

# NATURAL ENVIRONMENT CONSERVATION ACT

Wholly Amended by Act No. 7297, Dec. 31, 2004

Amended by Act No. 7678, Aug. 4, 2005

Act No. 8014, Sep. 27, 2006

Act No. 8045, Oct. 4, 2006

Act No. 8355, Apr. 11, 2007

Act No. 8466, May 17, 2007

Act No. 8468, May 17, 2007

Act No. 8852, Feb. 29, 2008

Act No. 9037, Mar. 28, 2008

Act No. 9401, Jan. 30, 2009

Act No. 9763, jun. 9, 2009

Act No. 9774, jun. 9, 2009

Act No. 10032, Feb. 4, 2010

Act No. 11671, Mar. 22, 2013

Act No. 11862, jun. 4, 2013

Act No. 13168, Feb. 3, 2015

Act No. 13885, Jan. 27, 2016

## Article 1 (Purpose)

The purpose of this Act is to seek sustainable utilization of the natural environment and to allow people to lead a leisurely and healthy life in a comfortable natural environment by systematically conserving and managing the natural environment, such as protection of the natural environment from artificial damage, conservation of the ecosystem, natural scenery, etc.

## Article 2 (Definitions)

The definition of terms used in this Act shall be as follows: <Amended by Act No. 8045, Oct. 4, 2006; Act No. 11257, Feb. 1, 2012; Act No. 11671, Mar. 22, 2013>

1. The term "natural environment" means the state of nature (including the ecosystem and natural scenery) which includes all living things under the ground, on the surface of the earth (excluding the ocean) and on the ground, and the inanimate things surrounding these;
2. The term "conservation of the natural environment" means systematic conservation, protection or restoration of the natural environment, and development and management of nature for enhancement of

biological diversity;

3. The term "sustainable use of nature" means to allow the present and future generation to utilize or benefit from the natural environment with equal opportunities;

4. The term "natural ecology" means the geographic or geologic environment realized in the state of nature and all of phenomena which living things subsist under such conditions;

5. The term "ecosystem" means a dynamic complex in which the communities of plants, animals and microorganisms and an abiotic environment interact with each other as a functional unit;

6. The term "sub-ecosystem" means a habitat for living things which is developed for the enhancement of biological diversity, enhancement of the continuity of an ecosystem, such as the possibility of mobility of wild fauna and flora between their habitats, etc. or the improvement of habitation condition of a particular species;

7. The term "biological diversity (or biodiversity)" means diversity among living things originating from all sources, such as terrestrial and aquatic ecosystems (excluding marine ecosystems), and the ecological complexes of all these ecosystems, and includes diversity within species, between species and of ecosystems;

8. The term "ecological axis" means an ecological habitation space that links ecologically important areas or areas that need upkeep of ecological functions for the enhancement of biological diversity and continuity of ecosystem functions;

9. The term "ecological corridor" means ecological space, such as artificial structures, vegetation, etc. established to prevent habitat of wild fauna or flora from being isolated, damaged or destroyed due to any road, dam, reservoir, estuary dam, etc., and to assist in the upkeep of the continuity of ecosystems, such as migration of wild fauna or flora, etc.;

10. The term "natural scenery" means an area, topography and elements of nature affiliated with them that have visual or aesthetic value in terms of the natural environment, or scenery of nature where things are harmonious in a complex way;

11. The term "alternative nature" means a nature that is developed to perform functions similar or supplemental to the functions of the existing natural environment;

12. The term "ecological and scenery conservation area" means an area worthy of special conservation as it is ecologically important having abundant biological diversity, or as it has beautiful natural scenery, and which is designated and declared by the Minister of Environment pursuant to Articles 12 and 13 (3);

13. The term "natural reservation area" means an area prescribed by Presidential Decree from among uninhabited islands which are not used for any particular purpose other than military, from among the areas whose ecosystems are spared from damage due to their difficulty of access by people, and also means the demilitarized zone for two years from the date when it falls under the jurisdiction of the Republic of Korea;

14. The term "ecological and natural map" means a map made pursuant to the provisions of Article 34 according to ratings based on ecological value, natural characteristics, scenic value, etc. of mountains, rivers, inland wetlands, lakes, farmlands, cities, etc.;

15. The term "natural resources" means all living and inanimate things in their natural condition that have material or immaterial value that can be utilized for people's livelihood or economic activities;

16. The term "biological resources" means biological resources referred to in subparagraph 3 of Article 2 of the Act on Conservation and Use of Biological Diversity;

17. The term "ecological village" means a village that has ecological functionality, beautiful natural scenery and the capability for sustainable conservation and utilization thereof, and is designated by the Minister of Environment or the head of a local government, pursuant to Article 42;

18. The term "ecotourism" means eco-friendly tourism through which the importance of the environment may be experienced through the conservation and wise utilization of natural assets in an area with a particularly excellent ecosystem or beautiful natural scenery.

### **Article 3 (Basic Principles of Conservation of Natural Environment)**

The natural environment shall be conserved in accordance with the following basic principles:

1. The natural environment shall be conserved as a resource for all people in a way suitable for the public good, and shall be used so as to be sustained for the present and future generation;
2. Conservation of the natural environment shall be harmonious and balanced with the use of national land;
3. Natural ecology and natural scenery shall be conserved and managed so as to promote human activity, functionality of nature and ecological circulation;
4. Opportunities for all people to participate in the conservation of the natural environment and the sound use of the natural environment shall be increased;
5. Ecological equilibrium shall neither be destroyed nor depreciated when utilizing or developing the natural environment: Provided, That, where natural ecology or natural scenery is destroyed, damaged or encroached, an effort shall be made to restore and return to former condition to the utmost;
6. Burdens arising from conservation of the natural environment shall be borne fairly, and benefits obtained from the natural environment shall be preferentially enjoyed by residents of the region and by interested persons;
7. International cooperation for conservation of the natural environment and sustainable use of the natural environment shall be promoted.

### **Article 4 (Duties of State, Local Government, and Enterprisers)**

(1) The State and local government shall bear the responsibility of devising the following measures according to the basic principles of conservation of the natural environment pursuant to the purpose of Article 1 and the provisions of Article 3, and executing them:

1. Formulation and implementation of measures for conservation of the natural environment for prevention of damage to natural environment due to development, utilization, etc. of national land, and

for the sustainable use of the natural environment;

2. Formulation and implementation of a plan of utilization and development of land, and development project of land that are harmonious with the natural environment, such as natural ecology, natural scenery, etc.;

3. Formulation and implementation of measures to maintain the continuity of ecosystems, such as construction of ecological corridors;

4. Formulation and implementation of measures to restore and recover areas whose natural environment has been damaged;

5. Formulation and implementation of measures necessary for the restoration of ecosystems, such as the development of ecological restoration technology, promotion of specialized institutions for ecological restoration, etc.;

6. Promotion of measures for private organizations, enterprisers, people, etc. to take an active part in the conservation of the natural environment, and creation of appropriate conditions therefor;

7. Promotion of scientific technology for conservation of the natural environment, such as the investigation, research and development of technology, training of specialized manpower, etc.;

8. Enhancement of people's awareness of the importance of conservation of the natural environment through education and public relations;

9. International cooperation regarding conservation of the natural environment and conservation of the global environment.

(2) In performing business activities, enterprisers shall abide by matters of the following subparagraphs:

1. To consider natural ecology and natural scenery first of all;

2. To take necessary measures such as restoration, recovery, etc. in person against damage to the natural environment arising from business activities;

3. To participate and cooperate in the measures of conservation of the natural environment, etc. of the State and local government pursuant to the provisions of paragraph (1).

#### **Article 5 (Campaign for Conservation of Nature)**

The Government shall support local governments, private organizations, etc. so that all citizens may participate in campaigns for the conservation of nature, and ensure that the campaigns for the conservation of nature are operated in consideration of ecological characteristics of each region.

#### **Article 6 (Basic Policies for Conservation of Natural Environment)**

(1) The Minister of Environment shall establish basic policies for conservation of the natural environment (hereinafter referred to as "Basic Policies for Conservation of the Natural Environment") to implement the purposes of Article 1 and the basic principles of conservation of the natural environment referred to in Article 3 after hearing opinions of the heads of competent central administrative agencies, the Special Metropolitan City Mayor, Metropolitan City Mayor or Do governor (hereinafter referred to as the "Mayor/Do governor"), and after deliberation by the environmental policy committee (hereinafter referred to as "Central Environmental Policy Committee") referred to in Article 58 of the Framework Act on

Environmental Policy and the State Council. <Amended by Act No. 10032, Feb. 4, 2010; Act No. 10893, Jul. 21, 2011>

(2) The Basic Policies for Conservation of the Natural Environment shall contain the following matters:

<Amended by Act No. 8045, Oct. 4, 2006>

1. Systematic conservation and management of the natural environment, and sustainable use of the natural environment;
2. Selection of ecosystems requiring serious conservation, protection of endangered species or ecologically important species, and protection of biological resources;
3. Restoration and recovery of areas whose natural environment has been damaged;
4. Management of ecology and scenery conservation areas, and improvement of the quality of life of residents in the relevant area;
5. Improvement of the ecological soundness of mountains, rivers, inland wetlands, farmlands, islands, etc., and conservation of biological diversity through the creation, etc. of ecological corridors, sub-ecosystems and alternative nature;
6. Promotion of national education and private initiatives regarding the natural environment;
7. International cooperation regarding conservation of the natural environment;
8. Other matters regarding conservation of the natural environment prescribed by Presidential Decree.

(3) When the Minister of Environment drafts the Basic Policy for Conservation of the Natural Environment, he/she shall inform the head of the competent central administrative agency and the Mayor/Do governor concerned thereof.

(4) The head of the competent central administrative agency and the Mayor/Do governor concerned shall draw up a promotion policy or action plan (limited to an action plan in the case of Mayor/Do governor) in accordance with the Basic Policy for Conservation of the Natural Environment and inform the Minister of Environment thereof.

#### **Article 7 (Consultation, etc. on Important Policy)**

(1) When the head of central administrative agency intends to draft and execute an important policy or plan that has a direct relationship with the conservation of the natural environment, he/she shall consult with the Minister of Environment in advance: Provided, That where he/she has consulted with the Minister of Environment pursuant to another Act, this shall not apply.

