

ENFORCEMENT DECREE OF THE GROUNDWATER ACT

Wholly Amended by Presidential Decree No. 15451, Aug. 8, 1997

Amended by Presidential Decree No. 15598, Dec. 31, 1997

Presidential Decree No. 16093, Jan. 29, 1999

Presidential Decree No. 16297, May 10, 1999

Presidential Decree No. 16512, Aug. 6, 1999

Presidential Decree No. 17175, Mar. 27, 2001

Presidential Decree No. 17433, Dec. 19, 2001

Presidential Decree No. 18594, Dec. 3, 2004

Presidential Decree No. 19158, Nov. 30, 2005

Presidential Decree No. 19463, Apr. 28, 2006

Presidential Decree No. 20241, Sep. 6, 2007

Presidential Decree No. 20256, Sep. 10, 2007

Presidential Decree No. 20290, Sep. 27, 2007

Presidential Decree No. 20297, Sep. 28, 2007

Presidential Decree No. 20428, Nov. 30, 2007

Presidential Decree No. 20722, Feb. 29, 2008

Presidential Decree No. 21078, Oct. 8, 2008

Presidential Decree No. 21465, Apr. 30, 2009

Presidential Decree No. 21565, jun. 26, 2009

Presidential Decree No. 21566, jun. 26, 2009

Presidential Decree No. 21904, Dec. 15, 2009

Presidential Decree No. 21904, Dec. 24, 2009

Presidential Decree No. 22556, Dec. 28, 2010

Presidential Decree No. 22626, Jan. 17, 2011

Presidential Decree No. 22828, Apr. 4, 2011

Presidential Decree No. 23470, Dec. 30, 2011

Presidential Decree No. 23846, jun. 8, 2012

Presidential Decree No. 24443, Mar. 23, 2013

Presidential Decree No. 24819, Oct. 30, 2013

Presidential Decree No. 25050, Dec. 30, 2013

Presidential Decree No. 25717, Nov. 11, 2014
Presidential Decree No. 25836, Dec. 9, 2014
Presidential Decree No. 27299, Jun. 30, 2016

Article 1 (Purpose)

The purpose of this Decree is to provide for matters delegated by the Groundwater Act and matters necessary for the enforcement thereof.

Article 2 (Survey of Groundwater)

(1) The Minister of Land, Infrastructure and Transport shall carry out a basic survey on the characteristics of groundwater reserves and the exploitable volume of groundwater throughout the country through geological surveys, geophysical surveys, drilling surveys and surveys of groundwater levels and water quality pursuant to Article 5 (1) of the Groundwater Act (hereinafter referred to as the "Act"). *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

(2) When the Minister of Land, Infrastructure and Transport conducts a basic survey under paragraph (1), he/she shall make a hydrogeological map drawn on a scale of 1 to 50,000 which includes the following matters: Provided, That he/she may make a hydrogeological map drawn on a scale other than 1 to 50,000, where he/she deems it unavoidable in consideration of the content of the survey, etc.: *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

1. Topographical and subsurface geological distribution;
2. Distribution of groundwater levels;
3. Structure of water-bearing strata and their water supply characteristics;
4. Characteristics of groundwater quality;
5. The exploitable volume of groundwater;
6. Other matters necessary for the basic survey on the characteristics of groundwater reserves.

(3) The Minister of Land, Infrastructure and Transport shall formulate a plan for survey on groundwater for each region throughout the country every year and shall carry out a basic survey on the characteristics of groundwater reserves and the exploitable volume of groundwater according to such plan: Provided, That he/she may carry out a survey on areas in which it is urgently required to develop groundwater as the source of water supply, on which the head of the relevant central administrative agency, the Mayor of a Special Metropolitan City, the Mayor of a Metropolitan City, the Mayor of a Special Self-Governing City, the Governor of a Do or the Governor of a Special Self-Governing Province (hereinafter referred to as "Mayor/Do Governor") requests him/her to conduct a basic survey, in preference to other areas. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24819, Oct. 30, 2013>*

(4) The Minister of Land, Infrastructure and Transport shall conduct a complementary survey for every ten years concerning the following matters, pursuant to Article 5 (2) of the Act: *<Newly Inserted by Presidential Decree No. 23846, Jun. 8, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

1. Distribution of groundwater levels;
2. Characteristics of groundwater quality;
3. The actual conditions of the development and utilization of groundwater;
4. Other matters necessary for the complementary survey.

Article 3 (Consultation, etc. on Survey of Groundwater)

(1) Where the head of the relevant central administrative agency, the Mayor/Do Governor, or the head of a Si/Gun/Gu (referring to the head of an autonomous Gu; hereinafter the same shall apply) intends to conduct a survey in order to carry out his/her affairs related to groundwater pursuant to the main sentence of Article 5 (4) of the Act, he/she shall, in advance, consult with or notify the Minister of Land, Infrastructure and Transport according to the following classifications: *<Amended by Presidential Decree No. 23846, Jun. 8, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

1. Where he/she shall hold consultation: Surveys on the matters referred to in Article 2 (2) 2, 3 and 5;
2. Where he/she shall give notification: Surveys which do not fall under subparagraph 1.

(2) Where the head of the relevant central administrative agency, the Mayor/Do Governor, or the head of a Si/Gun/Gu completes the survey under paragraph (1), he/she shall notify the Minister of Land, Infrastructure and Transport of the results thereof within one month from the date he/she completes the survey, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

(3) "Cases where there are urgent reasons prescribed by Presidential Decree" in the proviso to Article 5 (4) of the Act means cases where groundwater should be urgently developed and utilized due to war, natural disasters or other accidents. *<Amended by Presidential Decree No. 23846, Jun. 8, 2012>*

Article 4 (Vicarious Execution of Affairs of Surveying)

(1) The Minister of Land, Infrastructure and Transport, the head of the relevant central administrative agency, the Mayor/Do Governor, or the head of a Si/Gun/Gu may have any of the following institutions specialized in surveys related to groundwater (hereinafter referred to as "institution specialized in surveys of groundwater") conduct the affairs of surveying groundwater on his/her behalf pursuant to Article 5 (5) of the Act: *<Amended by Presidential Decree No. 23846, Jun. 8, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

1. The Korea Institute of Geoscience and Mineral Resources established pursuant to Article 8 of the Act on the Establishment, Operation and Fosterage of Government-Funded Science and Technology Research Institutions, Etc.;
2. The Korea Resources Corporation under the Korea Resources Corporation Act;
3. The Korea Water Resources Corporation under the Korea Water Resources Corporation Act;
4. The Korea Rural Community Corporation under the Korea Rural Community Corporation and Farmland Management Fund Act;
5. The Korea Institute of Construction Technology established pursuant to Article 8 of the Act on the Establishment, Operation and Fosterage of Government-Funded Science and Technology Research

Institutions;

6. The Korea Environment Corporation under the Korea Environment Corporation Act;

7. The Association established pursuant to Article 26-2 of the Act.

(2) An institution specialized in surveys of groundwater that vicariously conducts the affairs of surveying groundwater pursuant to Article 5 (5) of the Act shall notify the Minister of Land, Infrastructure and Transport, the head of the relevant central administrative agency, the Mayor/Do Governor, or the head of a Si/Gun/Gu of a survey plan within 15 days from the date it commences the survey. *<Amended by Presidential Decree No. 23846, Jun. 8, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

Article 5 (Request, etc. for Survey Data)

(1) Where the Minister of Land, Infrastructure and Transport, the head of the relevant central administrative agency, the Mayor/Do Governor, or the head of a Si/Gun/Gu requests a related agency to submit groundwater survey data or to cooperate with him/her pursuant to Article 5 (6) of the Act, he/she shall specify the details of necessary survey data, matters to be cooperated with and the deadline for submission of data. *<Amended by Presidential Decree No. 23846, Jun. 8, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

(2) A related agency requested to submit survey data or to provide cooperation pursuant to paragraph (1) shall comply with such request unless any special reason exists.

Article 6 (Comprehensive Management of Survey Data)

(1) The Minister of Land, Infrastructure and Transport shall consolidate survey data on groundwater in the whole country based on surveys on groundwater under Article 5 (1) through (3) and (5) of the Act and surveys on the actual conditions of the utilization of groundwater under Article 28 (1) as of December 31 every year and publish an annual groundwater survey report, pursuant to Article 5 (7) of the Act. *<Amended by Presidential Decree No. 23846, Jun. 8, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

(2) Where the Minister of Land, Infrastructure and Transport publishes an annual groundwater survey report pursuant to paragraph (1), he/she shall send such annual report to related agencies to offer it to the general public for their utilization. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

Article 6-2 (Creation and Operation, etc. of Groundwater Information System)

(1) A groundwater information system under Article 5-2 (1) of the Act (hereinafter referred to as "groundwater information system") shall contain the following matters:

1. Groundwater survey data under Article 5 of the Act;
2. Groundwater observation and survey data under Article 17 of the Act;
3. Other data related to the utilization and management of groundwater.

(2) Where necessary for the establishment and operation of a groundwater information system, the Minister of Land, Infrastructure and Transport may promote standardization for the production, management and distribution of data falling under any of the subparagraphs of paragraph (1) in consultation with related agencies and organizations. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

(3) The Minister of Land, Infrastructure and Transport, the Mayor/Do Governor and the head of a Si/Gun/Gu shall arrange for related agencies, organizations and the general public to utilize matters related to the actual conditions of the survey and utilization of groundwater among the details of a groundwater information system. <Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24819, Oct. 30, 2013>

Article 7 (Master Plan for Management of Groundwater)

(1) Where the Minister of Land, Infrastructure and Transport deems it necessary to formulate a master plan for the management of groundwater under Article 6 (1) of the Act (hereinafter referred to as "Master Plan"), he/she may request the head of the relevant central administrative agency, the Mayor/Do Governor, or the head of a Si/Gun/Gu to submit necessary data. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

(2) Where the Minister of Land, Infrastructure and Transport formulates or revises the Master Plan, he/she shall publicly announce the following matters in the Official Gazette: <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

1. The objectives of the Master Plan;
2. The target period of the Master Plan;
3. The characteristics of groundwater reserves and the exploitable volume of groundwater;
4. A plan for survey and utilization of groundwater;
5. A plan for preservation and management of groundwater;
6. A plan for water quality management and purification of groundwater;
7. Other matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(3) Where the Minister of Land, Infrastructure and Transport publicly announces the Master Plan pursuant to paragraph (2), he/she shall notify the head of the relevant central administrative agency and the Mayor/Do Governor of the Master Plan without delay. <Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24819, Oct. 30, 2013>

(4) The Mayor/Do Governor notified of the Master Plan pursuant to paragraph (3) shall send it to the head of the relevant Si/Gun/Gu, and the head of the Si/Gun/Gu shall provide the Master Plan for public perusal for at least 20 days: Provided, That the Mayor of a Special Self-Governing City shall provide the Master Plan for public perusal for at least 20 days. <Amended by Presidential Decree No. 24819, Oct. 30, 2013>

(5) "Other matters concerning the management of groundwater" in Article 6 (1) 6 of the Act means the following matters:

1. A plan for survey of groundwater and a plan for installation and operation of a groundwater observation network;
2. A plan for management of groundwater;
3. A plan for investment in the management of groundwater;
4. A plan for establishment and operation of a groundwater information system.

(6) The Minister of Environment shall include the following matters in a plan for the quality control and purification of groundwater formulated pursuant to Article 6 (3) of the Act:

1. Basic direction on a plan for the quality control and purification of groundwater;
2. The current status and forecast of the pollution of groundwater;
3. A plan for protection of groundwater quality;
4. A plan for operation of a groundwater quality measurement network;
5. A plan for informatization of groundwater quality;
6. Other matters necessary for the quality control and purification of groundwater.

(7) Where the Minister of Environment deems it necessary to formulate a plan for the quality control and purification of groundwater under Article 6 (3) of the Act, he/she may request the head of the relevant central administrative agency, the Mayor/Do Governor, or the head of a Si/Gun/Gu to submit necessary data.

