphs:

1. The Korea Land Corporation under the Korea Land Corporation Act;
2. The Korea National Housing Corporation under the Korea National Housing Corporation Act;
3. The Korea Water Resources Corporation under the Korea Water Resources Corporation Act; and
4. The Korea Agricultural and Rural Infrastructure Corporation under the Korea Agricultural and Rural Infrastructure Corporation and Farmland Management Fund Act.

(3) The rate of delegation fees or of entrustment fees under Article 75-2 (2) of the Act shall be as shown in the attached Table 2-2.

[This Article Newly Inserted by Presidential Decree No. 17315, Jul. 24, 2001]

Article 55 (Exchange of Desolate River Site, etc.)

(1) The Minister of Construction and Transportation shall, when he intends to exchange a desolate river site referred to in Article 78 of the Act (hereinafter referred to as the "desolate river site, etc.") with a land of others which has become a new river area, take into account the current state of the previous land which has turned into a new river area, the land register and hydraulic conditions, etc. <Amended by Presidential Decree No. 18475, Jul. 20, 2004>

(2) In exchanging any desolate river site, etc. with a new river area, the price of the desolate river site, etc. shall be based on the price at the time of such exchange and the price of the land which has become the new river area shall be based on the amount which derives from the addition of the land price at the time of incorporation to the land-price fluctuation value (hereinafter referred to as the "land-price fluctuation value") set according to the land price fluctuation rate under the provisions of Article 125 (1) of the Enforcement Decree of the National Land Planning and Utilization Act until the time of exchange, or the price of a land which is located nearby and similar to the land at the time of its incorporation and the price of which is quoted at the time of its exchange. <Amended by Presidential Decree No. 17816, Dec. 26, 2002>

Article 56 (Concession of Desolate River Site, etc.)

(1) In granting a concession to any desolate river site pursuant to the main sentence of Article 78 (1) of the Act, it shall be granted in order of what falls under each of the following subparagraphs:

1. A person, as the original land owner, who has not been compensated for his land or has not gotten any desolate river site, etc. in exchange for his land;
2. A person who has undertaken a river work pursuant to Articles 29 and 30 of the Act; and
3. The Mayor/Do governor who maintains and repairs national rivers.

(2) Any original land owner referred to in paragraph (1) shall be granted a concession of a desolate river site, etc., whose price is equivalent to the price of his original land. In this case, the price of the desolate river site, etc. and that of the original land shall be calculated on the basis falling under each of the following subparagraphs:

1. The price of a desolate river site, etc. shall be based on the price at the time of concession; and

2. The price of the original land shall be based on the amount which derives from the addition of the land price at the time of incorporation to the land-price fluctuation value until the time of concession or the price of a land which is located near and similar to the land at the time of incorporation and the price of which is quoted at the time of concession.

(3) The contractor of a river work under the provisions of paragraph (1) 2 shall be granted a concession of a desolate river site, the price of which is equivalent to the cost of such work. In this case, the price of such desolate river site, etc. and the cost of work shall be calculated on the basis falling under each of the following subparagraphs:

1. The price of the desolate river site, etc. shall be based on the price at the time of the completion of work and in case that the price of the desolate river site, etc. has been risen by the contractor's payment of utility expenses to the desolate river site, etc., the increased portion of the existing price shall be deducted from the appraised price: Provided, That in case the price of desolate river site, etc. which is generated by the river work apparently falls short of the cost of work, it shall be based on the price calculated according to the publically announced price of a land which is located near and similar to the land; and

2. The cost of work shall be the amount calculated at the time of the completion of such work in accordance with the provisions of Article 9 of the Enforcement Decree of the Act on Contracts to Which the State is a Party.

Article 57 (Delegation of Authority)

(1) The Minister of Construction and Transportation shall delegate his authority falling under each of the following subparagraphs from among his authority to the Mayor/Do governor pursuant to the provisions of Article 82 (1) of the Act: <Amended by Presidential Decree No. 18475, Jul. 20, 2004>

1. The authority which falls under each of the following items concerning national rivers:

(a) Receipt of a report concerning the succession of rights and obligations under the provisions of Article 4 (2) of the Act (limited to the matters permitted by the Mayor/Do governor);

(b) Permission for the occupancy of a river and publication thereon under the provisions of Article 33 (1) 2 and 6 through 9 of the Act;

(c) The execution by proxy of an occupancy work under the provisions of Article 36 (1) of the Act and the notice of the work period under the provisions of Article 36 (2) of the Act (limited to the matters permitted by the Mayor/Do governor);

(d) Permission for any act in a predetermined river land and its riverside area under the provisions of Article 40 of the Act;