(2) In drafting and executing a development plan and development project (hereinafter referred to as a "development project, etc."), the Minister of Environment may, after consultation with the head of a central administrative agency, draft a guideline to consider for the conservation of the natural environment and sustainable use of the natural environment, and make the guideline utilized.

(3) The kinds of important policy and plan that are liable for consultation pursuant to the provisions of paragraph (1), and other necessary matters shall be prescribed by Presidential Decree.

#### **Article 8 (Formulation of Basic Plan for Conservation of Natural Environment)**

(1) The Minister of Environment shall draft a basic plan for conservation of the natural environment of the nation (hereinafter referred to as the "Basic Plan for Conservation of the Natural Environment") every ten years.

(2) The Basic Plan for Conservation of Natural Environment shall be set after deliberation by the Central Environmental Policy Committee. <Amended by Act No. 10032, Feb. 4, 2010>

(3) In drafting the Basic Plan for Conservation of the Natural Environment, the Minister of Environment shall consult with the head of the central administrative agency concerned in advance. In this case, the Basic Policy for Conservation of the Natural Environment, and the principles of promotion or action plan informed by the head of the central administrative agency concerned and the Mayor/Do governor concerned pursuant to the provisions of Article 6 (4) shall be considered.

(4) The Minister of Environment may request the head of the central administrative agency concerned and the Mayor/Do governor concerned to submit proposals on the policy and project of their concern to be reflected in the Basic Plan for Conservation of the Natural Environment.

(5) Paragraphs (2) through (4) shall apply mutatis mutandis where modification of the Basic Plan for Conservation of the Natural Environment is intended: Provided, That in the case of modification of minor matters prescribed by Presidential Decree, the deliberation of the Central Environmental Policy Committee may be dispensed with. <Amended by Act No. 10032, Feb. 4, 2010>

#### **Article 9 (Contents of Basic Plan for Conservation of Natural Environment.)**

The Basic Plan for Conservation of the Natural Environment shall contain the following matters:

1. Matters regarding the current state of, and outlook for, the natural environment;
2. Matters regarding a basic course of conservation of the natural environment, and setting of conservation targets;
3. Matters regarding the main duties to promote conservation of the natural environment;
4. Matters regarding major policies for conservation of the natural environment to be promoted by each local government;
5. Matters regarding conservation and management of natural scenery;
6. Matters regarding construction and promotion of an ecological axis;
7. Matters regarding major projects for the restoration of ecosystems, such as construction of ecological corridors, restoration of damaged areas, etc.;
8. Matters regarding establishment and operation of comprehensive geographic information systems on the natural environment pursuant to the provisions of Article 11;
9. Matters regarding calculation of expenses necessary for the execution of projects, and plans for raising the funds therefor;
10. Other matters prescribed by Presidential Decree regarding conservation of the natural environment.

#### **Article 10 (Execution of Basic Plan for Conservation of Natural Environment)**

(1) Where the Minister of Environment has set the Basic Plan for Conservation of the Natural Environment pursuant to the provisions of Article 8 (2), he/she shall inform the head of the central

administrative agency concerned and the Mayor/Do governor concerned thereof without delay.

(2) The head of the central administrative agency concerned and the Mayor/Do governor concerned shall take necessary measures for the execution of the Basic Plan for Conservation of the Natural Environment, such as reflecting the contents of the Basic Plan for Conservation of the Natural Environment in the policy and plan relating to their own duties.

(3) The Minister of Environment shall analyze and evaluate the execution outcome of the Basic Plan for Conservation of the Natural Environment periodically, every two years, and reflect the result in the policy for conservation of the natural environment.

#### **Article 11 (Establishment and Operation of Information Network on Natural Environment)**

(1) The Minister of Environment may establish and operate a comprehensive geographic information system on the natural environment (hereinafter referred to as the "information network on the natural environment") computerized with ecological and nature maps, data on biological species, etc. for swift production and distribution of information regarding the natural environment.

(2) The Minister of Environment may request for submission of data necessary for establishment and operation of the information network on the natural environment to the head of relevant administrative agency. In this case, the head of the relevant administrative agency shall respond to this request insofar as there are no particular issues.

(3) Where necessary for effective establishment and operation of the information network on the natural environment, the Minister of Environment may entrust the establishment and operation of the information network on the natural environment to a specialized institution.

(4) Matters necessary for establishment and operation of the information network on the natural environment shall be prescribed by Presidential Decree.

#### **Article 12 (Ecological and Scenery Conservation Area)**

(1) The Minister of Environment may designate as an ecological and scenery conservation area any of the following areas whose natural ecology and natural scenery need particular conservation:

1. An area where the state of nature maintains primitiveness, or which greatly merits conservation and scientific research because of its abundant biological diversity;
2. An area that has peculiar topographic or geological features and thus needs conservation for academic research or maintenance of its natural scenery;
3. An area that can represent diverse ecosystems or an area that is a specimen of an ecosystem;
4. An area prescribed by Presidential Decree that has beautiful natural scenery, such as rivers, mountain valleys, etc. and thus needs particular conservation.

(2) The Minister of Environment may designate and manage ecological and scenery conservation areas by classifying such ecological and scenery conservation areas as follows in consideration of their ecological characteristics, natural scenery, topographical conditions, etc. for the sustainable conservation and management of ecological and scenery conservation areas:

1. Core ecological and scenery conservation area (hereinafter referred to as a "core area"): An area where special protection for the prevention of damage to the structure and function of an ecosystem is necessary, or where special protection is intended because of its beautiful natural scenery;
2. Buffer ecological and scenery conservation area (hereinafter referred to as a "buffer area"): An area bordering a core area, which is necessary for the protection of the core area;
3. Transition ecological and scenery conservation area (hereinafter referred to as a "transition area"): A community area surrounded by a core area or a buffer area, which is necessary for sustainable conservation and utilization.

(3) The Minister of Environment may revoke or change the designation of an area where it has lost its value as an ecological and scenery conservation area, or has become needless to conserve it as an ecological and scenery conservation area pursuant to the provisions of paragraph (1) due to military purposes, natural disaster or other causes.

#### **Article 13 (Procedure for Designation and Change of Ecological and Scenery Conservation Areas)**

(1) When the Minister of Environment intends to designate or change an ecological and scenery conservation area, he shall engage in consultation with the head of the relevant central administrative agency and go through deliberation of the Central Environmental Policy Committee after gathering opinions of the residents in the area concerned, interested persons and the head of the local government with a designation plan containing the following contents along with a topographical map prescribed by Presidential Decree: Provided, That for changes of minor matters prescribed by Presidential Decree, the deliberation of the Central Environmental Policy Committee may be dispensed with: *<Amended by Act No. 10032, Feb. 4, 2010>*

1. The reason and purpose of designation;
2. The area and scope of designation;
3. The present status and characteristics of the natural ecology and natural scenery;
4. The present status of land utilization;
5. An outline of the classification of core area, buffer area and transition area, and a management plan for each area.

(2) The head of a local government or the head of a central administrative agency shall submit the opinion to the Minister of Environment within 30 days from the date he/she has received the request for opinion or consultation pursuant to paragraph (1) insofar as there are no particular issues.

(3) When the Minister of Environment has designated or changed an ecological and scenery conservation area pursuant to the provisions of paragraph (1), he/she shall announce the details of the designation or change as prescribed by Ordinance of the Ministry of Environment in the Official Gazette without delay.

#### **Article 14 (Basic Plan for Management of Ecological and Scenery Conservation Area)**

The Minister of Environment shall draft and execute a basic plan for management of the ecology and scenery conservation area containing the following matters after consultation with the head of the relevant central administrative agency and Mayor/Do governor regarding the ecological and scenery conservation

area:

1. Conservation and management of the natural ecology, natural scenery and biological diversity;
2. Improvement of the living standards of residents in the ecological and scenery conservation area and protection of the interests of interested persons;
3. Matters to contribute to the development of the community through management of natural resources and conservation of the ecosystem;
4. Other matters necessary for drafting and execution of the basic plan of management of the ecological and scenery conservation area, which are prescribed by Presidential Decree.

**Article 15 (Restriction of Activities in Ecological and Scenery Conservation Area, etc.)**

(1) No one shall damage natural ecology or natural scenery, which falls under any of the following subparagraphs in any ecological and scenery conservation area: Provided, That if an ecological and scenery conservation area includes a park district designated pursuant to the Natural Parks Act, or cultural property (including a protection district) pursuant to the Cultural Heritage Protection Act, it shall be governed by the Natural Parks Act or the Cultural Heritage Protection Act:

1. Capturing, gathering, transplanting, damaging, or withering to death the wild fauna and flora, or laying any explosives, hook, snare, net, trap, etc., or scattering or pouring any poison, agricultural chemical, etc. to capture or to wither to death the wild fauna and flora in the core area;
2. Constructing and enlarging (limited to the case of enlargement by two times or more of the total construction area at the time of designation as an ecological and scenery conservation area) a building and other structures (hereinafter referred to as a "building, etc."), and change of form and quality of land;
3. Changing the form of a river, lake, etc. or causing any increase or decrease of water level or water volume;
4. Gathering soil and stone;
5. Other acts prescribed by Presidential Decree from among the acts acknowledged as harmful to the conservation of the natural environment.

(2) Where it falls under any of the following subparagraphs, paragraph (1) shall not apply: *<Amended by Act No. 7678, Aug. 4, 2005; Act No. 9763, Jun. 9, 2009>*

1. Where it is necessary for military purposes;
2. Where emergency measures are required due to a natural disaster or disaster corresponding thereto prescribed by Presidential Decree;
3. Where an act prescribed by Presidential Decree is performed, such as an act which is required to keep the mode of living or to improve standard of living of the residents in the ecological and scenery conservation area, or an act which is needed to continue farming that has been performed at the time of designation as an ecological and scenery conservation area;
4. Where the Minister of Environment permits as prescribed by Ordinance of the Ministry of Environment, in deeming that it does not cause inconvenience to the conservation of the area

concerned;

5. Where the matters included in the basic plan for the management of ecological and scenery conservation area pursuant to the provisions of Article 14 from among the agricultural production infrastructure rearrangement projects pursuant to the provisions of Article 2 of the Rearrangement of Agricultural and Fishing Villages Act are executed;

6. Where projects are executed according to the forest management plan pursuant to the Creation and Management of Forest Resources Act, and for the protection of forests and the conservation of an arboreal genetic resources protection district under the Forest Protection Act, without deforestation or diversion of form and quality of land;

7. Where the head of the relevant administrative agency executes firsthand or the head of the relevant administrative agency authorizes, permits or approves, etc. (hereinafter referred to as "authorization, permission, etc.") pursuant to other Acts. In this case, the head of the relevant administrative agency shall consult with the Minister of Environment in advance;

8. Where the Minister of Environment performs an act and installs the necessary facility prescribed by Presidential Decree to protect and manage the ecological and scenery conservation area.