(8) The modification of minor matters under the proviso to Article 6 (5) of the Act means any of the following cases:

1. Where the actual conditions of the utilization of groundwater under Article 6 (1) 2 of the Act is modified according to the results of the survey on the actual conditions of the utilization of groundwater under Article 17 (6) of the Act;
2. Where an investment plan under paragraph (5) 3 is modified.

Article 7-2 (Regional Groundwater Management Plan)

(1) The modification of minor matters under the proviso to Article 6-2 (1) of the Act means cases falling under any of the subparagraphs of Article 7 (8). *<Amended by Presidential Decree No. 23846, Jun. 8, 2012>*

(2) Where the Mayor/Do Governor or the head of a Si/Gun/Gu formulates a regional groundwater management plan under Article 6-2 (1) or (2) of the Act (hereinafter referred to as "regional management plan") and obtains approval from the Minister of Land, Infrastructure and Transport, he/she shall publicly announce the following matters in the Official Gazette. The same shall also apply where he/she revises the regional management plan: *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

1. The objectives of a regional management plan;
2. The target period of a regional management plan;
3. The characteristics of groundwater reserves and the exploitable volume of groundwater;
4. A plan for the management of water volume and the utilization of groundwater;
5. A plan for preservation and management of groundwater;
6. A plan for management of groundwater quality;
7. Matters concerning the period and place of perusal of related documents;
8. Reasons for the revision of a regional management plan and the details of revisions (limited to cases where the regional management plan is revised).

(3) "Where problems in groundwater prescribed by Presidential Decree arise" in Article 6-2 (2) of the Act means any of the following cases:

1. Where the source of water is dried up or ground is subsided because groundwater levels remarkably lower due to the excessive development and use of groundwater;
 2. Where the improvement or purification of water quality is required because the groundwater quality has been deteriorated;
 3. Where seawater has intruded into aquifer due to the excessive development and use of groundwater in coastal areas and insular areas;
 4. Where it becomes impracticable to use groundwater unless other measures necessary for the preservation and management of groundwater are taken.
- (4) The Mayor of a Special Self-Governing City who has obtained approval for a regional management plan pursuant to Article 6-2 (1) of the Act, the head of a Si/Gun/Gu who has obtained approval for a regional management plan pursuant to Article 6-2 (2) of the Act and the head of a Si/Gun/Gu who has been notified of a regional management plan by the Mayor/Do Governor pursuant to paragraph (4) of the aforesaid Article shall provide the details thereof for public perusal for at least 20 days. <Amended by Presidential Decree No. 24819, Oct. 30, 2013>

Article 8 (Application, etc. for Permission to Develop and Utilize Groundwater)

(1) A person who intends to obtain permission for the development and utilization of groundwater under Article 7 (1) or the proviso to Article 8 (2) of the Act shall submit an application for permission to the head of a Si (including the Mayor of a Special Self-Governing City; hereinafter the same shall apply)/Gun/Gu along with the following documents: Provided, That where the person applies for permission to develop and utilize groundwater pursuant to the proviso to Article 8 (2) of the Act, he/she may omit the submission of documents referred to in subparagraph 1: <Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24819, Oct. 30, 2013>

1. A cadastral map or forest map that indicates the location of facilities for the development and utilization of groundwater;
 2. An installation drawing of facilities for the development and utilization of groundwater;
 3. A groundwater impact investigation report;
 4. Other documents prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
- (2) An installation drawing of facilities for the development and utilization of groundwater under paragraph (1) 2 shall be prepared by any of the following persons:
1. An institution specialized in surveys of groundwater;
 2. An engineering business entity in the field of civil engineering of geological features, the foundation, the development of underground resources, the development of water sources, water supply and sewerage, or farming or fishing, who has reported pursuant to the Engineering Industry Promotion Act;
 3. A professional engineer in the field of civil engineering of geological features, the foundation, the development of underground resources, the development of water sources, water supply and sewerage, or farming or fishing, who has registered the establishment of an professional engineers' office pursuant to the Professional Engineers Act;

4. A groundwater impact investigation agency under Article 27 (1) of the Act (hereinafter referred to as "groundwater impact investigation agency");
 5. A groundwater purification contractor who has registered pursuant to Article 29-2 (1) of the Act (hereinafter referred to as "groundwater purification contractor");
 6. Any agent for investigating environmental impact, who has registered pursuant to Article 15 of the Drinking Water Management Act.
- (3) An installation drawing of facilities for the development and utilization of groundwater referred to in paragraph (1) 2 shall meet the following standards: <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

1. The upper part of the protection wall beneath the earth's surface shall be installed on the earth's surface: Provided, That this shall not apply to cases where the head of a Si/Gun/Gu deems that it is necessary to install the upper part of the protection wall beneath the earth's surface in view of the topographic conditions;
 2. The upper protection facility shall be firmly installed so as not to be damaged, broken or polluted, and a drainageway shall be installed in the upper protection facility;
 3. A notice of facilities for the development and utilization of groundwater prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport shall be attached on the upper protection facility.
- (4) In addition to the matters prescribed in paragraph (3), detailed standards for installation of facilities for the development and utilization of groundwater shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

Article 8-2 (Purposes of Development and Utilization of Groundwater)

A person who intends to develop and utilize groundwater shall indicate purposes of the development and utilization of groundwater that fall under any of the following when he/she makes an application for permission under Article 7 (1) of the Act or makes a report under Article 8 (1) of the Act, and also indicate whether to be utilized as drinking water when classifying the purposes:

1. Water for living: Groundwater used for daily life, such as for home use, etc.: Provided, That groundwater falling under subparagraphs 2 and 3 is excluded;
2. Water for industrial use: Groundwater used for the manufacture of goods and operation of equipment in factories or other manufacturing businesses;
3. Water for farming or fishing: Groundwater used for agriculture, forestry, livestock or fisheries.

Article 9 (Examination of Groundwater Impact Investigation Reports)

(1) Where the head of a Si/Gun/Gun receives a groundwater impact investigation report from a person who applies for permission for the development and utilization of groundwater pursuant to Article 7 (2) of the Act, he/she shall examine whether the report conforms to the items, method of investigation and assessment standards of a groundwater impact investigation under Article 12 (1) and whether the report has been prepared pursuant to guidelines for the preparation thereof and the content to be prepared under Article 12 (2). <Amended by Presidential Decree No. 23846, Jun. 8, 2012>

(2) In examining a groundwater impact investigation report pursuant to paragraph (1), where the head of a Si/Gun/Gu deems it necessary to adjust or supplement the groundwater impact investigation report, he/she may request a person who applies for permission for the development and utilization of groundwater to adjust or supplement the groundwater impact investigation report.

(3) Where the head of a Si/Gun/Gu deems necessary for examining a groundwater impact investigation report pursuant to paragraph (1), he/she may seek opinions from related experts.

Article 9-2 (Restrictions on Permission for Development and Utilization of Groundwater or on Volume of Groundwater Collection)

"Cases prescribed by Presidential Decree" in Article 7 (3) 4 of the Act means cases where the head of a Si/Gun/Gu is requested to restrict the development and utilization of groundwater by the relevant administrative agency due to reasons, such as impacts on the water volume of a river under the River Act.

Article 10 Deleted. <by Presidential Decree No. 17433, Dec. 19, 2001>

Article 11 (Alteration of Permitted Matters)

(1) "Where a person intends to change matters prescribed by Presidential Decree" in the main sentence of Article 7 (6) of the Act means the following cases:

1. Where he/she alters the purposes of development and utilization of groundwater (including an alteration as to whether to utilize groundwater as drinking water or not);
2. Where he/she alters facilities for the development and utilization of groundwater [limited to cases where the groundwater pumping capacity is increased (referring to the maximum water collection volume that he/she may pump up by using the facilities for the development and utilization of groundwater, in light of the power unit of the facilities, the diameter and depth of the discharge pipe, etc.; hereinafter the same shall apply)].

(2) Where a person who has obtained permission for the development and utilization of groundwater pursuant to Article 7 (1) of the Act intends to change any permitted matter, he/she shall file an application for permission for change, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

Article 12 (Items, Methods, etc. of Groundwater Impact Investigation)

(1) The items, methods and assessment standards of a groundwater impact investigation under Article 7 (8) of the Act shall be as specified in attached Table 1: Provided, That where the head of a Si (including a Special Self-Governing City; hereinafter the same shall apply)/Gun/Gu deems particularly necessary for the preservation of groundwater, he/she may add other items and methods of the groundwater impact investigation, as prescribed by municipal ordinance of the relevant Si/Gun/Gu (referring to an autonomous Gu; hereinafter the same shall apply), or he/she may comply with the items, methods and assessment standards of the environmental impact investigation under Article 13 of the Drinking Water Management Act. <Amended by Presidential Decree No. 23846, Jun. 8, 2012; Presidential Decree No. 24819, Oct. 30, 2013>

(2) Guidelines for the preparation of and the content to be prepared in a groundwater impact investigation report under Article 7 (8) of the Act shall be as specified in attached Table 2.

Article 12-2 (Permission for Development and Utilization of Groundwater in Vicinity of River)

"Limits prescribed by Presidential Decree" in Article 7-2 (1) of the Act means 300 meters.

Article 12-3 (Extension of Term of Validity of Permission for Development and Utilization of Groundwater)

(1) A person who intends to obtain permission for the extension of the term of validity of permission for the development and utilization of groundwater pursuant to Article 7-3 (3) of the Act shall file an application for permission for the extension thereof with the head of a Si/Gun/Gu along with a groundwater impact investigation report prepared within the last six months by not later than 30 days before the expiration date of the term of validity, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That in cases of developing and utilizing groundwater from geothermal air-conditioning or heating facilities that use geothermy as a source of energy for air-conditioning or heating (hereinafter referred to as "geothermal air-conditioning or heating facilities") (limited to cases where groundwater is subsequently filled into the ground), a groundwater impact investigation report may not be attached. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25717, Nov. 11, 2014>*

(2) The head of a Si/Gun/Gu shall notify, in advance, a person who has obtained permission for the development and utilization of groundwater of the procedure for extension and the fact that he/she cannot obtain permission for extension unless he/she applies for extension of the term of validity by not later than six months before the term of validity of permission for the development and utilization of groundwater expires.

(3) The head of a Si/Gun/Gu may give notification under paragraph (2) by short message service using a mobile phone, electronic mail, fax, or telephone or in writing.

Article 13 (Reporting on Development and Utilization of Groundwater)

(1) Any person who intends to make a report on the development and utilization of groundwater pursuant to the proviso to Article 7 (6) of the Act or Article 8 (1) of the Act shall submit the following documents to the head of a Si/Gun/Gu: Provided, That in cases falling under the proviso to Article 7 (6) of the Act or Article 8 (1) 1 of the Act, he/she may omit some of documents to be submitted, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

1. A cadastral map or forest map that indicates the location of facilities for the development and utilization of groundwater;
2. An installation drawing of facilities for the development and utilization of groundwater;
3. Other documents prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(2) When a person who intends to make a report on the development and utilization of groundwater pursuant to Article 8 (1) of the Act prepares an installation drawing of facilities for the development and utilization of groundwater referred to in paragraph (1) 2, he/she may prepare the installation drawing in accordance with the standard drawing of facilities for the development and utilization of groundwater, as

prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

(3) "Below the scale prescribed by Presidential Decree" in Article 8 (1) 2 of the Act means cases where the water pumping capacity per day does not exceed 150 tons (limited to cases where the discharge pipe, the inner diameter of which does not exceed 50 millimeters, is used): Provided, That where the Mayor/Do Governor deems particularly necessary for the preservation of groundwater or on regional conditions, he/she may adjust the water pumping capacity within the limits of 50 percent, as prescribed by municipal ordinance of the relevant Special Metropolitan City, Metropolitan City, Special Self-Governing City, Do, or Special Self-Governing Province (hereinafter referred to as "City/Do"). *<Amended by Presidential Decree No. 23846, Jun. 8, 2012; Presidential Decree No. 24819, Oct. 30, 2013>*

(4) "Below the scale prescribed by Presidential Decree" in Article 8 (1) 5 of the Act means cases where the water pumping capacity per day does not exceed 100 tons (limited to cases where the discharge pipe, the inner diameter of which does not exceed 40 millimeters, is used): Provided, That where the Mayor/Do Governor deems particularly necessary for the preservation of groundwater or on regional conditions, he/she may adjust the water pumping capacity within the limits of 50 percent, as prescribed by municipal ordinance of the relevant City/Do.

