

ELECTRIC UTILITY ACT

Wholly Amended by Act No. 6283, Dec. 23, 2000

Amended by Act No. 6637, Jan. 26, 2002

Act No. 6656, Feb. 4, 2002

Act No. 7017, Dec. 30, 2003

Act No. 7188, Mar. 11, 2004

Act No. 7284, Dec. 31, 2004

Act No. 7508, May 26, 2005

Act No. 7744, Dec. 23, 2005

Act No. 7943, Apr. 28, 2006

Act No. 8135, Dec. 30, 2006

Act No. 8194, Jan. 3, 2007

Act No. 8346, Apr. 11, 2007

Act No. 8852, Feb. 29, 2008

Act No. 9016, Mar. 28, 2008

Act No. 9017, Mar. 28, 2008

Act No. 9244, Dec. 26, 2008

Act No. 9680, May 21, 2009

Act No. 10000, Feb. 4, 2010

Act No. 10253, Apr. 12, 2010

Act No. 10500, Mar. 30, 2011

Act No. 10580, Apr. 12, 2011

Act No. 10789, jun. 7, 2011

Act No. 10912, Jul. 25, 2011

Act No. 11690, Mar. 23, 2013

Act No. 11968, Jul. 30, 2013

Act No. 11965, Jul. 30, 2013

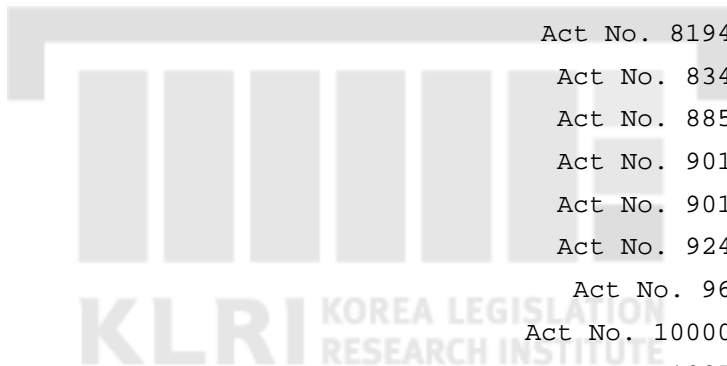
Act No. 12154, Jan. 1, 2014

Act No. 12329, Jan. 21, 2014

Act No. 12357, Jan. 28, 2014

Act No. 12612, May 20, 2014

Act No. 12816, Oct. 15, 2014



Act No. 13313, May 18, 2015
Act No. 13340, Jun. 22, 2015
Act No. 13858, Jan. 27, 2016
Act No. 14672, Mar. 21, 2017

Article 1 (Purpose)

The purpose of this Act is to enhance the sound development of the electric utility business and protect the interests of consumers of electricity by establishing the basic system, and by promoting the competitiveness, of the electric utility business and thereby to contribute to the development of the national economy.

Article 2 (Definitions)

The terms used in this Act shall be defined as follows: <Amended by Act No. 10500, Mar. 30, 2011; Act No. 11690, Mar. 23, 2013>

1. The term "electric utility business" means an electricity generation business, an electric transmission business, an electric distribution business, an electric sales business, or a district electric business;
2. The term "operator of the electric utility business" means an operator of the electricity generation business, an operator of the electric transmission business, an operator of the electric distribution business, an operator of the electric sales business, or an operator of the district electric business;
3. The term "electricity generation business" means a business the main purpose of which is to generate and supply electricity to operators of the electric sales business through the electricity market;
4. The term "operator of the electricity generation business" means a person that has been licensed to generate electricity under Article 7 (1);
5. The term "electric transmission business" means a business the main purpose of which is to establish and operate electric installations that are necessary to transmit electricity produced at electric power stations to operators of the electric distribution business;
6. The term "operator of the electric transmission business" means a person that has been licensed to transmit electricity under Article 7 (1);
7. The term "electric distribution business" means a business the main purpose of which is to establish and operate electric installations necessary to distribute electricity transmitted from electric power stations to consumers of electricity;
8. The term "operator of the electric distribution business" means a person that has been licensed to distribute electricity under Article 7 (1);
9. The term "electric sales business" means a business the main purpose of which is to deliver electricity to consumers of electricity;
10. The term "operator of the electric sales business" means a person that has been licensed to sell electricity under Article 7 (1);