(3) Notwithstanding paragraph (1), the following acts may be performed in the buffer area: <Amended by Act No. 7678, Aug. 4, 2005; Act No. 9763, Jun. 9, 2009; Act No. 9774, Jun. 9, 2009; Act No. 12738, Jun. 3, 2014>

1. Erection of a building, etc. prescribed by Presidential Decree, which is for dwelling, livelihood, etc. on land which has categorized as a building site (limited to land, the category of which was building site before the designation as an ecological and scenery conservation area) pursuant to the Act on Establishment, Management, etc. of Spatial Data;

2. Installation of a facility prescribed by Presidential Decree for investigation into ecology, ecological studies, etc.;

3. Execution of forestry projects according to the forest management plan pursuant to the Creation and Management of Forest Resources Act and for the protection of forests and the conservation and management of an arboreal genetic resources protection district, etc. under the Forest Protection Act;

4. Installation of a facility for measuring streamflow and groundwater, and drainage, or erection of a building, etc. similar to these and annexed to agriculture, forestry and fishery;

5. Installation of a private grave pursuant to the provisions of Article 13 (1) 1 of the Funeral Services, etc. Act.

(4) Notwithstanding the provisions of paragraph (1), the following acts may be performed in the transition area:

1. Acts of each subparagraph of paragraph (3);

2. Erection of a building, etc. prescribed by Presidential Decree for maintenance of mode of life or improvement of the standard of living of persons who are residing in the transition area;

3. Installation of facilities for food, lodging, or shopping prescribed by Presidential Decree for persons visiting the ecological and scenery conservation area;

4. Installation of public facilities and facilities for convenient livelihood prescribed by Presidential Decree for local residents and visitors, such as road, water supply, drainage, etc.

(5) The Minister of Environment may restrict development projects prescribed by Presidential Decree, or limit farming notwithstanding the provisions of paragraph (2) 3 where it is particularly necessary for the conservation of weak natural ecology and natural scenery.

#### **Article 16 (Prohibited Acts in Ecological and Scenery Conservation Area)**

No one shall perform any act falling under any of the following subparagraphs in the ecological and scenery conservation area: Provided, That this shall not apply where it is necessary for military purposes, or emergency measures are required due to natural disaster, or other disaster equivalent thereto as prescribed by Presidential Decree: <Amended by Act No. 8466, May 17, 2007; Act No.11862, Jun. 4, 2013>

1. Dumping specified substances hazardous to water quality pursuant to the provisions of Article 2 of the Water Quality and Ecosystem Conservation Act, waste pursuant to the provisions of Article 2 of the Chemicals Control Act, or poisonous substances pursuant to the provisions of Article 2 of the Toxic Chemicals Control Act;
2. Possessing inflammables prescribed by Ordinance of the Ministry of Environment, or cooking or camping in any place other than that designated by the Minister of Environment (limited to the core area and buffer area);
3. Act of staining, damaging or moving signboards or other signposts regarding conservation of the natural environment;
4. Other acts, such as gathering of grass or trees, lumbering, etc., which are prescribed by Presidential Decree as acts prohibited for the conservation of an ecological and scenery conservation area.

#### **Article 16-2 (Limited Access to Ecological and Scenery Conservation Areas)**

(1) The Minister of Environment may restrict or prohibit access to all or part of an ecological and scenery conservation area for a specified period in any of the following cases:

1. Where limited access is deemed particularly necessary in order to protect an ecological and scenery conservation area, such as a natural ecosystem and natural scenery;
2. Cases for recovery of the natural environment damaged due to natural or artificial factors;
3. Cases for safety of persons who enter an ecological and scenery conservation area.

(2) Notwithstanding paragraph (1), any of the following persons may enter an ecological and scenery conservation area:

1. A resident of a relevant region who enters the area to do daily work, such as carrying out ordinary business of agriculture, forestry or fisheries;
2. A person who enters the area to carry out business for conserving ecological and scenery conservation areas;
3. A person who enters the area for military purposes;
4. A person who enters the area to take actions necessary for activities, relief, etc., to prevent natural disasters referred to in subparagraph 2 of Article 2 of the Countermeasures against Natural Disasters

Act, take emergency countermeasures, or perform restoration work, etc.;

5. A person who enters the area to administer or manage a state forest referred to in the State Forest Administration and Management Act;

6. A person who enters the area for the implementation of forest management plans and the protection of forests referred to in the Forest Resources Creation and Management Act or for the conservation and management of a forest gene resources protection area referred to in the Forest Protection Act;

7. Other persons who enter the area to carry out an act determined by Presidential Decree which does not obstruct the conservation or management of an ecological and scenery conservation area.

(3) Where the Minister of Environment intends to restrict or prohibit access pursuant to paragraph (1), he/she shall publicly notify the location and size of a relevant area, the period for limited or prohibited access, and other matters determined by Ordinance of the Ministry of Environment in advance.

(4) If the Minister of Environment deems the grounds for limited or prohibited access eliminated, he/she shall lift limits to, or prohibition of, access without delay, and publicly notify such fact.

#### **Article 17 (Order of Suspension, etc.)**

The Minister of Environment may order a person who has performed an act in violation of the provisions of Article 15 (1) in an ecological and scenery conservation area to suspend that act, or to restore the item to original state within a reasonable period of time that he/she has set: Provided, That he/she may order to take equivalent measures such as construction of alternative nature, etc. where restoration to the original state is difficult.

#### **Article 18 (Securing Land, etc. for Conservation of Natural Ecology and Natural Scenery)**

(1) Where land, buildings, or items fixed to land (hereinafter referred to as "land, etc.") owned by the State located in an ecological and scenery conservation area, or an area required to be designated as an ecological and scenery conservation area because it has remarkably high ecological value become unnecessary for military purposes or for the purpose of protection of cultural properties, etc., the Minister of Environment may request the head of a central administrative agency, such as the Minister of National Defence, the Administrator of the Cultural Heritage Administration, etc. having authority to manage such land, etc., for administrative conversion pursuant to the provisions of Article 2 (5) of the State Properties Act: Provided, That this shall not apply to land pursuant to the provisions of Articles 20 and 20-2 of the Act on Special Measures for Readjustment of Requisitioned Properties and Articles 2 and 3 of the Act on Special Measures for Readjustment of Expropriated or Used Lands under the Decree on Special Measures for Expropriation or Uses of Lands in Areas to be Mobilized pursuant to the Provisions of Article 5 (4) of the Act on Special Measures for National Integrity. <Amended by Act No. 9401, Jan. 30, 2009>

(2) The Minister of Environment may, as prescribed by Presidential Decree, perform an inspection after consultation with the head of a relevant central administrative agency, such as the Minister of National Defense, the Administrator of the Cultural Heritage Administration, etc. in order to select land, etc. to be subject for administrative conversion pursuant to the provisions of paragraph (1). <Amended by Act No. 9401, Jan. 30, 2009>

### **Article 19 (Procurement of Land, etc. in Ecological and Scenery Conservation Area, etc.)**

(1) Where the Minister of Environment deems necessary for the conservation of the ecosystem in an ecological and scenery conservation area or natural reserve area, he/she may purchase land, etc. in those areas after consultation with the owner.

(2) The purchase price of land, etc., when purchasing land, etc. pursuant to the provisions of paragraph (1), shall be based on the value calculated pursuant to the Act on the Acquisition of Land, etc. for Public Works and the Compensation Therefor.

### **Article 20 (Support for Residents in Ecological and Scenery Conservation Area)**

(1) Where a resident expands his house in an area (hereafter referred to as an "adjoining area" in this Article) which may directly affect water quality, etc. of an ecological and scenery conservation area, the Minister of Environment may support all or part of the expenses for installation of a private sewage treatment facility and excreta treatment facility pursuant to the Sewerage Act. *<Amended by Act No. 8014, Sep. 27, 2006>*

(2) The Minister of Environment shall, first of all, formulate plans to support treatment of sewage and waste water in the ecological and scenery conservation area and its adjoining area. In this case, he/she may request the head of the competent central administrative agency or head of the relevant local government to take measures necessary for the support and measures necessary for the promotion of eco-friendly agriculture, forestry, and fishing industry.

(3) Necessary matters, such as procedures, methods, etc. for support for ecological and scenery conservation areas and their adjoining areas, pursuant to the provisions of paragraph (1) shall be prescribed by Presidential Decree.

### **Article 21 (Priority Utilization of Ecological and Scenery Conservation Area, etc.)**

(1) The Minister of Environment shall grant priority utilization to residents in the ecological and scenery conservation area after consultation with the head of the competent central administrative agency and the head of local government: Provided, That, where there is an interested person, such as an owner of land, etc., this shall apply only if an agreement has been made with him/her.

(2) Residents who utilize the ecological and scenery conservation area pursuant to the provisions of paragraph (1) shall make every effort for conservation thereof.

### **Article 21-2 (Support for Biosphere Reserves)**

The head of a relevant administrative agency may provide necessary financial support to conserve and manage biosphere reserves selected by UNESCO.

### **Article 22 (Natural Reserve Area)**

(1) The Minister of Environment shall, regarding a natural reserve area, formulate a comprehensive plan or policy for the conservation of the ecosystem and sustainable use of the natural environment after consultation with the head of the competent central administrative agency and the Mayor/Do governor concerned.

(2) The provisions of Articles 15 (1), (2) and (5), 16 and 17 shall apply mutatis mutandis to the restriction of acts, orders of suspension in the natural reserve area, etc.: Provided, That this shall not apply to projects for peaceful use performed in the Demilitarized Zone (DMZ) in accordance with an agreement between South and North Korea, and projects relating to unification policies implemented by the Minister of Unification after consultation with the Minister of Environment.

**Article 23 (Designation and Conservation of City/Do Ecological and Scenery Conservation Areas)**

(1) The Mayor/Do governor may designate and manage an area which is equivalent to the ecological and scenery conservation area and thus deemed necessary to conserve as a City/Do ecological and scenery conservation area.