(5) In calculating the water pumping capacity under paragraphs (3) and (4), in any of the following cases, the total water pumping capacity shall be summed up:

1. Deleted; *<by Presidential Decree No. 25717, Nov. 11, 2014>*

2. Where at least two facilities for the development and utilization of groundwater are installed in the same place of business;

3. Where the same person installs at least two facilities for the development and utilization of groundwater in an area where the distance between the facilities does not exceed 50 meters.

(6) The modification of important matters under the main sentence of Article 8 (2) of the Act means any of the following cases: *<Amended by Presidential Decree No. 24819, Oct. 30, 2013>*

1. Deleted; *<by Presidential Decree No. 24819, Oct. 30, 2013>*

2. Where the purposes of the development and utilization of groundwater are altered (including an alteration as to whether to utilize groundwater as drinking water or not);

3. Where facilities for the development and utilization of groundwater are altered.

(7) Any person who intends to file a report on changes pursuant to the main sentence of Article 8 (2) of the Act shall file a report to the head of a Si/Gun/Gu within one month from the date any reason for changes occurs.

(8) Article 8 (3) and (4) shall apply mutatis mutandis to the installation of facilities for the development and utilization of groundwater subject to reporting.

Article 13-2 (Orders to Take Corrective Measures, etc.)

(1) When the head of a Si/Gun/Gu takes necessary measures, such as an order to take corrective measures, an order to suspend the utilization of groundwater or an order to jointly utilize groundwater, against any

person who has made a report on the development and utilization of groundwater pursuant to Article 8 (3) of the Act, he/she shall notify the person, specifying reasons for such orders, methods of complying with such orders, and the period for complying with such orders.

(2) The head of a Si/Gun/Gu may grant an extension of the period for complying with an order only once to a person who fails to comply with the order within the period for complying with the order referred to in paragraph (1) due to a natural disaster or other unavoidable reasons within the limits of the original period. In such cases, a person who intends to obtain an extension of the period for complying with the order shall file an application for extension of such period with the head of a Si/Gun/Gu by not later than three days prior to the expiration of the original period.

(3) When a person who has received an order to take corrective measures, etc. pursuant to paragraph (1) complies with such order, he/she shall notify the head of a Si/Gun/Gu of the matters the person has implemented within 15 days from the date the person has implemented such matters, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

Article 14 (Reporting on Completion of Construction Works)

(1) Deleted. *<by Presidential Decree No. 16297, May 10, 1999>*

(2) Where a person who has obtained permission pursuant to Article 7 of the Act or has made a report pursuant to Article 8 of the Act completes construction works for the installation of facilities for the development and utilization of groundwater, he/she shall make a report to the head of a Si/Gun/Gu within one month from the date the person completes construction works, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 23470, Dec. 30, 2011; Presidential Decree No. 24443, Mar. 23, 2013>*

(3) Where the head of a Si/Gun/Gu receives a report on completion of construction works under paragraph (2), he/she shall issue a certificate of completion after confirming whether facilities for the development and utilization of groundwater are installed in conformity with the permitted or reported matters within seven days from the date he/she receives the report, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 23470, Dec. 30, 2011; Presidential Decree No. 24443, Mar. 23, 2013>*

(4) "Matters prescribed by Presidential Decree, such as the location of facilities for the development and utilization of groundwater" in Article 9 (2) of the Act means the following matters: *<Amended by Presidential Decree No. 23470, Dec. 30, 2011; Presidential Decree No. 23846, Jun. 8, 2012; Presidential Decree No. 25717, Nov. 11, 2014>*

1. The location of facilities for development and utilization of groundwater;

2. Any of the following matters:

(a) The depth and diameter of excavation, a water discharging system, integrating flow meter, and water level measuring pipe, among the details of facilities installed;

(b) A power unit, the inner diameter of discharge pipe, the depth of installation, and the water pumping capacity, among the details of water pumping equipment;

(c) The upper protection hole, the lower protection wall beneath the earth's surface, and the thickness of grouting, among the details of facilities installed to prevent pollution.

(5) Where the head of a Si/Gun/Gu issues an order to take corrective measures or takes necessary measures against a person who has reported the completion of construction pursuant to Article 9 (2) of the Act, the head of a Si/Gun/Gu shall notify the person of the details thereof within a fixed period not exceeding three months. *<Amended by Presidential Decree No. 23470, Dec. 30, 2011>*

(6) The head of a Si/Gun/Gu may grant an extension of the period for complying with an order only once to a person who fails to comply with the order within the period for complying with the order referred to in paragraph (5) due to a natural disaster or other unavoidable reasons within the limits of the original period. In such cases, a person who intends to obtain an extension of the period for complying with the order shall file an application for extension of such period with the head of a Si/Gun/Gu by not later than three days prior to the expiration of the original period. *<Amended by Presidential Decree No. 23470, Dec. 30, 2011>*

(7) When a person who has received an order to take corrective measures, etc. pursuant to paragraph (5) complies with such order to take corrective measures, etc., he/she shall notify the head of a Si/Gun/Gu of the matters the person has implemented within 15 days from the date the person has implemented such matters, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 23470, Dec. 30, 2011; Presidential Decree No. 24443, Mar. 23, 2013>*

Article 14-2 (Purposes of Outflowing Groundwater)

"Purposes prescribed by Presidential Decree" in Article 9-2 (2) of the Act means the following purposes: *<Amended by Presidential Decree No. 25717, Nov. 11, 2014>*

1. Water for living used for fire-fighting, cleaning, landscaping, construction works, restrooms, parks, or air-conditioning or heating;
2. Other purposes recognized as necessary by the head of a Si/Gun/Gu.

Article 14-3 (Reporting, etc. on Excavation Affecting Groundwater)

(1) "Important matters prescribed by Presidential Decree" in the latter part of Article 9-4 (1) of the Act with the exception of its subparagraphs means any of the following matters: *<Amended by Presidential Decree No. 23846, Jun. 8, 2012; Presidential Decree No. 25717, Nov. 11, 2014>*

1. The depth or diameter of excavation;
- 1-2. The planned date of restoration;
2. The name of a construction company.

(2) "Acts prescribed by Presidential Decree" in Article 9-4 (1) 4 of the Act means the following acts: *<Amended by Presidential Decree No. 25272, Nov. 11, 2014>*

1. Exploration under subparagraph 2 of Article 3 of the Mining Industry Act;

2. Geological or groundwater surveys, the excavation diameter of which exceeds 75 millimeters (excluding cases of national defense and military purposes);
 3. Construction works for geothermal air-conditioning or heating facilities which do not use groundwater.
- (3) "Extent prescribed by Presidential Decree" in Article 9-4 (3) of the Act means cases where facilities for the development and utilization of groundwater installed in an area within a radius of 50 meters from the center of a place of excavation in the relevant land fall under any of the following cases:
1. Where the maximum volume of groundwater collection per day decreases by at least 20 percent;
 2. Where the groundwater quality fails to meet water quality standards established pursuant to Article 20 (2) of the Act (hereinafter referred to as "water quality standards").

Article 14-4 (Post Management, etc. of Facilities for Development and Utilization of Groundwater)

- (1) Post management under Article 9-5 (1) of the Act shall consist of the cleaning, inspection and maintenance of facilities for the development and utilization of groundwater.
- (2) Where the head of a Si/Gun/Gu takes necessary measures, such as an order to take corrective actions, an order to suspend the utilization of groundwater, etc., with respect to a person who fails to implement post management pursuant to Article 9-5 (3) of the Act or makes a false report, he/she shall notify a person who develops and utilizes the relevant groundwater of the details thereof within a fixed period not exceeding three months.
- (3) Article 14 (6) and (7) shall apply mutatis mutandis to the extension of the period for implementing necessary measures, such as an order to take corrective actions or an order to suspend the utilization of groundwater, under Article 9-5 (3) of the Act and the notification of the results of implementation.
- (4) The size and purposes of facilities subject to post management under Article 9-5 (4) of the Act shall be as follows, and the inspection interval shall be two years: Provided, That the inspection interval of facilities falling under subparagraph 4 shall be five years: <Amended by Presidential Decree No. 23846, Jun. 8, 2012; Presidential Decree No. 24443, Mar. 23, 2013>

1. Facilities the water pumping capacity of which exceeds 100 tons a day among the facilities for the development and utilization of groundwater managed by the State or a local government for emergency water supply in preparation for war or other state of emergency;
2. Facilities the water pumping capacity of which exceeds 100 tons a day among the facilities for the development and utilization of groundwater for public water supply under Article 19 (1);
3. Facilities for the development and utilization of groundwater for public use prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, the water pumping capacity of which exceeds 100 tons a day, among the facilities for the development and utilization of groundwater after obtaining permission or approval or making a report under the Act or other Acts;
4. Facilities excluding facilities falling under subparagraph 2 or 3 and geothermal air-conditioning and heating facilities, among the facilities for the development and utilization of groundwater permitted pursuant to Article 7 (1) of the Act or the proviso to Article 8 (2) of the Act.

(5) Specific methods of the cleaning, inspection and maintenance of facilities for the development and utilization of groundwater under paragraph (1) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

Article 14-5 (Installation, etc. of Facilities for Securing Groundwater Resources)

(1) "Areas prescribed by Presidential Decree" in Article 9-6 (1) 3 of the Act means any of the following areas:

1. An area where the groundwater levels are unstable as a result of surveys of the actual conditions of changes in groundwater levels under Article 17 (1) of the Act or surveys of the actual conditions of changes in groundwater levels, etc. under Article 17 (2) of the Act;
2. An area where it is impracticable to secure river water and lake water.

(2) "Institutions prescribed by Presidential Decree" in Article 9-6 (4) of the Act means the following institutions:

1. The Korea Water Resources Corporation under the Korea Water Resources Corporation Act;
2. The Korea Rural Community Corporation under the Korea Rural Community Corporation and Farmland Management Fund Act.

Article 15 (Level of Poor Water Quality)

Poor water quality under Article 10 (1) 6 of the Act and Article 15 (1) 4 of the Act means cases where groundwater quality is at the level unfit for development and utilization: Provided, That the water quality of facilities for the development and utilization of groundwater for which the head of a Si/Gun/Gu deems that a water treatment system is necessary for the purpose of the development and utilization of groundwater is regarded as poor water quality when it is unfit for development and utilization even after water treatment. <Amended by Presidential Decree No. 25717, Nov. 11, 2014>

Article 15-2 (Close Scrutiny of Changes in Groundwater Level)

Close scrutiny under Article 10 (1) 8-2 of the Act shall include the following matters:

1. Surveys of the surrounding conditions;
2. Surveys of groundwater levels and quality;
3. Analysis of causes of changes in groundwater level;
4. Other matters necessary for close scrutiny.

Article 16 (Orders to Take Corrective Action, etc. before Revocation of Permission)

(1) Where the head of a Si/Gun/Gu intends to order any person who develops and utilizes groundwater to take corrective action, or to take necessary measures pursuant to Article 10 (3) of the Act before he/she revokes permission for the development and utilization of groundwater, he/she shall notify a person who has obtained permission for the development and utilization of the relevant groundwater of the details thereof, within a fixed period not exceeding three months.