11. The term "district electric business" means a business the main purpose of which is to generate electricity with electric power generating installation of the size or smaller prescribed by Presidential Decree to meet the demand of a particular supply district and supply the produced electricity to electric consumers in such particular supply district, not via any electricity market;

12. The term "operator of the district electric business" means a person that has been licensed to operate the district electric business under Article 7 (1);

13. The term "electricity market" means a market to be opened by the Korea Power Exchange established under Article 35 for electric power trading (hereinafter referred to as the "Korea Power Exchange");

14. The term "electric power system" means a system under which the flow of electricity is controlled and managed to maintain the smooth flow and the quality of electricity;

15. The term "universal supply" means the provision of electricity for consumers of electricity to use electricity at a reasonable rate anywhere at any time;

16. The term "electric installations" means machines, equipment, dams, waterways, reservoirs, electric lines, security telecommunications wires, and other equipment (excluding dams and reservoirs built under the Act on the Construction of Dams and Assistance, etc. to their Environs, equipment installed at ships, vehicles, or aircraft, and other equipment prescribed by Presidential Decree) which are installed for the purpose of the generation, transmission, transformation, distribution, or consumption of electricity and which fall under the following:

(a) Electric installations for the electric utility business;

(b) Electric installations for general use;

(c) Electric installations for private use;

16-2. The term "electric lines" means electrical wires and facilities which hold or accommodate electric wires interconnected between electric power stations, substations, switching stations or other places equivalent thereto and the places where electricity is used;

17. The term "electric installations for the electric utility business" means electric installations that operators of the electric utility business use for the purpose of operating their business;

18. The term "electric installations for general use" means small-scale electric installations prescribed by Ordinance of the Ministry of Trade, Industry and Energy and installed to be used exclusively for a limited area;

19. The term "electric installations for private use" means electric installations other than electric installations for the electric utility business and electric installations for general use;

20. The term "safety control" means taking measures necessary for works, maintenance, and operation of electric installations, as prescribed by this Act, to protect the lives and property of the people.

Article 3 (Duties of Government, etc.)

(1) The Minister of Trade, Industry and Energy shall prepare fundamental and comprehensive policies for the stable supply and demand of electricity, the promotion of the competitiveness of the electric power

industry, etc., in order to achieve the purposes of this Act. <Amended by Act No. 11690, Mar. 23, 2013>

(2) When the Minister of Trade, Industry and Energy formulates policies under paragraph (1) and a master plan for electricity supply and demand under Article 25, he/she shall comprehensively take into account the economic feasibility of electric installations and their impacts on the environment and public safety.

<Newly Inserted by Act No. 14672, Mar. 21, 2017>

(3) The Korea Power Exchange established under Article 35 shall comprehensively review the economic feasibility of operating the electricity market and the electric power system, and their impacts on the environment and public safety. <Newly Inserted by Act No. 14672, Mar. 21, 2017>

(4) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Do Governor, a Special Self-Governing Province Governor (hereinafter referred to as the "Mayor/Do Governor"), and the head of a Si/Gun/Gu (referring to an autonomous Gu; hereinafter the same shall apply) shall prepare necessary policies to supply electricity in a stable manner for electric consumers in a district under their jurisdiction and cooperate with the Minister of Trade, Industry and Energy for smooth implementation of the policies to stabilize the supply and demand of electricity referred to in paragraph (1). <Amended by Act No. 11690, Mar. 23, 2013; Act No. 14672, Mar. 21, 2017>

Article 4 (Protection of Consumers)

An operator of the electric utility business shall prepare measures to protect the interests of electric consumers.

Article 5 (Environmental Protection)

An operator of the electric utility business shall prepare measures necessary for the optimum management and preservation of the natural and living environments when establishing electric installations and operating the electric utility business.

Article 6 (Universal Supply)

(1) An operator of the electric utility business has an obligation to contribute to the universal supply of electricity.

(2) The Minister of Trade, Industry and Energy shall determine the details of the universal supply of electricity in consideration of the followings: <Amended by Act No. 11690, Mar. 23, 2013>

1. The level of the development of electric technology;
2. The level of the spread of the use of electricity;
3. The public interest and safety;
4. The promotion of social welfare.