(2) The Minister of Environment may recommend that the Mayor/Do governor designate and manage an area in need of conservation of natural ecology and natural scenery which represents the area concerned as a City/Do ecological and scenery conservation area.

(3) The provisions of Article 12 shall apply mutatis mutandis to designation standards, classification of boundaries, revocation of designations, etc. of City/Do ecological and scenery conservation areas.

**Article 24 (Procedures, etc. for Designation of City/Do Ecological and Scenery Conservation Areas)**

(1) When the Mayor/Do governor intends to designate or change a City/ Do ecological and scenery conservation area, he/she shall, with a designation plan containing the contents of each subparagraph of Article 13 (1) along with a topographical map prescribed by Presidential Decree, undergo the deliberation of the City/Do Environmental Policy Committee (hereinafter referred to as "Local Environmental Policy Committee") referred to in Article 58 of the Framework Act on Environmental Policy through consultation with the head of a competent basin environmental management office or the head of a subregional environmental management office (hereinafter referred to as "head of a local environmental management office"), and the head of a relevant administrative agency after collecting opinions of residents of the area concerned, interested persons and the head of a Si/Gun/Gu (including the head of an autonomous Gu; hereinafter the same shall apply): Provided, That in cases of changing minor matters that have been laid down by City/Do municipal ordinances, deliberation by the Local Environmental Policy Committee may be dispensed with. <Amended by Act No. 10032, Feb. 4, 2010; Act No. 10893, Jul. 21, 2011>

(2) The head of a relevant Si/Gun/Gu, head of a local environmental management office or head of a relevant administrative agency who has been requested to consider an opinion or consultation shall produce his/her opinion within 30 days from the date on which he/she receives such request, except in extenuating circumstances.

(3) When the Mayor/Do governor designates or changes a City/Do ecological and scenery conservation area pursuant to paragraph (1), he/she shall publicize the location and size of the area concerned, date of designation, and other matters prescribed by municipal ordinances of the local government concerned.

**Article 25 (Management Plan for City/Do Ecological and Scenery Conservation Area)**

The Mayor/Do governor shall draft and implement a basic plan for management of City/Do ecological and scenery conservation area pursuant to municipal ordinances laid down by the local government concerned

in accordance with the provisions of Article 14.

**Article 26 (Restriction, etc. of Acts in City/Do Ecological and Scenery Conservation Area)**

The Mayor/Do governor may take measures necessary for the conservation and management of a City/Do ecological and scenery conservation area pursuant to municipal ordinances laid down by the local government concerned in accordance with the provisions of Articles 15 through 17.

**Article 27 (Conservation of Natural Scenery)**

(1) The head of a relevant central administrative agency and the head of a local government shall endeavor to prevent major elements of scenery such as coastline, etc. with high scenic value from being damaged, or views thereof from being obstructed.

(2) The head of a local government shall, when executing various projects as prescribed by municipal ordinances, take necessary measures to conserve natural scenery.

(3) The Minister of Environment may set up guidelines necessary for conservation of natural scenery and notify the head of the administrative agency concerned and head of the local government.

**Article 28 (Consultation, etc. on Impact on Natural Scenery)**

(1) When the head of a relevant administrative agency or the head of a local government intends to grant authorization, permission, etc. of plans subject to strategic environmental impact assessment referred to in Article 9 of the Environmental Impact Assessment Act, projects subject to environmental impact assessment referred to in Article 22 of the said Act, or projects subject to small-scale environmental impact assessment referred to in Article 43 of the said Act among the development projects, etc. prescribed in the following subparagraphs, he/she shall include impacts on the natural scenery by a relevant development project, etc., conservation plans, etc. in the details of consultations on strategic environmental impact assessment, environmental impact assessment, or small-scale environmental impact assessment, and consult with the Minister of Environment or the head of a local environmental management office: *<Amended by Act No. 9037, Mar. 28, 2008; Act No. 10892, Jul. 21, 2011>*

1. A development project, etc. in an area within the distance prescribed by Presidential Decree from any of the following areas:

- (a) A natural park referred to in subparagraph 1 of Article 2 of the Natural Parks Act;
- (b) A wetland protection area designated pursuant to Article 8 of the Conservation of Wetlands Act;
- (c) An ecological and scenery conservation area;

2. A development project, etc. other than projects referred to in subparagraph 1 prescribed by Presidential Decree as determined to have a substantial impact on the natural environment.

(2) Where the Minister of Environment or the head of a local environmental management office receives a request for consultation pursuant to paragraph (1), the Minister of Environment shall undergo deliberation of the Central Environmental Policy Committee, and the head of a local environmental management office shall undergo deliberation of the Natural Scenery Deliberation Committee referred to in Article 29 regarding impacts on the natural scenery by the relevant development project, etc., conservation plans, etc.

*<Amended by Act No. 10032, Feb. 4, 2010>*

(3) When the head of a local government intends to authorize, permit, etc. a development project, etc. which is not subject to consultations on environmental impact assessment or small-scale environmental impact assessment, or other development projects, etc. prescribed by municipal ordinances of the local government as determined to have a substantial impact on the natural environment, from among the development project, etc. of each subparagraph of paragraph (1), he/she shall abide by the examination standards regarding natural scenery laid down by Ordinance of the Ministry of Environment: Provided, That this shall not apply to cases prescribed by Presidential Decree, such as cases of undergoing deliberation of the local urban planning committee referred to in Article 59 of the National Land Planning and Utilization Act. <Amended by Act No. 10892, Jul. 21, 2011>

#### **Article 29 (Organization and Operation of Natural Scenery Deliberation Committee)**

(1) A natural scenery deliberation committee shall be established under the jurisdiction of the head of a local environmental management office to investigate and deliberate professionally and efficiently where he/she receives a request for consultation pursuant to Article 28.

(2) Necessary matters regarding organization, operation, etc. of the natural scenery deliberation committee pursuant to paragraph (1) shall be prescribed by Presidential Decree.

#### **Article 30 (Investigation of Natural Environment)**

(1) The Minister of Environment shall investigate the natural environment of the nation every five years in cooperation with the head of a relevant central administrative agency. <Amended by Act No. 11671, Mar. 22, 2013>

(2) The Minister of Environment may investigate the natural environment every two years in cooperation with the head of a relevant central administrative agency regarding areas which are classified as a first grade zone on ecological and natural maps and areas changes in the natural surroundings of which are deemed requiring special observation. <Amended by Act No. 11671, Mar. 22, 2013>

(3) The head of a local government may investigate the natural environment of an area under his/her jurisdiction, as laid down by municipal ordinances of the local government concerned.

(4) The head of a local government shall report investigation plans and findings of investigations to the Minister of Environment when he/she investigates the natural environment pursuant to paragraph (3).

(5) The details, methods of investigation referred to in paragraphs (1) and (2), and other necessary matters shall be prescribed by Presidential Decree.

#### **Article 31 (Close Investigation, Observation, etc. of Changes in Ecosystem)**

(1) The Minister of Environment shall formulate and execute a plan for close investigation of the ecosystem concerned, where he/she deems it necessary to manage after a special investigation into the ecosystem which has been newly ascertained by findings on investigation pursuant to the provisions of Article 30.

(2) The Minister of Environment may make a supplementary investigation into an area where change in the ecosystem is conspicuous due to natural or artificial causes, from among the areas that have undergone investigation pursuant to the provisions of Article 30.

(3) The Minister of Environment shall continuously observe changes in ecosystem due to natural or artificial causes.

(4) The head of a local government may perform investigations and observations pursuant to the provisions of paragraphs (1) through (3) into the area under his jurisdiction as prescribed by municipal ordinances of the local government concerned.

(5) Matters necessary for investigation and observation pursuant to the provisions of paragraphs (1) through (3) shall be prescribed by Ordinance of the Ministry of Environment.

#### **Article 32 (Natural Environment Investigator)**

(1) The Minister of Environment or the head of a local government may, if necessary for performing an investigation into the natural environment pursuant to the provisions of Article 30, a close investigation and supplementary investigation pursuant to the provisions of Article 31 or other investigation into natural environment, employ natural environmental investigators during the investigation period (hereinafter referred to as an "investigator").

(2) Qualifications for an investigator and procedures of commissioning pursuant to the provisions of paragraph (1) and other necessary matters shall be prescribed by Ordinance of the Ministry of Environment or municipal ordinances of the local government concerned.

#### **Article 33 (Entry into Lands Owned by Other Persons, etc.)**

(1) The Minister of Environment or the head of a local government may order a public official or investigator under his control to enter another person's land, or to change or remove trees, soil, stones, or other obstacles, if necessary in order to carry out an investigation into the natural environment pursuant to Article 30 or a close investigation and supplementary investigation pursuant to the provisions of Article 31.

(2) Anyone who intends to enter another person's land pursuant to the provisions of paragraph (1) shall notify the owner, occupant or manager of the land not later than three days prior to the date of entry.

(3) Anyone who intends to change or remove obstacles pursuant to the provisions of paragraph (1) shall obtain the consent of the owner, occupant or manager thereof: Provided, That where the owner, occupant or manager is not at the site, or if his address is not known, notification of change or removal shall be made on the bulletin board of the Eup/ /Dong that has jurisdiction over the area concerned, or shall be published in the daily newspaper. Consent shall be deemed to have been obtained when fourteen days have passed since the date of such notification or publication.

(4) The owner, occupant or manager of land shall not refuse, obstruct or evade the investigation pursuant to the provisions of paragraph (1) insofar as there are no reasonable grounds.

(5) Anyone who intends to enter another person's land pursuant to the provisions of paragraph (1) shall carry credentials indicating his authority as prescribed by Ordinance of the Ministry of Environment, and show these to interested persons.