(2) Where the head of a Si/Gun/Gu deems that there is a natural disaster or any other unavoidable cause, he/she may extend the period notified pursuant to paragraph (1) only once within the limits of the period notified first. In such cases, a person who intends to obtain an extension of the period shall file an

application for extension of the period to the head of a Si/Gun/Gu by not later than three days before the period initially notified expires.

(3) Where any person notified pursuant to paragraph (1) complies with an order to take corrective action or measures, he/she shall notify the head of a Si/Gun/Gu within 15 days from the date he/she does so, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

Articles 17 and 18 Deleted. *<by Presidential Decree No. 16297, May 10, 1999>*

Article 19 (Areas Subject to Designation of Groundwater Preservation Zones)

(1) "Facilities for the development and utilization of groundwater for public water supply prescribed by Presidential Decree" in Article 12 (1) 3 of the Act means facilities for the development and utilization of groundwater that are utilized to supply groundwater to wide-area waterworks, local waterworks, small-scale waterworks, waterworks for exclusive use or small-scale water-supply systems under Article 3 of the Water Supply and Waterworks Installation Act (hereinafter referred to as "facilities for public water supply"), and "radius prescribed by Presidential Decree" means 50 meters. *<Amended by Presidential Decree No. 23470, Dec. 30, 2011>*

(2) "Areas prescribed by Presidential Decree" in Article 12 (1) 7 of the Act means any of the following areas: *<Amended by Presidential Decree No. 23470, Dec. 30, 2011>*

1. An area in which the preservation of groundwater or restrictions on the development of groundwater is deemed necessary in accordance with the Master Plan or a regional management plan;
2. An area in which seawater has already invaded, or is likely to invade, into water-bearing strata due to the excessive development and utilization of groundwater in coastal areas and insular areas;
3. An area in which the volume of groundwater of facilities for public water supply is likely to decrease due to the installation of facilities for the development and utilization of groundwater, located within a radius of 100 meters from the center of the facilities for public water supply.

(3) Deleted. *<by Presidential Decree No. 19158, Nov. 30, 2005>*

(4) "Areas prescribed by Presidential Decree" in Article 12 (7) 3 of the Act means an area the designation of which as a groundwater preservation zone is deemed necessary in accordance with the Master Plan. *<Amended by Presidential Decree No. 23470, Dec. 30, 2011; Presidential Decree No. 24819, Oct. 30, 2013>*

(5) The scope of designation of groundwater preservation zones under Article 12 (1) of the Act shall be as specified in attached Table 3. *<Amended by Presidential Decree No. 23470, Dec. 30, 2011>*

Article 20 (Procedures for Designation of Groundwater Preservation Zones)

(1) Where the head of the relevant central administrative agency or the head of a Si (excluding the Mayor of a Special Self-Governing City; hereafter the same shall apply in this Article)/Gun/Gu deems the designation of a groundwater preservation zone under Article 12 (1) of the Act or the change of the designation thereof (including the cancellation of designation; hereinafter the same shall apply) necessary, he/she may request the Mayor/Do Governor to designate a groundwater preservation zone or to change the designation thereof, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

<Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24819, Oct. 30, 2013>

(2) Where the head of the relevant central administrative agency or the head of a Si/Gun/Gu requests the designation of a groundwater preservation zone or the change of the designation thereof pursuant to paragraph (1), he/she shall submit a written request, accompanied by the following documents: *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

1. Documents stating the purpose of or reasons for designation or alteration of designation;
2. Documents stating the details of designation or alteration of designation;
3. A topographic map drawn on a scale of 1 to 5,000 or greater indicating the range and the surface area of an area which he/she intends to designate or to alter designation;
4. A written evidence of land in which the lot number, land category and the surface area of the relevant area are indicated;
5. Other documents prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(3) Where a Mayor/Do Governor deems that a request for designation of a groundwater preservation zone or for the change of the designation thereof under paragraph (1) is appropriate, he/she shall designate a groundwater preservation zone or alter the designation thereof.

(4) Where a Mayor/Do Governor intends to designate a groundwater preservation zone or alter the designation thereof pursuant to Article 12 (1) of the Act, he/she shall take the following matters into consideration:

1. Characteristics of groundwater reserves and the actual conditions of the utilization of groundwater;
2. Characteristics of quality and polluted conditions of groundwater;
3. Effects on natural ecosystems due to the development of groundwater;
4. The current status of land use in the relevant area;
5. The current status of the installation of facilities causing groundwater pollution in the relevant area under Article 26-2 (1);
6. Relevance to any development plan under other statutes.

(5) Any alteration of minor matters under the proviso to Article 12 (2) of the Act means any of the following cases:

1. Where the name of a groundwater preservation zone is altered;
2. Where the surface area of a groundwater preservation zone is increased or decreased within ten percent of the designated surface area.

(6) Where a Mayor/Do Governor designates a groundwater preservation zone or alters the designation thereof, he/she shall announce the following matters in the Official Gazette, etc. pursuant to Article 12 (5) of the Act: *<Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24819, Oct. 30, 2013>*

1. The date of designation of a groundwater preservation zone or the date of the alteration of the designation thereof;

2. The name of a groundwater preservation zone;
 3. The location and the surface area of a groundwater preservation zone;
 4. Reasons for the designation of a groundwater preservation zone or for the alteration of the designation thereof;
 5. Drawings prepared as topographic maps drawn on a scale of 1 to 5,000 or greater;
 6. Other matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
- (7) The Mayor of a Special Self-Governing City and the head of a Si/Gun/Gu shall provide the fact of designation of a groundwater preservation zone or alteration of the designation thereof, and the details thereof for public perusal for at least 20 days pursuant to Article 12 (6) of the Act. *<Newly Inserted by Presidential Decree No. 24819, Oct. 30, 2013>*
- (8) Where a Mayor/Do Governor designates a groundwater preservation zone or alters the designation thereof, he/she shall make an announcement of the land register of such groundwater preservation zone: Provided, That this shall not apply where he/she cancels the designation of a groundwater preservation zone.
- (9) Where a Mayor/Do Governor deems that causes referred to in the subparagraphs of Article 12 (1) of the Act are disappeared, he/she shall cancel the designation of a groundwater preservation zone.
- (10) Matters necessary for announcement of the land register under paragraph (8) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24819, Oct. 30, 2013>*

Article 20-2 (Hearing Opinions of Residents)

- (1) When a Mayor/Do Governor intends to hear opinions of residents regarding the designation of a groundwater preservation zone or alteration of the designation thereof pursuant to the main sentence of Article 12-2 (1) of the Act, he/she shall notify the head of the relevant Si (excluding the Mayor of a Special Self-Governing City; hereafter the same shall apply in this Article)/Gun/Gu of a plan for official announcement containing important matters of a plan for designation of a groundwater preservation zone or a plan for alteration of the designation thereof. *<Amended by Presidential Decree No. 24819, Oct. 30, 2013>*
- (2) The Mayor of a Special Self-Governing City who intends to hear opinions of residents pursuant to the main sentence of Article 12-2 (1) of the Act shall publicly announce the principal details of a plan for designation of a groundwater preservation zone or a revised plan therefor and the head of a Si/Gun/Gu notified of a plan for official announcement pursuant to paragraph (1) shall publicly announce the details thereof and provide such details for the perusal of residents for at least 14 days. *<Amended by Presidential Decree No. 24819, Oct. 30, 2013>*
- (3) A person who holds an opinion on the designation of a groundwater preservation zone or alteration of the designation thereof publicly announced and publicly perused pursuant to paragraph (2) may submit his/her opinion in writing to the Mayor/Do Governor within the period of public perusal.
- (4) The Mayor/Do Governor shall consider whether to reflect the opinions submitted pursuant to paragraph (3) in the designation of a groundwater preservation zone or alteration of the designation

thereof, and notify those who have submitted the relevant opinions of the result of his/her consideration within 30 days from the expiration date of the period of public perusal.

(5) "Minor matters prescribed by Presidential Decree" in the proviso to Article 12-2 (1) of the Act means cases for the correction of errors in the calculation of the surface area of the details of the designation of a groundwater preservation zone or alteration of the designation thereof.

Article 21 (Restrictions on Acts within Groundwater Preservation Zones)

(1) "More than a scale prescribed by Presidential Decree" in Article 13 (1) 1 of the Act means cases where the water pumping capacity per day to be developed and utilized in groundwater preservation zones (excluding any of the following zones) is at least 30 tons. In such cases, where the discharge pipe the inner diameter of which is at least 32 millimeters is used, the water pumping capacity per day shall be deemed at least 30 tons: *<Amended by Presidential Decree No. 25717, Nov. 11, 2014>*

1. Zones prescribed in Article 12 (1) 3 of the Act;
2. Zones prescribed in Article 19 (2) 1 of the Act (limited to the zones to preserve the quality of groundwater).

(2) Article 13 (5) shall apply mutatis mutandis to the calculation of the water pumping capacity under paragraph (1).

(3) "Facilities prescribed by Presidential Decree" in Article 13 (1) 2 of the Act other than each item means facilities subject to permission, approval, reporting, etc. under the Water Quality and Aquatic Ecosystem Conservation Act, the Wastes Control Act, the Chemicals Control Act, the Soil Environment Conservation Act, the Sewerage Act, or the Act on the Management and Use of Livestock Excreta. *<Amended by Presidential Decree No. 25836, Dec. 9, 2014>*

(4) "Acts prescribed by Presidential Decree" in Article 13 (1) 3 of the Act means any of the following acts: *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

1. Underground excavation works that are likely to change the flowing route or flowing velocity of groundwater, such as tunneling works;
2. Installation of a structure that is likely to pollute groundwater, such as underground oil storage, etc.;
3. Installation of a waste landfill, specific waste storage facilities, cemetery, etc.;
4. Mining, earth and stone quarrying and breeding and raising livestock, etc. more than the size prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, which can have remarkable influence on the quality and quantity of groundwater.

(5) Where the head of a Si/Gun/Gu intends to prohibit newly developing and utilizing groundwater in a groundwater preservation zone pursuant to Article 13 (2) of the Act, he/she shall announce the following matters in the official report, etc. and open the details of such announcement for public perusal for at least 20 days:

1. The date of designation of a groundwater preservation zone or the date of alteration of the designation thereof;

2. The name of a groundwater preservation zone;
3. The location and the surface area of a groundwater preservation zone;
4. Drawings prepared as topographic maps drawn on a scale of 1 to 5,000 or greater;
5. Details of developing and utilizing groundwater prohibited and the period during which such acts are prohibited.

Article 22 (Amount of Performance Guarantee and Time of Deposit, etc.)