- (e) The return of payments made by mistake under the provisions of Article 59 of the Act (limited to payments imposed by the Mayor/Do governor);
- (f) The supervisory disposition such as the revocation of permission, etc. under the provisions of Article 64 of the Act (limited to the matters for which the authority concerning permission is delegated to the Mayor/Do governor);
- (g) The order given to take disposition or measures under the provisions of Article 65 of the Act (limited to the matters permitted by the Mayor/Do governor);
- (h) The appointment of river monitors under the provisions of Article 68 of the Act;
- (i) The report and entry, etc. under the provisions of Article 69 of the Act (limited to the matters for which the authority concerning permission is delegated to the Mayor/Do governor);
- (j) The access, etc. to other's land under the provisions of Article 70 of the Act (limited to the matters for which the authority concerning permission is delegated to the Mayor/Do governor);
- (k) The order given to restore the original state, the exemption of the duty to restore the original state, the nationalization of installations, etc., the deposit of expenses for the restoration of the original state under the provisions of Article 73 of the Act (limited to the matters for which the authority concerning permission is delegated to the Mayor/Do governor);
- (l) The removal, other necessary measures, custody and handling of occupation and use of articles, etc. provided for in Article 68-2 of the Act;
- (m) The collection of permission fees under the provisions of Article 80 of the Act (limited to the matters permitted by the Mayor/Do governor);
- (n) The hearings under the provisions of Article 81 of the Act (limited to the matters permitted by the Mayor/Do governor);
- (o) The imposition and collection of fine for negligence under the provisions of Article 88 (1) 4 and 5 of the Act (limited to the matters for which the authority concerning permission is delegated to the Mayor/Do governor); and
- (p) The imposition and collection of fine for negligence under the provisions of Article 88 (1) 6 of the Act; and

2. The authority falling under each of the following items with respect to the local class-I river and local class-II river:

- (a) The exchange of a desolate river site, etc. under the provisions of Article 77 of the Act; and
- (b) The concession of a desolate river site, etc. under the provisions of Article 78 of the Act.

(2) The authority falling under each of the following subparagraphs from among the authority of the Minister of Construction and Transportation shall be delegated to the head of the regional national land management office (referring to the head of the regional national land management office who holds jurisdiction over the longest river, in the case of subparagraph 1 (h) and (j) and subparagraph 2, if any rivers are under the jurisdictions of the heads of not less than two regional national land management offices) in accordance with Article 82 (1) of the

Act: <Amended by Presidential Decree No. 17315, Jul. 24, 2001; Presidential Decree No. 18475, Jul. 20, 2004>

1. The authority falling under each of the following items with respect to national rivers:

- (a) The receipt of a report on the succession of rights and obligations under the provisions of Article 4 (2) of the Act (limited to the matters permitted or approved by the head of the local national land management office);
- (b) The consultations or approval with respect to the establishment of rights and other dispositions under the provisions of Article 5 of the Act (excluding the case where the work executor is the head of a central administrative agency);
- (c) The consultations or approval with respect to the implementation of other projects under the provisions of Article 6 of the Act (excluding the case where the work executor is the head of a central administrative agency);
- (d) The designation, alteration or closure of a river area and the publication of dissatisfaction under the provisions of Article 8 of the Act;
- (e) The designation, alteration or closure of a planned river area and the publication thereon under the provisions of Article 9 (1) of the Act;
- (f) The publication of the final decision on a river area under the provisions of Article 9 (4) of the Act;
- (g) The designation, alteration, closure of a riverside area and its publication under the provisions of Article 10 of the Act;
- (h) The development of a basin flood control plan and a change in the plan pursuant to Article 11-2 (1) and (2) of the Act (excluding the development of a basin flood control plan and a change in the plan for the Han River, the Gum River and the Nakdong River);
- (i) The composition and operation of the Council provided for in Article 11-2 (5) of the Act (excluding the composition and operation of the Council with respect to the basins of the Han River, the Gum River and the Nakdong River);
- (j) The preparation and keeping of a river register, the delivery of a certified copy and making them accessible to the public under the provisions of Article 14 of the Act;
- (k) The checkup of the state of river management under the provisions of Article 15 of the Act;
- (l) The formulation of rules on river appurtenances and the approval of such rules under the provisions of Article 16 of the Act;
- (m) The formulation and alteration of a river upgrade implementation plan and its publication under the provisions of Article 27 of the Act;
- (n) The river work under the provisions of the main sentence of Article 28 (1) of the Act;
- (o) The river work and the maintenance and management of rivers under the provisions of Article 28 (2) of the Act;