#### **Article 34 (Drafting and Utilization of Ecological and Natural Maps)**

(1) For the purpose of use in the formulation and implementation of various development projects, the Minister of Environment shall draft an ecological and natural map of the natural environment of the nation in accordance with the following classifications on the basis of findings on the investigations referred to in Articles 30 and 31: <Amended by Act No. 10977, Jul. 28, 2011>

1. First grade zone: An area falling under the following:

- (a) An area which becomes a major habitat, place of visitation and major ecological axis, or ecological corridor for endangered wildlife referred to in subparagraph 2 of Article 2 of the Wildlife Protection and Management Act (hereinafter referred to as "endangered wildlife");
- (b) An area where the ecosystem is particularly excellent or scenery is especially spectacular;
- (c) An ecosystem area which is located on the boundary of geographical distribution of living things, or area which represents the types of major vegetation;
- (d) An area where biological diversity is particularly abundant, and where biological resources with high conservation value are distributed;
- (e) Other areas having ecological value corresponding to items (a) through (d) which meet standards prescribed by Presidential Decree;

2. Second grade zone: An area corresponding to those falling under the items of subparagraph 1 and worthy of conservation in the future, or an area outside a first grade zone and necessary to protect a first grade zone;

3. Third grade zone: An area other than one classified as a first grade zone, second grade zone, and separately managed zone, which is subject to development or utilization;

4. Separately managed zone: An area prescribed by Presidential Decree which has historical, cultural or scenic value, or is managed to conserve a green belt located in a city and for other reasons, from among areas conserved pursuant to the provisions of another Act.

(2) The Minister of Environment may draft an ecological and natural map by making detailed classification of the zones referred to in paragraph (1) 1 through 3 to efficiently utilize the map, as prescribed by Ordinance of the Ministry of Environment.

(3) Where the Minister of Environment drafts an ecological and natural map, he/she may request the head of a relevant central administrative agency or the head of a local government for cooperation in providing with necessary data or specialized manpower. In such cases, unless it is inevitable to refuse due to military purposes, the head of the relevant central administrative agency or the head of the local government shall cooperate with the request for data, as prescribed by Presidential Decree.

(4) The ecological and natural map shall be drawn in solid lines at a scale of at least 1 to 25,000. Other matters necessary for drawing ecological and natural maps, such as drawing standards of ecological and natural maps, drawing methods, etc., and objects of utilization and methods of utilization of the ecological and natural map referred to in paragraph (1) shall be prescribed by Presidential Decree.

(5) When the Minister of Environment drafts an ecological and natural map, he/she shall draw it up after making it available to public inspection for at least 14 days, and release the ecological and natural map

after notifying of the map the head of a relevant central administrative agency and the head of a local government.

(6) A Mayor/Do governor may draft a detailed ecological and natural map of an urban area under his/her jurisdiction (hereinafter referred to as "urban ecological map") on the basis of the ecological and natural map drawn up by the Minister of Environment. Other matters necessary for drawing up an urban ecological map shall be prescribed by Ordinance of the Ministry of Environment. *<Amended by Act No. 11671, Mar. 22, 2013>*

#### **Article 35 (Measures for Conservation of Ecosystems and International Cooperation)**

(1) The Government shall formulate and implement measures for conservation and sustainable utilization of biological diversity and biological resources, proper management of biological resources, and implementation of the Convention on Biological Diversity, the Convention on International Trade in Endangered Species of Wild Fauna and Flora and the Convention on Wetlands of International Importance, Especially as Waterfowl Habitat, etc. (hereinafter referred to as the "Convention on Biological Diversity, etc.") to which the State is a signatory: *<Amended by Act No. 11257, Feb. 1, 2012>* 1 through 6 Deleted. *<by Act No. 11257, Feb. 1, 2012>*

(2) The Government shall endeavor to exchange technology, information, etc. to conserve the natural environment in cooperation with international organizations and foreign governments related to the Convention on Biological Diversity, etc. *<Amended by Act No. 11257, Feb. 1, 2012>*

#### **Article 36 (Research and Technology Development, etc. Regarding Ecosystems)**

(1) The Government shall carry out research and technology development with regard to investigation into the natural environment, research on the structure, function and restoration of ecosystems, and changes in, and adaptation of, ecosystems caused by climate change, etc. *<Amended by Act No. 10977, Jul. 28, 2011; Act No. 11257, Feb. 1, 2012>*

(2) The Government shall conduct investigations of changes in, and adaptation of, ecosystems following climate change, management cases, an ecosystem, etc. vulnerable to climate change, etc. *<Amended by Act No. 11257, Feb. 1, 2012>*

(3) Deleted. *<by Act No. 11257, Feb. 1, 2012>*

(4) Objects and methods of investigation referred to in paragraph (2) and other necessary matters shall be prescribed by Presidential Decree.

#### **Article 37 Deleted.** *<by Act No. 11257, Feb. 1, 2012>*

#### **Article 38 (Installation and Operation of Facilities for Conservation and Use of Natural Environment)**

(1) For the purposes of conservation and sound utilization of the natural environment, the head of a relevant central administrative agency and the head of a local government may install the following facilities:

1. Facilities for conservation or prevention of damage to the natural environment;
2. Facilities for restoration or recovery of a damaged natural environment;

3. Facilities for use or observation of the natural environment, including facilities for providing information on the conservation of the natural environment and wooden platforms for the observation of ecology;
4. Facilities for education, public relations, or management for conservation or use of the natural environment, such as a museum of nature conservation and a nature study institute;
5. Other facilities for conservation of natural assets.

(2) Where the head of a relevant central administrative agency or the head of a local government intends to install or operate facilities for conservation and use of the natural environment pursuant to the provisions of paragraph (1), he/she shall formulate installation plans and notify them publicly as prescribed by Ordinance of the Ministry of Environment.

(3) The head of a relevant central administrative agency and the head of a local government may collect fees from those who use the facilities for conservation and use of the natural environment which have been installed pursuant to the provisions of paragraph (1): Provided, That any park area designated by the Natural Parks Act shall be governed by the provisions of the Natural Parks Act.

(4) Necessary matters concerning the amount of fees, collection procedures thereof, and exemption therefrom pursuant to the provisions of paragraph (3) shall be prescribed by Ordinance of the Ministry of Environment.

#### **Article 39 (Designation and Management of Natural Resting Area)**

(1) The head of a local government may designate as natural resting areas an appropriate area which is of high ecological, scenic value, etc. and is suitable for investigation into nature, ecological education, etc. from among areas which are not designated by other Acts as parks, tourist facility complexes, natural recreation forests, etc. in accordance with Presidential Decree. In this case, the opinion of the owner, etc. of private land shall be heard with regard to private land.

(2) For the purpose of efficient management of natural resting areas designated pursuant to the provisions of paragraph (1), the head of a local government may collect fees from those who use natural resting areas as prescribed by municipal ordinances in consideration of the cost of maintenance, management, etc.: Provided, That this shall not apply where these have been designated by other Acts as parks, tourist facility complex, natural recreation forests, etc. after they have been designated as natural resting areas.

(3) Management of natural resting areas pursuant to the provisions of paragraph (1) and other necessary matters shall be prescribed by municipal ordinances of the local government concerned.

#### **Article 40 (Prevention of Damage to Nature Used by General Public)**

In the following cases, the head of a local government may restrict the lumbering of growing trees, change of form and quality of land, or access, cooking and camping in order to prevent damage to areas of ecological or scenic value, etc. as prescribed by municipal ordinances of the local government concerned:

1. Where the value of a forest adjoining a place used by the general public, such as a beach, decreases substantially or is lost if it is damaged;

2. Where the scenic value decreases substantially if forests, large trees, etc. alongside a road or railroad are damaged;
3. Other cases that correspond to subparagraph 1 or 2 and satisfy the standards prescribed by Presidential Decree.

#### **Article 41 (Promotion of Ecotourism)**

(1) The Minister of Environment may designate an area the environment of which has high conservation value and where it is possible to experience the importance of protecting the ecosystem and to provide education thereon in order to promote ecotourism, after consultation with the Minister of Culture, Sports and Tourism. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11671, Mar. 22, 2013>*

(2) The Minister of Environment may provide a local government exercising jurisdiction over an area designated pursuant to paragraph (1) (hereinafter referred to as "ecological tourism zone") with subsidies for all or some of the costs required for managing and operating the ecological tourism zone, within budgetary limits. *<Newly Inserted by Act No. 11671, Mar. 22, 2013>*

(3) The Minister of Environment may formulate and implement plans for the installation or management of facilities for education necessary for ecotourism, facilities for investigation and discovery of resources of ecotourism, and facilities for sound use by people, in cooperation with the Minister of Culture, Sports and Tourism and the head of a relevant local government, or may recommend the head of the local government as such. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11671, Mar. 22, 2013>*

#### **Article 42 (Designation, etc. of Ecological Village)**

(1) The Minister of Environment or the head of a local government may designate any of the following villages as an ecological village:

1. A village within an ecological and scenery conservation area;
2. A village that is outside the ecological and scenery conservation area, but has ecological functionality and beautiful natural scenery: Provided, That a village in a mountain village promotion area designated pursuant to Article 28 of the Framework Act on Forestry is excluded.

(2) The Minister of Environment or the head of a local government shall preferentially devise and implement installation of facilities for the convenience of residents of the area, such as public facilities, and a plan for increasing resident income, if he/she has designated an ecological village pursuant to paragraph (1).

(3) Where the ecological functions, beautiful natural scenery, etc. of an ecological village designated pursuant to paragraph (1) have been significantly damaged due to urban development, etc., the Minister of Environment or the head of a relevant local government may revoke the designation of the ecological village. *<Newly Inserted by Act No. 11671, Mar. 22, 2013>*

(4) Necessary matters for standards and procedures for designation, revocation, etc. of ecological villages referred to in paragraphs (1) through (3) shall be prescribed by Ordinance of the Ministry of Environment. *<Amended by Act No. 11671, Mar. 22, 2013>*

(5) If the Minister of Environment or the head of a local government intends to revoke the designation pursuant to paragraph (3), he/she shall hold a hearing. <Newly Inserted by Act No. 11671, Mar. 22, 2013>

#### **Article 43 (Enhancement, etc. of Ecological Soundness of Cities)**

(1) The State or a local government shall recover urban areas which have been damaged or neglected, or endeavor to prevent the following areas from being damaged in order to enhance the ecological soundness of a city: <Amended by Act No. 11671, Mar. 22, 2013>

1. An ecological and scenery conservation area referred to in Article 12;
2. A first grade zone on an ecological and natural map referred to in Article 34 (1) 1;
3. A wetland protection area referred to in Article 8 of the Wetlands Conservation Act;
4. A wildlife protection area referred to in Article 33 of the Wildlife Protection and Management Act;
5. A natural park referred to in subparagraph 1 of Article 2 of the Natural Parks Act.