(1) A person who has obtained permission, approval, etc. for or made a report on the development and utilization of groundwater pursuant to Article 7 (1), 8 (1), 9-4 (1) or 13 (1) 1 of the Act or other Acts shall deposit a performance guarantee under Article 14 of the Act in cash or by a written guarantee, securities, etc. prescribed by the Ordinance of the Ministry of Land, Infrastructure and Transport before the commencement date of such construction works. *<Amended by Presidential Decree No. 23470, Dec. 30, 2011; Presidential Decree No. 24443, Mar. 23, 2013>*

(2) The amount of a performance guarantee under paragraph (1) shall be used for expenses incurred in restoration to the original state, and specific standards for calculation of the amount of the performance guarantee shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 23470, Dec. 30, 2011; Presidential Decree No. 24443, Mar. 23, 2013>*

(3) The period of deposit of a performance guarantee under Article 14 (1) of the Act shall be five years from the commencement date of construction works: Provided, That where the head of a Si/Gun/Gu deems particularly necessary in consideration of the regional conditions or the conditions of facilities for the development and utilization of groundwater, he/she may review every five years whether it is necessary to continuously deposit the performance guarantee and have the relevant person keep depositing the performance guarantee. *<Amended by Presidential Decree No. 23470, Dec. 30, 2011>*

(4) Where the period for development and utilization of groundwater is fixed pursuant to Article 7 or 7-3 of the Act or other Acts, notwithstanding paragraph (3), the period of deposit of a performance guarantee shall be until the date one year lapses after the period for development and utilization of groundwater expires. Where the period for development and utilization of groundwater is extended, the period of deposit of a performance guarantee shall be until the date one year lapses after the period for development and utilization of groundwater expires from the date of permission for extension. *<Amended by Presidential Decree No. 23470, Dec. 30, 2011>*

(5) Where a person who is obligated to restore facilities or land to the original state (hereinafter referred to as "person obligated to restore facilities or land to the original state") pursuant to Article 15 (1) of the Act restores facilities or land to the original state, the period of deposit of a performance guarantee elapses or the relevant area falls under Article 23 (1) 3, the head of a Si/Gun/Gu shall return the performance guarantee, as prescribed by the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 23470, Dec. 30, 2011; Presidential Decree No. 24443, Mar. 23, 2013>*

(6) Deleted. *<by Presidential Decree No. 17433, Dec. 19, 2001>*

(7) Where the head of a Si/Gun/Gu directly restores facilities or land to the original state on behalf of a person obligated to restore facilities or land to the original state pursuant to Article 15 (4) of the Act, if a performance guarantee does not fully cover the cost of restoration, he/she may charge the person obligated to restore facilities or land to the original state for the shortage, and where the balance occurs after he/she uses the performance guarantee, he/she shall promptly return the balance of the performance guarantee to the person obligated to restore facilities or land to the original state. *<Amended by Presidential Decree No. 23470, Dec. 30, 2011>*

Article 22-2 (Exemption from Liability to Deposit Performance Guarantee)

"Other cases prescribed by Presidential Decree, the restoration of which is deemed certain" in Article 14 (1) 2 of the Act means cases falling under Article 14-3 (2) 3.

Article 23 (Exception, etc. to Restoration to Original State)

(1) "Cases prescribed by Presidential Decree" in the proviso to Article 15 (1) of the Act other than each subparagraph means any of the following cases:

1. Where a person continues to develop and use groundwater after obtaining permission or approval, or making a report pursuant to the Act or other Acts;
2. Where the head of a Si/Gun/Gu deems that it is necessary to use facilities or land as a groundwater level observation network or groundwater quality observation network;
3. Where the head of a Si/Gun/Gu deems that it is unnecessary to restore facilities or land to the original state under topographical conditions.

(2) "Other cases prescribed by Presidential Decree, for which the restoration to original state is required" in Article 15 (1) 8 of the Act means any of the following cases:

1. Where the ground or a structure subsides or is likely to subside because the groundwater level lowers;
2. Where groundwater dries up or is likely to dry up because the groundwater level lowers.

Article 24 (Standards, Method and Period, etc. of Restoration to Original State)

(1) Where the head of a Si/Gun/Gu orders a person who develops and utilizes groundwater to restore facilities or land to the original state pursuant to Article 15 (2) or (3) of the Act, he/she shall notify a person obligated to restore facilities or land to the original state of the details thereof in writing within a fixed period of not more than one month. In such cases, the person obligated to restore facilities or land to the original state shall notify the head of a Si/Gun/Gu of the commencement date of restoration to the original state by phone, etc. before he/she commences restoration, and then implement restoration.

(2) Article 16 (2) shall apply mutatis mutandis to an extension of the period of restoration to the original state pursuant to paragraph (1).

(3) Where the head of a Si/Gun/Gu shall implement restoration on behalf of a person obligated to restore facilities or land to the original state pursuant to Article 15 (4) of the Act, notify the person obligated to restore facilities or land to the original state of the details thereof in writing by not later than seven days prior to the commencement date of restoration.

(4) Restoration under Article 15 of the Act shall be implemented by the following methods: Provided, That where the head of a Si/Gun/Gu deems that it is insufficient to implement restoration by the following methods, and determines a method of restoration separately, restoration shall be implemented by such method:

1. To check the inner side of the excavated hole and eliminate the installation materials and polluted materials, fill up from the bottom of original excavation to the ground surface with materials through which water is hard to permeate, such as cement slurry and clay: Provided, That filling up at the lower part of the protection wall beneath the ground surface (hereafter in this paragraph referred to as "protection wall") may be filled up with materials through which water is easy to permeate, such as sand;
2. To eliminate the protection wall installed beneath the ground surface: Provided, That where it is hard to eliminate the protection wall, to cut off the protection wall more than one meter from the ground surface after digging out earth from the around area.

(5) The head of a Si/Gun/Gu shall confirm whether or not a person obligated to restore facilities or land to the original state, who has been ordered to implement restoration, implements restoration in conformity with paragraph (4) within a period of restoration.

Article 25 (Measures to Prevent Pollution of Groundwater, etc.)

(1) A person who is obligated to take necessary measures, such as the installation of facilities for preventing the pollution of groundwater, (hereinafter referred to as "person obligated to prevent the pollution of groundwater") pursuant to Article 16 (1) of the Act shall take measures to prevent the pollution of groundwater according to the following standards:

1. He/she shall install the upper protective hole and the protective wall beneath the surface of the earth of facilities for the development and utilization of groundwater, and maintain a certain degree of slope in the vicinity of facilities for the development and utilization of groundwater so that pollutants may not flow into such facilities for the development and utilization of groundwater from the surface of the earth or other facilities for the development and utilization of groundwater: Provided, That in any of the following cases, he/she may choose not to install the upper protective hole:

- (a) Where he/she develops and utilizes groundwater in a building into which no pollutant is likely to flow;
- (b) Where he/she has taken measures to prevent the pollution of groundwater under subparagraph 4 when he/she develops and utilizes water for farming or fishing without using any fixed power unit;

2. and 3. Deleted; <by Presidential Decree No. 23846, Jun. 8, 2012>

4. He/she shall install the discharge pipe in facilities for the development and utilization of groundwater for farming or fishing, which does not use any fixed power unit, at least 30 centimeters high above the surface of the earth, and make the end portion of the discharge pipe in the form of "" and keep it covered in order to prevent any inflow of pollutants;

5. He/she shall implement other measures for preventing the pollution of groundwater determined by the Minister of Environment.

(2) through (4) Deleted. <by Presidential Decree No. 23846, Jun. 8, 2012>

(5) Matters necessary for detailed installation standards of facilities preventing the pollution of groundwater under paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment.

Article 26 (Orders to Prevent Pollution of Groundwater, etc.)

(1) The Minister of Environment or the head of a Si/Gun/Gu may order any installer or manager of facilities which pollute or are likely to pollute groundwater remarkably to take the following measures to prevent the pollution of groundwater pursuant to Article 16 (2) of the Act:

1. Installation of a groundwater pollution observation well and the measurement of groundwater quality;
2. Assessment of the progress of the pollution of groundwater;
3. Installation of facilities for preventing the leakage of groundwater pollutants;
4. Purification of polluted groundwater;
5. Improvements in equipment and the operation of the relevant facilities;
6. Closure, removal or dismantlement of the relevant facilities.

(2) Matters necessary for orders to take measures to prevent the pollution of groundwater under paragraph (1) shall be prescribed by the Ordinance of the Ministry of Environment.

Article 26-2 (Prevention of Pollution of Facilities Causing Groundwater Pollution, etc.)

(1) Any installer or manager (hereinafter referred to as "manager of facilities causing groundwater pollution") of facilities causing groundwater pollution under Article 16-2 (1) of the Act (hereinafter referred to as "facilities causing groundwater pollution") shall take the following measures to prevent the pollution of groundwater:

1. Installation of facilities for preventing the leakage of groundwater pollutants;
2. Installation of facilities that may confirm whether groundwater pollutants are leaked;
3. Installation of a groundwater pollution observation well between the upstream and downstream of facilities causing groundwater pollution;
4. Regular measurements of groundwater quality and reporting the results of measurements of groundwater quality to the head of a Si/Gun/Gu.

(2) "When the pollution of groundwater prescribed by Presidential Decree occurs or is likely to occur" in the former part of Article 16-2 (2) of the Act means the time pollutants are leaked into nearby groundwater in the course of operating facilities causing groundwater pollution.

(3) When the relevant facilities fall under paragraph (2), the manager of facilities causing groundwater pollution shall take the following measures without delay:

1. Measurements of groundwater quality under Article 16-2 (1) of the Act;
2. Removal of pollutants;
3. Installation of facilities for preventing the proliferation of pollutants.

(4) When the manager of facilities causing groundwater pollution has taken measures under paragraph (3), he/she shall report the following matters to the head of a Si/Gun/Gu without delay:

1. Date and time and place of the occurrence of a groundwater pollution accident, and the cause and details of such accident;
2. The types, concentration and leaked quantity of groundwater pollutants;
3. Areas likely to be damaged by the pollution of groundwater and a place where groundwater quality has been measured;
4. Details of various measures taken to control such groundwater pollution accident;
5. A topographical map, a cadastral map or a forest land map, each drawn on a scale of 1 to 5,000 or greater, indicating the location where a groundwater pollution accident has occurred.

(5) Matters necessary for methods of installing a groundwater pollution observation well, the interval and method of measurements of water quality, methods of reporting the results of measurements of water quality, etc. under paragraph (1) shall be prescribed by the Ordinance of the Ministry of Environment.

Article 26-3 (Measures with respect to Managers of Facilities Causing Groundwater Pollution)

(1) Where groundwater quality does not meet water quality standards set by the Ordinance of the Ministry of Environment under Article 16-3 (1) of the Act as a result of the measurement of water quality under Article 16-2 (1) of the Act, the Minister of Environment or the head of a Si/Gun/Gu shall order the manager of facilities causing groundwater pollution that provides a cause of such pollution to submit a report stating hazards caused by groundwater pollution, the range of pollution, assessment on the cause of such pollution, measures to prevent pollution, etc. (hereinafter referred to as "assessment report on groundwater pollution"), as prescribed by the Ordinance of the Ministry of Environment.

(2) The Minister of Environment or the head of a Si/Gun/Gu shall order the manager of facilities causing groundwater pollution to take necessary measures among the following measures, based on an assessment report on groundwater pollution:

1. Close scrutiny on the range of groundwater pollution;
2. Installation of additional facilities to prevent the leakage of groundwater pollutants;
3. Change in the method of transporting, storing and treating groundwater pollutants;
4. Purification of polluted groundwater;
5. Improvements in equipment and the operation of the relevant facilities;
6. A survey on whether polluted groundwater is, or can be, naturally purified by natural decrease in groundwater.

(3) Guidelines for preparation of an assessment report on groundwater pollution, items to be included, and other necessary matters shall be determined and announced by the Minister of Environment.

Article 26-4 (Approval of Plans for Purifying Polluted Groundwater, etc.)

(1) The manager of facilities causing groundwater pollution shall, after preparing a plan for purifying polluted groundwater pursuant to Article 16-4 (1) of the Act, obtain approval of such plan from the head of a Si/Gun/Gu not later than 30 days before he/she commences to take measures for purifying polluted

groundwater under Article 16-2 (2) of the Act or within six months from the date he/she is ordered to purify polluted groundwater under Article 16-3 (1) of the Act.

(2) A plan for purifying polluted groundwater shall contain the following matters:

1. Methods and types of a purification project;
2. The period of a purification project and an area where the purification project is undertaken (including the location and surface area of facilities causing groundwater pollution and the range of areas subject to bearing expenses);
3. The size of a purification project, including the capacity of facilities and the surface area of facilities installed;
4. The total project costs and the project cost incurred in each field of works;
5. Methods of raising funds;
6. Contingency measures where the purification project is not undertaken as scheduled.

(3) Detailed matters necessary for preparing a plan for purifying polluted groundwater shall be determined and announced by the Minister of Environment.