- (p) The publication of the completion of a river work under the provisions of Article 28 (3) of the Act;
- (q) The implementation of a river work by proxy and the publication of the completion of such river work under the provisions of Article 29 of the Act;
- (r) The permission for a river work and the maintenance and management of rivers under the provisions of Article 30 (1) through (4) of the Act;
- (s) The order given to deposit the work cost under the provisions Article 30 (5) of the Act;
- (t) The authorization and alteration authorization of a river upgrade implementation plan and its publication under the provisions of Article 30 (6) and (7) of the Act;
- (u) The authorization of the completion of a river work and a request for an inspection necessary for such authorization under the provisions of Article 31 of the Act;
- (v) The consultations with the heads of administrative agencies concerned under the provisions of Article 32 (2) of the Act;
- (w) The permission for occupying a river and its publication under the provisions of subparagraph 3 (excluding multi-purpose dams), subparagraph 4 (excluding multi-purpose dams and river mouth dikes) and subparagraph 5 of Article 33 (1) of the Act;
- (x) The implementation of a river occupancy and use work by proxy and the notice of the work period (limited to matters permitted by the local office) under the provisions of Article 36 of the Act;
- (y) The order to the City/Do to bear expenses under the provisions of Article 51 (1) and (2) of the Act;
- (z) The return of payments made by mistake under the provisions of Article 59 of the Act (limited to what is imposed by the local office, etc.);
- (aa) The supervisory dispositions such as the cancellation of permission or approval under the provisions of Article 64 of the Act (limited to the matters for which the authority with respect to permission and approval is delegated to the head of the local office);
- (ab) The order given to take dispositions or measures under the provisions of Article 65 of the Act (limited to the matters permitted or approved by the head of the local office, etc.);
- (ac) Deleted; <by Presidential Decree No. 18475, Jul. 20, 2004>
- (ad) The report and entry, etc. under the provisions of Article 69 of the Act (limited to the matters for which the authority with respect to permission or approval is delegated to the head of the local office, etc.);
- (ae) The entry, etc. into others' land under the provisions of Article 70 of the Act (limited to the matters for which the authority with respect to permission or approval is delegated to the head of the local office, etc.);
- (af) The prohibition or restrictions on river use and its publication under the provisions of Article 72 of the Act;

(ag) The order given to restore the original state, the exemption of the duty of the restoration of the original state, the nationalization of installations, etc. and the deposit of expenses for the restoration of the original state under the provisions of Article 73 of the Act (limited to the matters for which the authority with respect to permission is delegated to the head of the local office, etc.);

(ah) The expropriation and use of land under the provisions of Article 76 of the Act;

(ai) The concession of desolate river sites, etc. under the provisions of Article 77 of the Act;

(aj) The exchange of desolate river sites, etc. under the provisions of Article 78 of the Act;

(ak) The collection of permission fees under the provisions of Article 80 of the Act;

(al) The hearings under the provisions of Article 81 of the Act (limited to the matters permitted or approved by the head of the local office, etc.); and

(am) The imposition and collection of fine for negligence under the provisions of Article 88 (1) 4 and 5 of the Act (limited to the matters for which the authority with respect to permission or approval is delegated to the head of the local office, etc.);

2.The development, change and publication of the basic plan for upgrading rivers provided for in Article 17 of the Act; and

3.and 4.Deleted; <by Presidential Decree No. 18475, Jul. 20, 2004>

(3) The Minister of Construction and Transportation shall delegate the authority falling under each of the following subparagraphs from among his authority to the head of the flood control office pursuant to the provisions of Article 82 (1) of the Act: <Amended by Presidential Decree No. 17315, Jul. 24, 2001; Presidential Decree No. 18475, Jul. 20, 2004>

1.The authority falling under each of the following items with respect to national rivers of the river system under the jurisdiction of the head of the flood control office:

(a) The receipt of the report on the succession of rights and obligations under the provisions of Article 4 (2) of the Act (limited to the matters permitted by the head of the flood control office);

(b) Deleted; <by Presidential Decree No. 17315, Jul. 24, 2001>

(c) The request for the submission of records with respect to the management of dams and flood gates under the provisions of Article 23 (2) of the Act;

(d) The receipt of observation results and management state of dams and the notice of such matters to the head of the Central Anti-Calamity Headquarters under the provisions of Article 24 of the Act;

(e) Deleted; <by Presidential Decree No. 18475, Jul. 20, 2004>

(f) The permission for river occupancy and its publication under the provisions of Article 33 (1) 1 of the Act;

(g) The return of payments made by mistake under the provisions of Article 59 of the Act (limited to what is imposed by the head of the flood control office);