(2) To promote conservation of the natural environment, enhancement, etc. of ecological soundness of a city, the Minister of Environment may recommend to the head of a relevant administrative agency and the head of a local government guidelines and evaluation indexes on conservation of the natural environment and ecological soundness, such as establishing an ecological axis, conserving biological diversity, conserving natural scenery, securing a wind passage, restoring ecology, etc. in consultation with the head of a relevant central administrative agency. <Amended by Act No. 11671, Mar. 22, 2013>

(3) The Minister of Environment may recommend the development of technology that enables less consumption of water and energy or less generation of waste possible, or ecological technology that enhances biological diversity, the improvement of systems for these, and other matters to the head of a relevant central administrative agency or the head of a local government.

(4) For the purpose of improvement, etc. of biological diversity of a city, the Minister of Environment may request that the head of the competent central administrative agency or the head of a local government create green areas, sub-ecosystems, etc.

(5) When the head of a relevant central administrative agency or the head of a local government has received a recommendation or request from the Minister of Environment referred to in paragraphs (2) through (4), he/she shall endeavor to have the relevant matter accepted.

#### **Article 44 (Restoration, etc. of Ecosystem Subject to Priority Protection)**

In any of the following cases, the Minister of Environment may prepare and promote measures of protection and restoration of an ecosystem concerned in cooperation with the head of a relevant central administrative agency and Mayor/Do governor: <Amended by Act No. 10977, Jul. 28, 2011>

1. Where the continuation of species is threatened because the main habitat or place of visitation of endangered wildlife has been destroyed, damaged or disrupted;
2. Where an ecosystem with a particularly high level of natural characteristics or delicate nature has been partially destroyed, damaged or disturbed;
3. Where the natural environment with a particularly high level of biological diversity has been damaged.

#### **Article 45 (Installation, etc. of Ecological Corridors)**

(1) In carrying out, authorizing or permitting a development project, etc., the State or a local government shall take necessary actions, such as the installation of an ecological corridor, or have such actions to be taken, in order not to sever the mobility of wildlife and ecological continuity. <Amended by Act No. 11671, Mar. 22, 2013>

(2) The State or a local government shall conduct investigations and research on areas where the mobility of wildlife and ecological continuity are severed, and formulate and implement ecological corridor installation plans for areas which require ecological corridors. In such cases, it may request the management entity of a road, railway, etc. located in an area requiring an ecological corridor to install an ecological corridor, and the person who has received such request shall install an ecological corridor, except in extenuating circumstances. <Amended by Act No. 11671, Mar. 22, 2013>

(3) A person who intends to install an ecological corridor pursuant to paragraphs (1) and (2) shall conduct the following investigations: <Amended by Act No. 11671, Mar. 22, 2013>

1. Species of wildlife which inhabit the relevant area;
2. Species of wildlife the habitats of which are likely to be severed due to the implementation of a development project, etc.;
3. Species of wildlife against which an accident, such as car accidents, is highly likely to occur;
4. Investigations into connection with a major ecological axis, such as Baekdudaegan referred to in subparagraph 1 of Article 2 of the Baekdudaegan Protection Act.

(4) Areas subject to the installation of ecological corridors and standards of installation referred to in paragraph (1), and other necessary matters shall be prescribed by Ordinance of the Ministry of Environment. <Amended by Act No. 10977, Jul. 28, 2011>

#### **Article 45-2 (Investigation, etc. of Ecological Corridors)**

(1) A person who is installing or managing an ecological corridor pursuant to Article 45 (1) or (2) (hereinafter referred to as "installer or manager of an ecological corridor") shall conduct investigations in accordance with the cycle and method determined by Ordinance of the Ministry of Environment so that an ecological corridor can be utilized in an appropriate manner.

(2) The Minister of Environment may request an installer or manager of an ecological corridor to submit materials related to the following matters. In such cases, the installer or manager of an ecological corridor shall submit the requested materials, except in extenuating circumstances:

1. The current state of installation and management of an ecological corridor;
2. Results of investigation referred to in paragraph (1).

(3) The Minister of Environment shall evaluate the materials referred to in paragraph (2) in accordance with the criteria prescribed by Ordinance of the Ministry of Environment, and if the ecological corridor is deemed functioning improperly, he/she may request the installer or manager of an ecological corridor to take actions to improve it. In such cases, the installer or manager of an ecological corridor shall take requested actions to improve the corridor, except in extenuating circumstances.

#### **Article 46 (Cooperation Charge for Ecosystem Conservation)**

(1) To systematically conserve the natural environment and to manage and utilize natural resources, the Minister of Environment shall levy and collect the Cooperation Charge for the Ecosystem Conservation from an operator of development projects which have a substantial impact on the natural environment or ecosystem, or cause a decrease in biological diversity.

(2) Projects subject to the imposition of the Cooperation Charge for the Ecosystem Conservation referred to in paragraph (1) shall be as follows: Provided, That the projects subject to the imposition of the Cooperation Charge for the Conservation of Marine Ecosystems referred to in Article 49 (2) of the Conservation and Management of Marine Ecosystems Act shall be excluded: <Amended by Act No. 8045, Oct. 4, 2006; Act No. 8355, Apr. 11, 2007; Act No. 8468, May 17, 2007; Act No. 9037, Mar. 28, 2008; Act No. 9982, Jan. 27, 2010; Act No. 10892, Jul. 21, 2011; Act No. 11671, Mar. 22, 2013>

1. A development project with a development area of at least 30,000 square meters prescribed by Presidential Decree, among plans subject to strategic environmental impact assessment referred to in Article 9 of the Environmental Impact Assessment Act;
2. A project subject to environmental impact assessment referred to in Articles 22 and 42 of the Environmental Impact Assessment Act;
3. Opencut exploration or mining business the scale of which is larger than that prescribed by Presidential Decree among mining projects referred to in subparagraph 2 of Article 3 of the Mining Industry Act;
4. A project subject to small-scale environmental impact assessment referred to in Article 43 of the Environmental Impact Assessment Act the development area of which is at least 30,000 square meters;
5. Other projects prescribed by Presidential Decree among the projects which have an substantial impact on ecosystems, or utilize natural property.

(3) The Cooperation Charge for the Ecosystem Conservation referred to in paragraph (1) shall be calculated and levied by multiplying the damaged area of an ecosystem by the amount levied per unit area and the regional coefficient within the limit of five billion won: Provided, That for projects prescribed by Presidential Decree that are executed for the purpose of national defense, the Cooperation Charge for the Ecosystem Conservation may be reduced or exempted. <Amended by Act No. 11671, Mar. 22, 2013>

(4) The Cooperation Charge for the Ecosystem Conservation referred to in paragraph (1) and the additional dues referred to in Article 48 (1) shall become revenue in Special Accounts for Environmental Improvement referred to in the Framework Act on Environmental Policy. <Amended by Act No. 10893, Jul. 21, 2011>

(5) Where the Minister of Environment delegates his/her authority on the collection of the Cooperation Charge for the Ecosystem Conservation or additional dues to the Mayor/Do governor pursuant to Article 61 (1), the Minister of Environment may pay an amount prescribed by Presidential Decree from the collected Cooperation Charge for the Ecosystem Conservation and additional dues to the Mayor/Do governor having jurisdiction over the project area. In such cases, the Mayor/Do governor may use some of

the payment for expenses necessary for imposing and collecting the Cooperation Charge for the Ecosystem Conservation, as prescribed by Presidential Decree.

(6) Procedures of collection, standards for reduction and exemption, amounts levied per unit of area and regional coefficients of the Cooperation Charge for the Ecosystem Conservation referred to in paragraph (1) and other necessary matters shall be prescribed by Presidential Decree. In such cases, the amount imposed per unit area shall be based on the value of the damaged ecosystem, and the regional coefficient shall be based on the use of land referred to in the National Land Planning and Utilization Act. <Amended by Act No. 8045, Oct. 4, 2006>

#### **Article 47 (Report of Authorization, Permission, etc. of Project)**

(1) The head of an administrative agency who has authorized, permitted any project subject to levy of the Cooperation Charge for the Ecosystem Conservation pursuant to the provisions of Article 46 (2) and conducted other relevant business shall inform the Minister of Environment of the project operator, content and scale of the project and the terms of authorization, permission, and other content of authorization and permission prescribed by Presidential Decree within 20 days from such date.

(2) The Minister of Environment shall inform the project operator of matters regarding amount of levy, term for payment, etc. of the Cooperation Charge for the Ecosystem Conservation within one month from the date he received the information pursuant to the provisions of paragraph (1).

(3) Details, methods pursuant to the provisions of paragraphs (1) and (2), and other necessary matters shall be prescribed by Ordinance of the Ministry of Environment.

#### **Article 48 (Compulsory Collection of Cooperation Charge for Ecosystem Conservation)**

(1) Where a person liable to pay the Cooperation Charge for the Ecosystem Conservation pursuant to Article 46 fails to pay such charge within the period of payment, the Minister of Environment shall compel him/her to pay by fixing a period of at least 30 days. In such cases, an additional due regarding the Cooperation Charge for the Ecosystem Conservation in arrears, which is equivalent to 3/100, shall be imposed. <Amended by Act No. 11671, Mar. 22, 2013>

(2) Where a person who has been urged to pay pursuant to paragraph (1) has not paid the Cooperation Charge for the Ecosystem Conservation and additional dues within the period, such amount may be collected in the same manner as delinquent national taxes are collected.

#### **Article 49 (Use of Cooperation Charge for Ecosystem Conservation)**

The collected Cooperation Charge for the Ecosystem Conservation and the amount paid pursuant to Article 46 (5) shall be used for the following purposes: Provided, That the Cooperation Charge for the Ecosystem Conservation raised from the projects, which are in the mining projects referred to in subparagraph 2 of Article 3 of the Mining Industry Act, focusing on forests and mountainous areas shall be used for projects to restore the ecosystem of damaged forests and mountainous areas: <Amended by Act No. 8045, Oct. 4, 2006; Act No. 8355, Apr. 11, 2007; Act No. 10977, Jul. 28, 2011; Act No. 11257, Feb. 1, 2012; Act No. 11671, Mar. 22, 2013>

1. Projects to conserve or restore ecosystems and biological species;
2. Support to ex-habitat conservation agencies referred to in Article 7 (2) of the Wildlife Protection and Management Act;
3. Execution of the basic plan for management of ecological and scenery conservation areas referred to in Article 14;
4. Securing of land, etc. for the conservation of the ecosystem referred to in Article 18;
5. Purchase of land, etc. of ecological and scenery conservation areas referred to in Article 19;
6. Assistance for installation of sewage treatment facilities referred to in Article 20 (1);
7. Conservation of the ecosystems of natural reserve areas referred to in Article 22;
8. Execution of contracts for biological diversity management referred to in Article 16 of the Act on Conservation and Use of Biological Diversity;
9. Installation and operation of facilities for conservation and use of the natural environment referred to in Article 38;
10. Protection and restoration of ecosystems subject to priority protection referred to in Article 44;
11. Projects for installation of ecological corridors referred to in Article 45;
12. Investigation, maintenance and management of a project the Cooperation Charge for the Ecosystem Conservation of which has been refunded pursuant to the main sentence of Article 50 (1);
13. Conservation and management of biosphere reserves selected by UNESCO;
14. Other projects necessary to conserve the natural environment, etc., which are prescribed by Presidential Decree.