Article 27 (Surveys on Actual Conditions of Changes in Groundwater Level)

(1) The Minister of Land, Infrastructure and Transport shall establish national observation networks referred to in Article 17 (1) of the Act in accordance with the Master Plan, taking into account the characteristics of groundwater reserves and the actual conditions of the utilization of groundwater throughout the country, and shall measure groundwater levels of every national observation network at least once a day: Provided, That where the Minister of Agriculture, Food and Rural Affairs establishes and operates groundwater level observation networks in areas where groundwater is used for agricultural and fishery purposes under Article 15 of the Rearrangement of Agricultural and Fishing Villages Act, such groundwater level observation networks may be utilized instead of establishing national observation networks there. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

(2) The head of a Si/Gun/Gu shall establish ancillary observation networks under Article 17 (2) of the Act, taking into account the actual conditions of the utilization of groundwater and the current status of groundwater quality in his/her jurisdiction, and measure groundwater levels at least once a month for every ancillary observation network.

(3) The Minister of Land, Infrastructure and Transport shall publish an annual groundwater observation report by consolidating the actual conditions of groundwater levels throughout the country as of December 31 every year based on the results of measurements of groundwater levels conducted pursuant to paragraph (1) and analyze the long-term trends of groundwater level changes. *<Amended by Presidential Decree No. 23846, Jun. 8, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

(4) Detailed matters concerning standards for establishment of observation networks and methods of measurements under paragraphs (1) and (2) shall be determined and announced by the Minister of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

Article 28 (Surveys on Actual Conditions of Utilization of Groundwater, etc.)

(1) The head of a Si/Gun/Gu shall survey the following matters on the actual conditions of the utilization of groundwater for each Ri/Dong and for each purpose within his/her jurisdiction every year pursuant to Article 17 (6) of the Act:

1. Matters concerning general conditions, such as locations, users, purposes, and the volume of the groundwater used;
2. Matters concerning shapes, characteristics, etc. of facilities for the development and utilization of groundwater, such as the depth and diameter thereof;
3. Matters concerning groundwater quality including water testing data referred to in Article 30 (5);
4. Matters concerning charges for utilizing groundwater;
5. Other matters concerning water pumping equipment, etc.

(2) Pursuant to Article 17 (6) of the Act, the head of a Si/Gun/Gu shall report the results of surveys on the actual conditions of the utilization of groundwater under paragraph (1) by March 31 of the following year, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24819, Oct. 30, 2013>*

(3) "Necessary measures, as prescribed by Presidential Decree" in Article 17 (9) of the Act means the following measures: *<Amended by Presidential Decree No. 24819, Oct. 30, 2013>*

1. The execution of detailed surveys and analysis of causes regarding the characteristics of groundwater reserves, the exploitable volume, the actual conditions of the development and utilization of groundwater in the relevant area;
2. If deemed necessary as a result of surveys and analysis referred to in subparagraph 1, requesting the relevant Mayor/Do Governor to designate a groundwater preservation zone.

Article 29 (Water Quality Testing, etc.)

(1) "Person prescribed by Presidential Decree" in Article 20 (1) of the Act means a person who develops and utilizes any of the following groundwater: Provided, That any person who develops and utilizes groundwater for public supply and undergoes water quality testing pursuant to Article 19 of the Water Supply and Waterworks Installation Act shall be excluded:

1. Drinking water;
2. Water for living, water for industrial use and water for farming or fishing corresponding to the scale and detailed purposes, etc. prescribed by Ordinance of the Ministry of Environment.

(2) A person falling under paragraph (1) shall undergo groundwater quality testing conducted by an institution specialized in testing related to groundwater (hereinafter referred to as "institution specialized in water quality testing") for each period prescribed by Ordinance of the Ministry of Environment. In such cases, where the person develops and utilizes the relevant groundwater for drinking water, he/she shall undergo water quality testing conducted by an inspection agency under Article 30 (1) 2.

Article 30 (Institutions Specialized in Water Quality Testing, etc.)

(1) An institution specialized in water quality testing under Article 20 (1) of the Act shall be any of the following institutions:

1. An institution specialized in surveys of groundwater;
2. An inspection agency under Article 43 of the Drinking Water Management Act;
3. A general waterworks business entity under subparagraph 22 of Article 3 of the Water Supply and Waterworks Installation Act;
4. The National Academy of Agricultural Science in the Rural Development Administration;
5. A Do agricultural technology institute under the Regulations on Administrative Organizations and the Criteria for the Legally Fixed Number of Officials of Local Governments;
6. A water quality testing institution prescribed by Ordinance of the Ministry of Environment where a person who develops and utilizes groundwater develops and utilizes groundwater in facilities installed by national defense and military installation projects.

(2) Where the result of water quality testing under Article 20 (1) of the Act does not meet water quality standards, an institution specialized in water quality testing shall notify the Minister of Environment or the head of a Si/Gun/Gu of the fact without delay.

(3) When the Minister of Environment or the head of a Si/Gun/Gu receives notification under paragraphs (2), he/she may order a person who uses the relevant groundwater to cease the use of such groundwater or to take necessary measures, such as improvements in water quality, by using any of the following methods, pursuant to Article 20 (2) of the Act:

1. Water treatment of groundwater (limited to cases where the head of a Si/Gun/Gu deems water treatment necessary for the purpose of development and utilization of groundwater);
2. Complementing facilities for the development and utilization of groundwater.

(4) Where the Minister of Environment or the head of a Si/Gun/Gu intends to order to cease the use of groundwater or to take measures, such as improvement in water quality, pursuant to paragraph (3), he/she shall notify the relevant person of details of such measures, specified in writing.

(5) An institution specialized in water quality testing shall keep the records of water quality testing for two years and submit the records of water quality testing as of the end of each quarter to the Minister of Environment or the head of a Si/Gun/Gu by the end of the month following the month of the expiration date of each quarter, as prescribed by Ordinance of the Ministry of Environment.

Article 31 (Items, etc. of Water Quality Testing)

(1) Items of water quality testing under Article 20 (3) of the Act shall be as follows:

1. In cases of drinking water: Items established for water quality standards of drinking water under Article 5 of the Drinking Water Management Act;
2. In cases of water for living, water for industrial use, and water for farming or fishing: Items established for water quality standards of groundwater prescribed by Ordinance of the Ministry of Environment.

(2) Methods of water quality testing under Article 20 (3) of the Act shall be as follows:

1. In cases of drinking water: Water quality testing shall comply with the official environmental pollution test standards under Article 6 (1) 6 of the Environmental Testing and Inspection Act;
2. In cases of water for living, water for industrial use and water for farming or fishing: Water quality testing shall comply with the official environmental pollution test standards under Article 6 (1) 5 of the Environmental Testing and Inspection Act.

Article 32 (Registration, etc. of Construction Business for Development and Utilization of Groundwater)

(1) Any person who intends to make registration of construction business for development and utilization of groundwater pursuant to Article 22 (1) of the Act shall submit a written application for registration to the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

<Amended by Presidential Decree No. 24443, Mar. 23, 2013>

(2) The head of a Si/Gun/Gu shall accept registration, except cases where an application for registration under paragraph (1) falls under any of the following cases:

1. Cases falling under any of the subparagraphs of Article 23 of the Act;
2. Where the criteria for registration referred to in attached Table 4 are not met;
3. Other cases where restrictions under this Act or other statutes are violated.

(3) Where the head of a Si/Gun/Gu accepts registration pursuant to paragraph (2), he/she shall record registered matters in the register book of construction business for development and utilization of groundwater and issue a certificate of registration to an applicant, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

(4) The criteria for registration of construction business for development and utilization of groundwater under Article 22 (1) of the Act shall be as specified in attached Table 4.

(5) "Matters prescribed by Presidential Decree, such as the trade name or title, among the registered matters" in the latter part of Article 22 (1) of the Act means the following matters: *<Amended by Presidential Decree No. 27299, Jun. 30, 2016>*

1. The trade name or title;
2. The representative (excluding the representative of an institution specialized in surveys of groundwater that has registered the construction business for development and utilization of groundwater);
3. Technical capability, facilities and equipment under attached Table 4;
4. The relocation of the main office.

(6) An application for modification of registration under the latter part of Article 22 (1) of the Act shall be filed within one month from the date the reason therefor occurs: Provided, That where the technical capability is changed, an application for modification of registration shall be filed within 50 days from the date the reason therefor occurs. *<Amended by Presidential Decree No. 23846, Jun. 8, 2012>*

Article 33 Deleted. <by Presidential Decree No. 16297, May 10, 1999>

Article 34 (Exceptions to Construction Works of Facilities for Development and Utilization of Groundwater)

"Other insignificant construction works prescribed by Presidential Decree" in Article 22 (2) 2 of the Act means any of the following construction works:

1. Restoration works of facilities for the development and utilization of groundwater, the water pumping capacity of which is less than 30 tons a day and the diameter of excavation of which does not exceed 75 millimeters;
2. Maintenance works of the upper protection hole (including the replacement and repair of the integrating flowmeter and flushing device) of facilities for the development and utilization of groundwater;
3. Construction works of a geothermal air-conditioning or heating facility not using groundwater.

Article 35 (Report, etc. on Transfer and Takeover of Construction Business for Development and Utilization of Groundwater)

(1) A person who intends to make a report on the transfer, takeover or merger pursuant to Article 24 (1) of the Act shall submit a written report to the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 24819, Oct. 30, 2013>

(2) Where the head of a Si/Gun/Gu receives a report under paragraph (1), he/she shall examine whether it meets the criteria for registration under attached Table 4 and whether it falls under grounds for disqualification referred to in the subparagraphs of Article 23 of the Act.

(3) A person who has succeeded to the construction business for development and utilization of groundwater pursuant to Article 24 (3) of the Act shall make a report to the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24819, Oct. 30, 2013>

Article 36 (Continued Construction after having been Subject to Disposition of Cancellation of Registration)

Where any construction contractor for development and utilization of groundwater who has been subject to disposition of cancellation of registration pursuant to Article 25 (2) of the Act intends to continue construction works which he/she commenced before he/she is subject to such disposition, he/she shall notify without delay the owner of construction works and the head of a Si/Gun/Gu who has jurisdiction over the area where construction works are performed of the fact that his/her registration has been cancelled.

Article 37 (Procedures, etc. for Cancellation of Registration of Construction Business for Development and Utilization of Groundwater)

(1) Deleted. <by Presidential Decree No. 16297, May 10, 1999>

(2) Where the head of a Si/Gun/Gu cancels registration pursuant to Article 25 (1) of the Act, he/she shall publicly announce the fact of cancellation in the official report, etc. without delay and notify the person in

question thereof. <Amended by Presidential Decree No. 23470, Dec. 30, 2011>

(3) Other matters necessary for procedures for cancellation of registration of construction business for development and utilization of groundwater shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 23470, Dec. 30, 2011; Presidential Decree No. 24443, Mar. 23, 2013>

Article 38 (Criteria for Registration of Groundwater Impact Investigation Agencies)

(1) A person who is eligible to register as a groundwater impact investigation agency pursuant to Article 27 (1) of the Act shall be any of the following persons and shall have the technical capability, facilities and equipment referred to in attached Table 5:

1. An institution specialized in surveys of groundwater;
2. An engineering business entity in the field of geological features, foundation, development of water resources, water supply and sewerage, or civil engineering for agriculture or fishery, who has reported pursuant to the Engineering Industry Promotion Act;
3. A professional engineer's office established and registered by a professional engineer in the field of geological features, foundation, development of water resources, water supply and sewerage, or civil engineering for agriculture or fishery pursuant to the Professional Engineers Act;
4. A research institute related to natural (physical) science or engineering of a school under subparagraphs 1 through 6 of Article 2 of the Higher Education Act;
5. An agent for environmental impact investigation designated pursuant to the Drinking Water Management Act;
6. Other corporations which conduct affairs related to groundwater.

(2) A person who intends to register him/her as a groundwater impact investigation agency pursuant to Article 27 (1) of the Act shall submit a written application for registration to the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

(3) The head of a Si/Gun/Gu shall accept registration, except cases where an application for registration under paragraph (2) falls under any of the following cases:

1. Where it falls under any of the subparagraphs of Article 28 of the Act;
2. Where it fails to meet the criteria for registration referred to in paragraph (1);
3. Where it violates other restrictions under this Act or other statutes.