- (h) The supervisory disposition taken to cancel permission under the provisions of Article 64 of the Act (limited to the matters for which the authority with respect to permission is delegated to the head of the flood control office);
- (i) The order given to take dispositions or measures under the provisions of Article 65 of the Act (limited to the matters permitted by the head of the flood control office);
- (j) The report and entry, etc. under the provisions of Article 69 of the Act (limited to the matters for which the authority with respect to permission is delegated to the head of the flood control office);
- (k) The entry, etc. into others' land under the provisions of Article 70 of the Act (limited to the matters for which the authority with respect to permission is delegated to the head of the flood control office);
- (l) The order given to restore the original state, exemption of the duty of restoring the original state, nationalization of installations, etc. and deposit of expenses for the restoration of the original state under the provisions of Article 73 of the Act (limited to the matters for which the authority with respect to permission is delegated to the head of the flood control office);
- (m) The collection of permission fees under the provisions of Article 80 of the Act (limited to the matters permitted by the head of the flood control office);
- (n) The hearings held under the provisions of Article 81 of the Act (limited to the matters permitted by the head of the flood control office);
- (o) The imposition and collection of fine for negligence under the provisions of Article 88 (1) 1 through 3 of the Act; and
- (p) The imposition and collection of fine for negligence under the provisions of Article 88 (1) 4 and 5 of the Act (limited to the matters for which the authority with respect to permission is delegated to the head of the flood control office); and

2. The authority falling under each of the following items with respect to the water system, which is held by the head of the flood control office:

- (a) The order of the measure for flood prevention, etc. under the provisions of Article 16 (5) of the Act;
- (b) The survey of river basin (limited to the conditions under the provisions of subparagraphs 2 and 3 of Article 2-2) under the provisions of Article 18 (1) of the Act;
- (c) The classification, analysis and supply of data on the survey of river basin (limited to the conditions under the provisions of subparagraphs 2 and 3 of Article 2-2) under the provisions of Article 18 (3) of the Act;
- (d) The calculation of river maintenance flow quantity provided for in Article 20 (1) of the Act and its publication;
- (e) Consultations held to set datum points in accordance with Article 20 (3) of the Act;
- (f) The plan for using river running water and the receipt of any report on the record of using river running water provided for in Article 21 (2) of the Act;

(g) Order given to the contractor of dams, etc. to take measures, consultations with the Mayor/Do governor and any notice served to the head of the Central Anti-Calamity Headquarters under Article 25 of the Act;

(h) The development of the plan for installing flood forecast facilities, a change in the plan, the completion of the work of installing such flood forecast facilities, consultations thereabout and the publication thereof provided for in Article 25-2 of the Act;

(i) The implementation of flood forecasts provided for in Article 26 of the Act; and

(j) Authorization for using running water or changed authorization therefor provided for in Article 67 of the Act.

CHAPTER VIII PENAL PROVISIONS

Article 58 (Imposition of Fine for Negligence)

(1) The Minister of Construction and Transportation or the management agency shall, when it imposes a fine for negligence pursuant to the provisions of Article 88 (2) of the Act, expressly indicate in writing the fact of violation and the amount of a fine for negligence, etc. after investigating and confirming the act of violation and notify a person subject to such fine for negligence to pay it. <Amended by Presidential Decree No. 18475, Jul. 20, 2004>

(2) The Minister of Construction and Transportation or the management agency shall, when it intends to impose a fine for negligence pursuant to the provisions of paragraph (1), give a person subject to such fine for negligence an opportunity to state his opinion orally or in writing for a fixed period of not less than 10 days. In this case, if the person subject to the fine for negligence fails to state his opinion by the given date, he shall be deemed to have no opinion to state. <Amended by Presidential Decree No. 18475, Jul. 20, 2004>

(3) The amount of fine for negligence set according to the kind of offense shall be as shown in the attached Table 3.

(4) The Minister of Construction and Transportation or the management agency may aggravate or mitigate the amount of a fine for negligence within the scope of 1/2 of the amount set in the attached Table 3 taking into account the motive, content and frequency of the act of violation. In this case, the amount of an aggravated fine for negligence, if any, shall not exceed one million won. <Amended by Presidential Decree No. 18475, Jul. 20, 2004>

(5) Procedures for the collection of fine for negligence with respect to national rivers shall be determined by the Ordinance of the Ministry of Construction and Transportation and procedures for the collection of fine for negligence with respect to local class-I rivers and local class-II rivers shall be determined by the Municipal Ordinance of a local government concerned. In case that the authority to impose and collect a fine for negligence with respect to national rivers is delegated to the Mayor/Do governor under the provisions of Article 57 (1) 1, procedures for the collection of fine for negligence with respect to such national rivers shall be determined by the Municipal Ordinance of a local government concerned.

ADDENDA

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

(2) (Transitional Measures concerning Applicable River) Any applicable river designated in accordance with the previous provisions of Article 9 shall be deemed to be designated as a local C1