#### **Article 50 (Return and Assistance of Cooperation Charge for Ecosystem Conservation)**

(1) Where a person who has paid the Cooperation Charge for the Ecosystem Conservation or a person who has obtained consent on the execution of a natural environment conservation project and on the return of the Cooperation Charge for the Ecosystem Conservation from the person who has paid the Cooperation Charge for the Ecosystem Conservation (hereinafter referred to as "proxy of environment conservation project") has executed a natural environment conservation project, such as creation of alternative nature, restoration of the ecosystem, etc. prescribed by Presidential Decree after receiving approval from the Minister of Environment, the Minister of Environment may refund an amount prescribed by Presidential Decree from the Cooperation Charge for the Ecosystem Conservation that he/she has paid: Provided, That with regard to the Cooperation Charge for the Ecosystem Conservation levied due to the projects executed in forests and mountainous areas referred to in Article 46 (2) 3, assistance to restoration projects of damaged areas for forests or mountainous areas executed pursuant to other Acts may be made within the extent of the refunded amount or amount to be refunded. <Amended by Act No. 8468, May 17, 2007; Act No. 11671, Mar. 22, 2013>

(2) Necessary matters regarding approval of the Minister of Environment, consent of the person who has paid the Cooperation Charge for the Ecosystem Conservation, qualification and extent of proxy of environment conservation project, and refund and assistance of the Cooperation Charge for the Ecosystem

Conservation referred to in paragraph (1) shall be prescribed by Presidential Decree. <Amended by Act No. 8468, May 17, 2007>

#### **Article 51 (Cooperation of Relevant Administrative Agencies)**

(1) Where the Minister of Environment acknowledges as necessary for fulfillment of the purposes of this Act, he/she may request the head of a relevant central administrative agency or head of a local government to prepare necessary policies or measures on the matters prescribed by Presidential Decree. In this case, the head of the relevant central administrative agency or head of the local government shall comply therewith insofar as there are no particular issues.

(2) The Minister of Environment shall assess the value and function of biological diversity for conservation of the natural environment and sustainable utilization of nature, and have the head of a relevant central administrative agency and the head of a local government use the result outcome thereof.

#### **Article 52 (Expropriation and Use of Land, etc.)**

(1) The State or a local government may, when deemed necessary for the installation of facilities for conservation and use of the natural environment pursuant to the provisions of Article 38, expropriate and use land, etc. necessary for the facilities for conservation and use of the natural environment.

(2) As for expropriation and use pursuant to the provisions of paragraph (1), the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects shall apply mutatis mutandis unless there are special provisions in this Act.

(3) Where the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects applies mutatis mutandis pursuant to the provisions of paragraph (2), project approval and a public announcement of project approval pursuant to the provisions of Articles 20 and 22 of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects shall be deemed to have been made at the time when determination and public announcement of the plan for installation of facilities for conservation or use of the natural environment pursuant to the provisions of Article 38 are made.

#### **Article 53 (Compensation for Loss)**

(1) Anyone who suffers a loss of property because he is not able to continue, pursuant to the provisions of Article 15 (5), development project, farming activities, etc. which have already been in operation, or who has suffered loss a property pursuant to the provisions of Article 33 (1), may request the Minister of Environment or the head of a local government to make compensation for loss as prescribed by Presidential Decree.

(2) Where the Minister of Environment or the head of a local government is requested pursuant to the provisions of paragraph (1), he/she shall make a determination on the amount of compensation, etc. within three months after consultation with the applicant, and notify the applicant of the amount.

(3) If an agreement pursuant to the provisions of paragraph (2) is not reached, the Minister of Environment, the head of a local government, or the applicant may apply for adjudication to a competent land expropriation committee as prescribed by Presidential Decree.

#### **Article 54 (Support from State Treasury, etc.)**

The State may provide all or some of the expenses of the following projects within budgetary limits for relevant administrative agencies, local governments or organizations relating to the protection of nature which execute projects for the protection of nature: <Amended by Act No. 13885, Jan. 27, 2016>

1. Projects for providing assistance to campaigns for protection of nature pursuant to the provisions of Article 5;
  2. Projects for providing assistance to residents of ecological and scenery conservation areas, their adjoining areas and ecological villages pursuant to the provisions of Articles 20 and 42;
  3. Projects for the installation of facilities for conservation and utilization of the natural environment pursuant to the provisions of Article 38;
  4. Projects for the installation of ecological corridors pursuant to the provisions of Article 45;
  5. Projects under the subparagraphs of Article 49;
  6. Other projects for conservation of the natural environment, which is prescribed by Presidential Decree.
- (2) Local governments may subsidize organizations related to the conservation of nature with the whole or part of the expenses necessary for their activities and operation within budgetary limits. <Newly Inserted by Act No. 13885, Jan. 27, 2016>

#### **Article 55 (Korean Association for Conservation of Nature)**

(1) The Korean Association for Conservation of Nature (hereinafter referred to as the "Association") shall be established in order to carry out the following projects for conservation of the natural environment:

1. Investigation and research into the actual conditions and plans for conservation of the natural environment;
  2. Conservation of biological diversity, such as restoration of damaged ecosystems or species, creation of sub-ecosystems, etc.;
  3. Education and public relations on nature, such as production, publication, etc. of videos on the conservation of the natural environment.
- (2) The Association shall be incorporated as a juristic person.
- (3) Funds needed for projects of the Association shall be raised from membership fees, earnings from projects, etc., and the State or a local government may provided with some of the necessary expenses within budgetary limits.
- (4) The provisions of the Civil Act on incorporated associations shall apply mutatis mutandis to matters regarding the Association that are not prescribed in this Act.

#### **Article 55-2 (Ecotourism Association)**

(1) Ecotourism business operators, organizations related to ecotourism, and other persons engaged in business relating to ecotourism may establish an ecotourism association after obtaining permission from the Minister of Environment in order to carry out the following:

1. Investigation and research on areas and tour programs appropriate for ecotourism;
  2. International cooperation business related to ecotourism;
  3. Other projects necessary to nurture ecotourism.
- (2) An ecotourism association shall be a juristic person.
- (3) If deemed necessary to foster ecotourism, the State or a local government may pay some of the expenses necessary for an ecotourism association, within budgetary limits.
- (4) Except those provided for in this Act, the provisions of the Civil Act concerning incorporated associations shall apply mutatis mutandis to ecotourism associations.

#### **Article 56 (Marks Symbolizing Nature and Symbolic Species of Local Government)**

- (1) The State may install marks symbolizing nature in an area requiring conservation of the natural environment, such as ecological and scenery conservation areas, according to the type of the area, and a local government may utilize the marks symbolizing nature after partial modification in consideration of the characteristics of the area under its jurisdiction.
- (2) Any local government may designate as its symbol species or symbol ecosystem species of wild fauna or flora, or an ecosystem which are of importance and represent the area concerned, and conserve and utilize them.

#### **Article 57 (Promotion of Private Associations for Conservation of Natural Environment)**

In order to conserve the natural environment, the Minister of Environment may foster private associations for conservation of the natural environment which carry out any of the following activities: <Amended by Act No. 10977, Jul. 28, 2011>

1. Cooperation and exchange with international associations and organizations for conservation of the natural environment;
2. Protection of endangered wildlife;
3. Other conservation activities for the natural environment and natural resources.

#### **Article 58 (Honorary Instructor of Conservation of Natural Environment)**

- (1) For the purposes of instruction, education, etc. on the conservation of the natural environment, the Minister of Environment or the head of a local government may entrust members of private associations for conservation of the natural environment, or persons who are carrying out activities of conservation of the natural environment with sincerity or persons recommended by the Association as honorary instructors on conservation of the natural environment.
- (2) Certificates confirming identity shall be issued to honorary instructors on conservation of the natural environment as prescribed by Ordinance of the Ministry of Environment.
- (3) Methods of entrustment of honorary instructor on conservation of the natural environment, the scope of their activities pursuant to the provisions of paragraph (1), and other necessary matters shall be prescribed by Presidential Decree.

#### **Article 59 (Guides on Natural Environment)**

(1) The Minister of Environment or the head of a local government may employ and utilize, as a guide on the natural environment, a person who has taken training courses determined by Ordinance of the Ministry of Environment at a training institution for guides on the natural environment referred to in Article 59-2 (1), or may have him/her utilized.

(2) A guide on the natural environment shall provide explanations, public relations, education, guidance on ecological research, etc. professionally to persons who use ecological and scenery conservation areas, wetland protection areas prescribed in the Wetlands Conservation Act, natural parks prescribed in the Natural Parks Act, etc. in order to enhance their awareness of the conservation of the natural environment, etc.

(3) The Minister of Environment or the head of a local government may provide financial and other necessary support for activities of guides on the natural environment within budgetary limits.

#### **Article 59-2 (Designation of Training Institutions for Guides on Natural Environment)**

(1) The Minister of Environment may designate a training institution for guides on the natural environment (hereinafter referred to as "training institution") in order to nurture guides on the natural environment.

(2) A person who intends to be designated as a training institution shall meet criteria for designation determined by Ordinance of the Ministry of Environment, such as facilities necessary for education and experts, and file an application for the designation to the Minister of Environment.

(3) Matters concerning designation procedures for, operation, etc. of a training institution shall be prescribed by Ordinance of the Ministry of Environment.

#### **Article 59-3 (Revocation of Designation)**

(1) Where a training institution designated pursuant to Article 59-2 (1) falls under any of the following cases, the Minister of Environment may revoke the designation; Provided, That in cases under subparagraph 1, it shall revoke such designation:

1. Where it has been designated by fraud or other wrongful means;
2. Where it comes to fail to meet the criteria referred to in Article 59-2 (2) and (3).