(4) Where the head of a Si/Gun/Gu accepts registration of a groundwater impact investigation agency pursuant to paragraph (3), he/she shall record the registered matters in the register book of groundwater impact investigation agencies and issue a certificate of registration to an applicant, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

(5) An application for modification of registration under the latter part of Article 27 (1) of the Act shall be filed within one month from the date the reason therefor occurs: Provided, That where the technical

capability is changed, an application for modification of registration shall be filed within 50 days from the date the reason therefor occurs. <Amended by Presidential Decree No. 23846, Jun. 8, 2012>

(6) "Matters prescribed by Presidential Decree, such as the trade name or name, among the registered matters" in the latter part of Article 27 (1) of the Act shall be as follows: <Amended by Presidential Decree No. 27299, Jun. 30, 2016>

1. The trade name or name;
2. The representative (excluding the representative of an institution specialized in surveys of groundwater registered as a groundwater impact investigation agency);
3. Technical capability, facilities and equipment under attached Table 5;
4. The relocation of the principal office.

Article 39 (Cancellation, etc. of Registration of Groundwater Impact Investigation Agencies)

Where the head of a Si/Gun/Gu cancels registration pursuant to Article 29 (1) of the Act, he/she shall publicly announce the fact of cancellation in the official report, etc. and notify the person in question of the fact without delay.

Article 39-2 (Registration of Groundwater Purification Business)

(1) A person who intends to register his/her groundwater purification business pursuant to Article 29-2 (1) of the Act shall fall under any of the subparagraphs of Article 38 (1), have the technical capability, capital, facilities and equipment referred to in attached Table 6 and submit an application for registration to the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Environment.

(2) The head of a Si/Gun/Gu shall accept registration, except cases where an application for registration under paragraph (1) falls under any of the following cases:

1. Where it falls under any of the subparagraphs of Article 23 of the Act;
2. Where it fails to meet the criteria for registration referred to in attached Table 6;
3. Where it violates other restrictions under this Act or other statutes.

(3) Where the head of a Si/Gun/Gu accepts registration pursuant to paragraph (2), he/she shall record registered matters in the register book of groundwater purification business and issue a certificate of registration to an applicant, as prescribed by Ordinance of the Ministry of Environment.

(4) "Matters prescribed by Presidential Decree, such as the trade name or name, among the registered matters" in the latter part of Article 29-2 (1) of the Act shall be as follows: <Amended by Presidential Decree No. 27299, Jun. 30, 2016>

1. The trade name or name;
2. The representative (excluding the representative of an institution specialized in surveys of groundwater registered as the groundwater purification business);
3. Technical capability, facilities and equipment under attached Table 6;
4. The relocation of the principal office.

(5) An application for modification of registration under the latter part of Article 29-2 (1) of the Act shall be filed within one month from the date the reason therefor occurs: Provided, That where the technical

capability is changed, an application for modification of registration shall be filed within 50 days from the date the reason therefor occurs. *<Amended by Presidential Decree No. 23846, Jun. 8, 2012>*

(6) "Insignificant purification works prescribed by Presidential Decree" in the proviso to Article 29-2 (2) of the Act means purification works performed when the water quality of groundwater to be purified does not exceed 110 percent of water quality standards.

(7) Articles 35 through 37 shall apply *mutatis mutandis* to groundwater purification business. In such cases, "construction business for development and utilization of groundwater" shall be construed as "groundwater purification business", and "construction contractor for development and utilization of groundwater" shall be construed as "groundwater purification contractor", respectively.

Article 40 (Groundwater Management Committee)

(1) Deleted. *<by Presidential Decree No. 21465, Apr. 30, 2009>*

(2) A regional groundwater management committee may be established in each City/Do in order to provide advice and suggestions as requested by the Mayor/Do Governor concerning the following matters:

<Amended by Presidential Decree No. 23470, Dec. 30, 2011; Presidential Decree No. 23846, Jun. 8, 2012; Presidential Decree No. 24819, Oct. 30, 2013>

1. Matters concerning the formulation of a regional management plan and a revised regional management plan under Article 6-2 (1) of the Act;

2. Matters concerning consultation on a regional management plan of a Si/Gun/Gu under Article 6-2 (2) of the Act (excluding cases of a regional groundwater management committee established in a Special Self-Governing City);

3. Matters concerning the designation of a groundwater preservation zone and the alteration of the designation thereof under Article 12 (1) of the Act;

4. Matters referred to in paragraph (3) 2 through 4 (only applicable to cases of a regional groundwater management committee established in a Special Self-Governing City);

5. Other matters concerning the development and utilization, and the preservation and management of groundwater, referred to a conference by the Mayor/Do Governor.

(3) A regional groundwater management committee may be established in each Si (excluding a Special Self-Governing City; hereafter the same shall apply in this Article)/Gun/Gu in order to provide advice and suggestions as requested by the head of a Si (excluding the Mayor of a Special Self-Governing City; hereafter the same shall apply in this Article)/Gun/Gu concerning the following matters: *<Amended by Presidential Decree No. 23470, Dec. 30, 2011; Presidential Decree No. 23846, Jun. 8, 2012; Presidential Decree No. 24819, Oct. 30, 2013>*

1. Matters concerning the formulation of a regional management plan and the modification thereof under Article 6-2 (2) of the Act;

2. Matters concerning a groundwater impact investigation report under Article 7 (2) of the Act;

3. Matters concerning an assessment report on groundwater pollution under Article 26-3 (1);

4. Matters concerning a plan for purifying polluted groundwater under Article 26-4;
 5. Other matters concerning the development and utilization, and the preservation and management of groundwater, referred to a conference by the head of a Si/Gun/Gu.
- (4) In addition to the matters provided for in paragraphs (2) and (3), matters necessary for the organization and functions of the regional groundwater management committee under paragraphs (2) and (3) and the operation thereof, such as the exclusion, recusal, evasion, and discharge of its members, shall be prescribed by municipal ordinance of the relevant City/Do or Si/Gun/Gu. *<Amended by Presidential Decree No. 23846, Jun. 8, 2012>*

Article 40-2 (Establishment, etc. of Special Account for Groundwater Management)

(1) "Purposes prescribed by Presidential Decree" in Article 30-2 (4) 10 of the Act means the following purposes: *<Amended by Presidential Decree No. 23846, Jun. 8, 2012>*

1. Conducting a groundwater impact investigation under Article 8 (3) of the Act;
2. Examining a groundwater impact investigation report under Article 9;
3. Other purposes prescribed by municipal ordinance of a Si/Gun/Gu for the preservation and management of groundwater.

(2) Where the head of a Si/Gun/Gu formulates a plan for the use of the special accounts for groundwater management including the following matters pursuant to Article 30-2 (6) of the Act, he/she shall report the details thereof by the end of February every year, and where he/she revises a plan for the use of the special accounts for groundwater management he/she has formulated, he/she shall report the details thereof within one month from the date he/she revises such plan: *<Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24819, Oct. 30, 2013>*

1. The size of the special account for the management of groundwater;
2. The revenue and expenditure of the previous year;
3. A business plan of the year concerned;
4. A plan for repayment of loans;
5. Other matters regarding the management of the special account for groundwater management.

(3) "Change of insignificant matters prescribed by Presidential Decree" in the main sentence of Article 30-2 (6) of the Act means the change of the matters falling under paragraph (2) 5 among a plan for the use of the special accounts for groundwater management that has been formulated. *<Amended by Presidential Decree No. 24819, Oct. 30, 2013>*

Article 40-3 (Imposition and Collection of Charges for Utilization of Groundwater)

(1) "Purposes and scale prescribed by Presidential Decree" in Article 30-3 (1) 5 of the Act means the following cases: *<Amended by Presidential Decree No. 23846, Jun. 8, 2012; Presidential Decree No. 25717, Nov. 11, 2014>*

1. Where a school under Article 2 of the Elementary and Secondary Education Act or Article 2 of the Higher Education Act and its affiliated facilities develop and utilize groundwater;

2. Where social welfare facilities under Article 34 of the Social Welfare Services Act develop and utilize groundwater;
3. Where groundwater is developed and utilized for domestic use (limited to facilities used to run household management) among water for living;
4. Where groundwater is developed and utilized as a small-scale water supply system in an area where tap water is not supplied;
5. Where a geothermal air-conditioning or heating facility develops and uses groundwater (limited to cases where groundwater is filled into the ground again);
6. Cases prescribed by ordinance of a Si/Gun/Gu, other than the cases falling under subparagraphs 1 through 5.

(2) Deleted. <by Presidential Decree No. 24819, Oct. 30, 2013>

Article 41 (Permission for Access, etc. to Land)

A person who intends to obtain permission to temporarily use land of another person or to alter or remove bamboos and trees, earth and stones or other obstacles pursuant to Article 31 (3) of the Act shall submit to the head of a Si/Gun/Gu a written application stating the seat, lot number, land category, area, the current conditions of land which he/she should have access to or use, the name and address of the owner or occupant, and the purpose, time and period of access and use, accompanied by drawings.

Article 42 (Education, etc.)

(1) Those subject to education and training under Article 34-2 (2) of the Act shall be as follows:

1. Technical manpower of a construction contractor for the development and utilization of groundwater falling under subparagraph 1 of attached Table 4;
2. Technical manpower of a groundwater impact investigation agency falling under subparagraph 1 of attached Table 5;
3. Technical manpower of a groundwater purification contractor falling under subparagraph 1 of attached Table 6.

(2) The content of education and training under Article 34-2 (2) of the Act shall contain the following matters:

1. Laws and policies on groundwater;
2. Technologies on the development, preservation and management of groundwater;
3. Other matters necessary for the appropriate development and utilization, and preservation and management of groundwater.

(3) Those subject to education and training under paragraph (1) shall receive education and training within one year from the date they register pursuant to Articles 22 (1), 27 (1) and 29-2 (1) of the Act: Provided, That where those subject to education and training of an institution specialized in surveys of groundwater receive in-house education and training including matters referred to in paragraph (2), they shall be deemed to receive education and training under Article 34-2 (2) of the Act.

(4) Pursuant to Article 34-2 (3) of the Act, the Minister of Land, Infrastructure and Transport may entrust the following agencies and organizations with the affairs of education and training under Article 34-2 (2) of the Act: *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

1. The Korea Water Resources Corporation pursuant to the Korea Water Resources Corporation Act;
2. The Korea Agricultural and Rural Infrastructure Corporation pursuant to the Korea Rural Corporation and Farmland Management Fund Act;
3. The Association established pursuant to Article 26-2 of the Act.

(5) The head of an institution specialized in surveys of groundwater conducting in-house education and training pursuant to the proviso to paragraph (3) and the head of an agency or organization entrusted with the affairs of education and training pursuant to paragraph (4) shall submit an education plan of the following year including the matters referred to in the subparagraphs of paragraph (2) to the Minister of Land, Infrastructure and Transport every year, and submit the result of education of the relevant year to the Minister of Land, Infrastructure and Transport by January 30 of the following year. *<Amended by Presidential Decree No. 23846, Jun. 8, 2012; by Presidential Decree No. 24443, Mar. 23, 2013>*

(6) In addition to the matters provided for in this Decree, necessary matters concerning the period of education, etc. shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

Article 43 (Delegation of Authority)

(1) The Minister of Land, Infrastructure and Transport shall delegate the following authority to the head of the competent flood control office pursuant to Article 36 (1) of the Act: *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

1. Consultation on the development and utilization of groundwater in the vicinity of a river under Article 7-2 (1) of the Act;
2. Request for restrictions on the water collection volume and the period for collecting water, and prohibition on the collection of groundwater pursuant to the former part of Article 7-2 (2) of the Act;
3. Requesting an applicant for permission for the development and utilization of groundwater to obtain consent from the person who is already using a river, pursuant to the latter part of Article 7-2 (2) of the Act.

(2) The Minister of Environment shall delegate the following authority to the head of a regional environmental management office pursuant to Article 36 (1) of the Act:

1. Orders to take measures for preventing the pollution of groundwater under Article 16 (2) of the Act;
2. Orders to take measures under Article 16-3 (1) and (2) of the Act;
3. Measurements of the actual conditions of the pollution of groundwater under Article 18 (1) of the Act;
4. Orders to take measures, such as the suspension of the utilization of groundwater or improvement in water quality, under Article 20 (2) of the Act.

Article 43-2 (Review of Regulations)

The Minister of Land, Infrastructure and Transport shall review the validity of the following matters based on the following standard date and take measures, such as making improvements, every three years (referring to the period until the date same as the standard date of the year every three years elapse):

1. Reporting, etc. of the act of excavating that has influence on groundwater, under Article 14-3: January 1, 2014;
2. Standards, methods, period, etc. for restoration to the original state under Article 24: January 1, 2014;
3. Measures to prevent groundwater contamination, etc. under Article 25: January 1, 2014;
4. Prevention of contamination, etc. of facilities causing groundwater contamination under Article 26-2: January 1, 2014;
5. Registration, etc. of construction business for development and utilization of groundwater under Article 32: January 1, 2014;
6. Criteria for registration of groundwater impact investigation agencies under Article 38: January 1, 2014;
7. Registration of groundwater purification business under Article 39-2: January 1, 2014.

Article 43-3 (Management of Unique Identifying Information)

The head of a Si/Gun/Gu may manage materials that include resident registration numbers or alien registration numbers pursuant to subparagraph 1 or 4 of Article 19 of the Enforcement Decree of the Personal Information Protection Act, where it is inevitable to carry out the following affairs:

1. Confirmation of the grounds for disqualification under Article 23 of the Act for the registration of construction business for development and utilization of groundwater or a change therein pursuant to Article 22 (1) of the Act;
2. Confirmation of the grounds for disqualification under Article 28 of the Act for the registration of groundwater impact investigation agencies or a change therein pursuant to Article 27 (1) of the Act;
3. Confirmation of the grounds for disqualification under Article 23 of the Act, which is applicable mutatis mutandis under paragraph (3) of the same Article, for the registration of groundwater purification business or a change therein pursuant to Article 29-2 (1) of the Act.

Article 44 (Guidelines for Imposition of Administrative Fines)

The guidelines for the imposition of administrative fines under Articles 39 and 40 of the Act shall be as specified in attached Table 7.

ADDENDA

(1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation: Provided, That the provisions of Articles 32 through 37 shall enter into force on January 1, 1998.

(2) (Transitional Measures concerning Groundwater Use) Any person, who has developed and used groundwater without making a report thereon at the time when this Decree enters into force and who is subject to make a new report pursuant to Article 13 and Article 8 (1) of the Act, shall make a report on

groundwater development and utilization to the Mayor/Do Governor within three months from the enforcement date of this Decree.

(3) (Transitional Measures concerning Pollution Preventive Measures) Where any person who has made a report on groundwater development and utilization pursuant to paragraph (2) of the Addenda is deemed to have taken pollution preventive measures under Article 25 (1) by any specialized water quality investigation agency within one year from the date of such report, he/she shall be deemed to have taken pollution preventive measures under Article 25 (1).

(4) (Relation with other Statutes) Where other statutes cite the former Enforcement Decree of the Groundwater Act or its provisions at the time when this Decree enters into force and where this Decree includes the provisions corresponding to them, the provisions corresponding to this Decree shall be deemed to have been cited in lieu of the former provisions.

ADDENDUM <Presidential Decree No. 15598, Dec. 31, 1997>

This Decree shall enter into force on January 1, 1998.

ADDENDA <Presidential Decree No. 16093, Jan. 29, 1999>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 16297, May 10, 1999>

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

(2) (Applicability to Report on Alteration in Development and Utilization of Groundwater) The amended provisions of Article 13 (6) 4 shall apply to a case of suspending the development and utilization of groundwater on or after the date this Act takes effect.

(3) (Transitional Measures concerning Alteration in Technical Capacity for Construction Business for Groundwater Development and Utilization) Where a person who has acquired the technical qualification of Grade II for excavation technician repealed by the amendments to the Enforcement Decree of the National Technical Qualifications Act, Presidential Decree No. 15794, at the time this Decree takes effect is registered as technical personnel for a construction business for groundwater development and utilization, he/she shall be deemed to hold the technical qualification under the amended provisions of subparagraph 1 (a) of the attached Table 4, notwithstanding the amended provisions of the said Table.

ADDENDA <Presidential Decree No. 16512, Aug. 6, 1999>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 17175, Mar. 27, 2001>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 17433, Dec. 19, 2001>

(1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 8 (2) 5 and 39-2 shall enter into force on July 1, 2002.

(2) (Transitional Measures concerning Report on Development and Utilization of Groundwater) Any person who develops and utilizes groundwater without filing a report thereon, but is made entitled to file such report under Article 8 (1) of the Act and Article 13 of this Decree at the time that this Act enters into force shall file a report on his/her development and utilization of groundwater, accompanied by the documents falling under each of the following subparagraphs, with the head of a Si/Gun by November 17, 2002:

1. A land registration map or a forest map showing the location of his/her groundwater development and utilization facilities;
2. The plan for restoring the original state.

ADDENDA <Presidential Decree No. 18594, Dec. 3, 2004>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 19158, Nov. 30, 2005>

Article 1 (Enforcement Date)

This Decree shall enter into force on December 1, 2005.

Article 2 (Applicability to Installation of Groundwater Development and Utilization Facility)

The amended provisions of Article 8 (3) and (4) shall apply to the application for permission of groundwater development and utilization that is filed on or after the date this Decree enters into force.

Article 3 (Applicability to Registration of Groundwater Development and Utilization Construction Business)

The amended provisions of the attached Tables 4, 6 and 7 shall apply to the application for permission of groundwater development and utilization that is filed on or after the date this Decree enters into force.

Article 4 (Transitional Measures concerning Post Management of Groundwater Development and Utilization Facility)

(1) Where the groundwater development and utilization facility whose completion of construction, etc. has been reported pursuant to the previous provisions at the time of enforcement of this Decree is involved in the facilities subject to post management pursuant to the amended provisions of Article 14-4 (4), and the period of inspection pursuant to the part besides the subparagraphs of the same paragraph has expired, the post management shall be executed pursuant to the provisions of Article 9-5 of the Act within one year after the enforcement of this Decree.

(2) The starting point of the period pursuant to the provisions of paragraph (1) shall be the date on which the report of completion of construction, etc. has been filed under the previous provisions.

Article 5 (Transitional Measures concerning Education for Technical Personnel)

The technical personnel who fall under any of the subparagraphs of Article 42 (1) at the time of enforcement of this Decree shall have the education and training pursuant to the amended provisions of paragraphs (2) and (3) of the same Article by December 1, 2008.

ADDENDA <Presidential Decree No. 19463, Apr. 28, 2006>

Article 1 (Enforcement Date)

This Decree shall enter into force on April 30, 2006.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 20241, Sep. 6, 2007>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 20256, Sep. 10, 2007>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 20290, Sep. 27, 2007>

Article 1 (Enforcement Date)

This Decree shall enter into force on September 28, 2007.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 20297, Sep. 28, 2007>

Article 1 (Enforcement Date)

This Decree shall enter into force on October 5, 2007. (Proviso Omitted.)

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 20428, Nov. 30, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Presidential Decree No. 20722, Feb. 29, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDUM <Presidential Decree No. 20877, Jun. 25, 2008>

This Decree shall enter into force on June 29, 2008.

ADDENDA <Presidential Decree No. 21078, Oct. 8, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDUM <Presidential Decree No. 21465, Apr. 30, 2009>

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

ADDENDA <Presidential Decree No. 21565, Jun. 26, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on June 30, 2009: Provided, That ... <Omitted.>...Article 3 of Addenda shall enter into force on the date of its promulgation.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 21566, Jun. 26, 2009>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 21887, Dec. 15, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 12 Omitted.

ADDENDA <Presidential Decree No. 21904, Dec. 24, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 22556, Dec. 28, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 28, 2011.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 22626, Jan. 17, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 22828, Apr. 4, 2011>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Administrative Fines)

- (1) Where the provisions concerning guidelines for the imposition of administrative fines apply to any violation committed before this Decree enters into force, the former provisions shall apply notwithstanding the amended provisions of Article 44 and attached Table 8.
- (2) Any violation committed before this Decree enters into force and subjected to the imposition of an administrative fine shall not be counted in the number of violations under the amended provisions of attach Table 8.

ADDENDUM <Presidential Decree No. 23470, Dec. 30, 2011>

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 12-3 (2) shall enter into force one year after the date of its promulgation.

ADDENDA <Presidential Decree No. 23846, Jun. 8, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 2 (4), 3 (1) and (3), 4, 5 (1), 6 (1), 14-5 and 15-2 shall enter into force on July 18,

2012, and the amended provisions of the proviso to Article 12 (1) and attached Table 1 shall enter into force six months after the date of its promulgation.

Article 2 (Applicability to Items, Methods, etc. of Groundwater Impact Investigation)

The amended provisions of the proviso to Article 12 (1) and attached Table 1 shall apply from the first application for permission for the development and utilization of groundwater after the amended provisions of the proviso to Article 12 (1) and attached Table 1 enter into force pursuant to the proviso to Article 1 of the Addenda.

Article 3 (Applicability to Reporting on Completion of Construction Works)

The amended provisions of Article 14 (4) 2 (a) and (c) shall apply from the first person who reports completion of construction works after this Decree enters into force.

Article 4 (Transitional Measures concerning Criteria for Registration of Construction Business for Development and Utilization of Groundwater)

(1) Notwithstanding the amended provisions of subparagraph 1 (a) of attached Table 4, the former provisions shall apply to a person who has applied for registration of construction business for the development and utilization of groundwater in accordance with the former provisions as at the time this Decree enters into force.

(2) Notwithstanding the amended provisions of subparagraph 1 (a) of attached Table 4, the former provisions shall apply to a construction contractor for the development and utilization of groundwater who employs persons with a bachelor's degree or higher in the relevant field, and has registered his/her business in accordance with the former provisions as at the time this Decree enters into force, and a construction contractor for the development and utilization of groundwater who employs persons with a bachelor's degree or higher in the relevant field pursuant to paragraph (1), and has registered his/her business, until such persons die or retire from office.

Article 5 (Transitional Measures concerning Criteria for Registration of Construction Business for Development and Utilization of Groundwater)

Notwithstanding the amended provisions of subparagraph 3 (b) of attached Table 4, the former provisions shall apply to a person who has entered into a lease contract with the owner of well drilling equipment for less than one year as at the time this Decree enters into force until the period of such lease contract expires.

Article 6 (Transitional Measures concerning Criteria for Registration of Groundwater Impact Investigation Agencies)

Notwithstanding the amended provisions of subparagraph 2 (d) of attached Table 5, the former provisions shall apply to a person who has entered into a lease contract with the owner of measuring equipment for less than one year as at the time this Decree enters into force until the period of such lease contract expires.

ADDENDA <Presidential Decree No. 24443, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDUM <Presidential Decree No. 24819, Oct. 30, 2013>

This Decree shall enter into force on November 23, 2013.

ADDENDUM <Presidential Decree No. 25050, Dec. 30, 2013>

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

ADDENDA <Presidential Decree No. 25717, Nov. 11, 2014>

Article 1 (Enforcement Date)

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

Articles 2 (Applicability to Imposition and Collection of Charges for Utilizing Groundwater)

The amended provisions of Article 40-3 (1) 3 and 4 shall apply from the first imposition of charges for utilizing groundwater after this Decree enters into force.

ADDENDA <Presidential Decree No. 25836, Dec. 9, 2014>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 27299, Jun. 30, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2016. (Proviso Omitted.)

Articles 2 through 15 Omitted.