(2) Where the Minister of Environment intends to revoke designation pursuant to paragraph (1), he/she shall hold a hearing.

#### **Article 60 (Natural Environment Learning Garden)**

(1) For the purposes of revitalization of campaigns for protection of the nature pursuant to the provisions of Article 5 and enhancement, etc. of understanding of the importance of conservation of the natural environment, the Mayor/Do governor may establish natural environment learning gardens that fulfill the functions of education, training, public relations, etc. on the natural environment under the control of the Mayor/Do governor.

(2) Necessary matters regarding installation and operation of natural environment learning gardens shall be laid down by municipal ordinances of a local government concerned.

### **Article 61 (Delegation and Entrustment of Authority)**

(1) The Minister of Environment may delegate part of his/her authority referred to in this Act to the head of an institution under his/her management or the Mayor/Do governor, as prescribed by Presidential Decree. *<Amended by Act No. 8045, Oct. 4, 2006; Act No. 11671, Mar. 22, 2013>*

(2) The Minister of Environment may entrust part of his/her duties referred to in this Act to a relevant specialized institution, as prescribed by Presidential Decree.

**Article 62 Deleted.** *<by Act No. 8045, Oct. 4, 2006>*

### **Article 63 (Penalty Provisions)**

Anyone falling under any of the following subparagraphs shall be punished by imprisonment with labor for not more than three years, or by a fine not exceeding thirty million won: *<Amended by Act No. 13168, Feb. 3, 2015>*

1. Anyone who damages natural ecology and natural scenery in violation of the provisions of Article 15 (1) (including where the provisions of Article 22 (2) apply mutatis mutandis) within the core area;
2. Anyone who damages natural ecology and natural scenery in violation of the provisions of Article 15 (1) 2 through 5 within the buffer area;
3. Anyone who violates an order of suspension, order of restoration to original state or order of measures pursuant to the provisions of Article 17 (including where the provisions of Article 22 (2) apply mutatis mutandis).

### **Article 64 (Penalty Provisions)**

Any of the following persons shall be punished by imprisonment with prison labor for not more than two years, or by a fine not exceeding twenty million won: *<Amended by Act No. 11671, Mar. 22, 2013; Act No. 13168, Feb. 3, 2015>*

1. A person who damages natural ecology or natural sceneries within a transition area, in violation of Article 15 (1);
2. A person who commits a prohibited act, in violation of subparagraph 1 of Article 16 (including cases where Article 22 (2) applies mutatis mutandis).

### **Article 65 (Joint Penal Provisions)**

Where a representative of a juristic person, or agent, employer or other employee of a juristic person or individual commits an offence referred to in Article 63 or 64 in the service of the juristic person or individual, the juristic person or individual shall be punished by the respective fines in addition to the punishment of the offender: Provided, That this shall not apply where a juristic person or an individual has not been negligent in paying due attention and supervision for relevant business to prevent such offense. *<Amended by Act No. 11671, Mar. 22, 2013>*

### **Article 66 (Fines for Negligence)**

(1) Anyone who violates the measures of the Mayor/Do governor referred to in Article 26 shall be punished by a fine for negligence not exceeding ten million won.

(2) Any of the following persons shall be punished by a fine for negligence not exceeding two million won: <Amended by Act No. 11671, Mar. 22, 2013>

1. A person who commits a prohibited act in violation of subparagraphs 2 through 4 of Article 16 (including cases where Article 22 (2) applies mutatis mutandis);
  2. A person who enters, in violation of Article 16-2, an ecological and scenery conservation area the access to which is limited or prohibited;
  3. A person who refuses, obstructs or evades investigation activities without reasonable grounds, in violation of Article 33 (4);
  4. A person who violates the restriction on lumbering of growing trees, change of form and quality of land, or of access, cooking and camping referred to in Article 40.
- (3) Fines for negligence referred to in paragraphs (1) and (2) shall be imposed and collected by the Minister of Environment or the head of a local government (hereinafter referred to as "person entitled to impose"), as prescribed by Presidential Decree.
- (4) Anyone who is dissatisfied with the disposition of a fine for negligence referred to in paragraph (3) may raise an objection to the person entitled to impose.
- (5) Where a person who was imposed a fine for negligence referred to in paragraph (3) has raised an objection pursuant to paragraph (4), the person entitled to impose shall inform the competent court of the fact without delay, and the informed court shall put the case of fine for negligence on trial in accordance with the Non-Contentious Case Litigation Procedure Act.
- (6) Where an objection is not raised within the period of time referred to in paragraph (4) and the fine for negligence is not paid, it shall be collected in the same manner as delinquent national or local taxes are collected.

#### ADDENDA

##### **Article 1 (Enforcement Date)**

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

##### **Article 2 (Transitional Measures concerning Ecosystem Conservation Area)**

- (1) An ecosystem conservation area designated and announced by the Minister of Environment pursuant to the previous provisions at the time when this Act enters into force shall be deemed to have been designated and announced as a core ecological and scenery conservation area pursuant to the provisions of Articles 12 (2) and 13 (3).
- (2) A City/Do ecosystem conservation area designated and announced by the Mayor/Do governor pursuant to the previous provisions at the time when this Act enters into force shall be deemed to have been designated and announced as a City/Do ecological and scenery conservation area pursuant to the provisions of Articles 23 (1) and 24 (3).

##### **Article 3 (Transitional Measures concerning Basic Plan of Management of Ecosystem Conservation Area)**

Basic plans for management of ecosystem conservation areas formulated by the Minister of Environment pursuant to the previous provisions at the time when this Act enters into force shall be deemed to have been formulated as basic plans of management of ecological and scenery conservation areas pursuant to the provisions of Article 14.

**Article 4 (Transitional Measures concerning Period of Adjudication Application)**

Periods of adjudication application for projects whose plans of installation of facilities for conservation and use of the natural environment was announced pursuant to the previous provisions at the time when this Act enters into force shall be governed by the previous provisions.

**Article 5 (Transitional Measures concerning Korean Association for Conservation of Nature)**

The Korean Association for Conservation of Nature pursuant to the previous provisions at the time when this Act enters into force shall be deemed as the Korean Association for Conservation of the Natural Environment pursuant to the provisions of Article 55.

**Article 6 (Transitional Measures concerning Administrative Disposition, etc.)**

Dispositions, other activities by administrative agencies or activities against administrative agencies pursuant to the previous provisions at the time when this Act enters into force shall be deemed to be activities by administrative agencies or activities against administrative agencies pursuant to the provisions of this Act which correspond thereto.

**Article 7 (Transitional Measures concerning Penal Provisions and Fines for Negligence)**

The application of penal provisions and fines for negligence against an act committed before this Act enters into force shall be governed by the previous provisions.

**Article 8 Omitted.**

**Article 9 (Relationship with Other Acts and Subordinate Statutes)**

Where provisions of this Act have been cited in other Acts and subordinate statutes when this Act enters into force, and when there are provisions corresponding thereto in this Act, the corresponding provisions of this Act shall be deemed to have been cited in place of the previous provisions.

ADDENDA <Act No. 7678, Aug. 4, 2005>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 12 Omitted.**

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

**Article 1 (Enforcement Date)**

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

**Articles 2 through 11 Omitted.**

ADDENDA <Act No. 8045, Oct. 4, 2006>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 11 Omitted.**

ADDENDA <Act No. 8355, Apr. 11, 2007>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 6 Omitted.**

ADDENDA <Act No. 8468, May 17, 2007>

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

(2) (Applicable Example concerning Imposition of Cooperation Charge for Ecosystem Conservation on Development Project Subject to Advance Environmental Examination) The amended provisions of Article 46 (2) 3 shall apply beginning with the development project that requests consultation of advance environmental examination pursuant to the provisions of Article 25-3 of the Framework Act on Environmental Policy for the first time after this Act enters into force.

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

**Article 1 (Enforcement Date)**

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

**Articles 2 through 5 Omitted.**

ADDENDA <Act No. 8852, Feb. 29, 2008>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 7 Omitted.**

ADDENDA <Act No. 9037, Mar. 28, 2008>

**Article 1 (Enforcement Date)**

This Act shall enter into force on Jan. 1, 2009.

**Articles 2 through 19 Omitted.**

ADDENDA <Act No. 9401, Jan. 30, 2009>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 11 Omitted.**

ADDENDA <Act No. 9763, Jun. 9, 2009>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 8 Omitted.**

ADDENDA <Act No. 9774, Jun. 9, 2009>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 19 Omitted.**

ADDENDA <Act No. 9982, Jan. 27, 2010>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 10 Omitted.**

ADDENDA <Act No. 10032, Feb. 4, 2010>

**Article 1 (Enforcement Date)**

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

**Articles 2 and 3 Omitted.**

ADDENDA <Act No. 10892, Jul. 21, 2011>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 10 Omitted.**

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

**Article 1 (Enforcement Date)**

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

**Articles 2 through 6 Omitted.**

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

**Article 1 (Enforcement Date)**

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

**Articles 2 through 11 Omitted.**

ADDENDUM <Act No. 10979, Jul. 28, 2011>

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

ADDENDA <Act No. 11257, Feb. 1, 2012>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 4 Omitted.**

ADDENDA <Act No. 11671, Mar. 22, 2013>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Articles 16-2, 65, and 66 (2) 2 shall enter into force on the date of its promulgation.

**Article 2 (Applicable Cases concerning Investigation of Natural Environment)**

The amended provisions of Article 30 shall apply, starting from the first investigation of the natural environment conducted after this Act enters into force.

**Article 3 (Applicable Cases concerning Imposition of Cooperation Charge for Ecosystem Conservation)**

(1) The amended provisions of Article 46 (3) shall apply, starting from the first project for which authorization, permission, etc. is obtained or plans are formulated or confirmed (limited to projects not subject to authorization, permission, etc.) after this Act enters into force.

(2) The amended provisions of Article 48 (1) shall apply, starting from the first Cooperation Charge for the Ecosystem Conservation which is not paid after this Act enters into force.

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

**Article 1 (Enforcement Date)**

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

**Articles 2 through 12 Omitted.**

ADDENDA <Act No. 12738, Jun. 3, 2014>

**Article 1 (Enforcement Date)**

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

**Articles 2 and 3 Omitted.**

ADDENDUM <Act No. 13168, Feb. 3, 2015>

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

ADDENDUM <Act No. 13885, Jan. 27, 2016>

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