Article 7 (Business License)

(1) A person who intends to operate an electric utility business shall obtain a license by type of electric utility business from the Minister of Trade, Industry and Energy. The same shall also apply to any modification of important matters of the license prescribed by Ordinance of the Ministry of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Where the Minister of Trade, Industry and Energy intends to grant an electric utility license or a modified license therefor, he/she shall undergo deliberation of the Electricity Regulatory Commission under Article 53 (hereinafter referred to as the "Electricity Regulatory Commission") in advance.

<Amended by Act No. 11690, Mar. 23, 2013>

(3) No person may be licensed to operate two or more types of electric utility business: Provided, That this shall not apply to cases prescribed by Presidential Decree.

(4) The Minister of Trade, Industry and Energy may, if necessary, issue an electric utility license as classified by business zone and particular supply district: Provided, That in cases of electricity generation business, he/she may issue a license by type of electric power stations. *<Amended by Act No. 11690, Mar. 23, 2013>*

(5) The criteria for issuing an electric utility license shall be as follows: *<Amended by Act No. 12816, Oct. 15, 2014>*

1. To have a financial and technological capability necessary to operate the electric utility business in an optimal manner;
2. To be able to carry out the electric utility business as planned;
3. In cases of the electric distribution business or district electric business, to ensure that business zones for at least two operators of the electric distribution business or particular supply districts for at least two operators of the district electric business, shall not fully or partially overlap each other;
4. To meet at least 50 percent of the electricity demand of a particular supply district with the supply capacity determined by Presidential Decree with respect to the district electric business and not to constitute any obstacle to the supply of electricity by other operator of the electric utility business to the consumers of electricity residing in the neighboring area due to such business;
- 4-2. Not to disturb the operation of electric power systems because of electric power stations or fuels concentrated in a specific region;
5. To meet the standards prescribed by Presidential Decree as necessary in the public interest.

(6) Detailed criteria and procedures for issuing a license under paragraph (1) and other necessary matters therefor shall be determined by Ordinance of the Ministry of Trade, Industry and Energy. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 8 (Grounds for Disqualification)

No person who falls under any of the following subparagraphs shall be licensed to operate an electric utility business: *<Amended by Act No. 12612, May 20, 2014; Act No. 13858, Jan. 27, 2016>*

1. An incompetent under adult guardianship;
2. A person who is not reinstated after having been declared bankrupt;
3. A person who has committed any crimes related to the electrical affairs in violation of Articles 172-2, 173, 173-2 (excluding those who violated Article 172 (1)), 174 (limited to a criminal attempt to commit any crimes in violation of Articles 172-2 (1) and 173 (1) and (2)), and 175 (limited to those who premeditated or plotted to commit any crimes in violation of Articles 172-2 (1) and 173 (1) and (2)) of

the Criminal Act, or who has violated this Act, and for whom two years have not yet passed since his/her imprisonment without prison labor or heavier punishment was completely executed (including the case where it is deemed to have been executed) or exempted;

4. A person who is under a stay of execution of imprisonment without prison labor or heavier punishment after he/she was sentenced thereto for having committed any of the crimes provided for in subparagraph 3;

5. A person for whom two years have not yet passed since his/her electric utility license was revoked (excluding cases where his/her license is revoked on the grounds for disqualification specified in subparagraph 1 or 2) under Article 12 (1);

6. A corporation that is represented by a person who falls under any of subparagraphs 1 through 5.

Article 9 (Obligation to Establish Electric Installations and Commence Business)

(1) An operator of the electric utility business shall set up electric installations necessary to operate the electric utility and commence the business within the period for preparation determined by the Minister of Trade, Industry and Energy. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) The period for preparation referred to in paragraph (1) may not exceed ten years: Provided, That the Minister of Trade, Industry and Energy may extend the period if deemed that any justifiable ground exists. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) Where deemed necessary for granting an electric utility license, the Minister of Trade, Industry and Energy may determine the period for preparation for each type of electric utility or electric installation. *<Amended by Act No. 11690, Mar. 23, 2013>*

(4) When an operator of the electric utility business has commenced the business, he/she shall report such fact to the Minister of Trade, Industry and Energy without delay. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 10 (Acquisition of Business by Transfer and Division or Merger of Corporation)

(1) Any of the following persons shall obtain approval from the Minister of Trade, Industry and Energy: *<Amended by Act No. 12816, Oct. 15, 2014; Act No. 13858, Jan. 27, 2016>*

1. A person who intends to fully or partially acquire the electric utility business;

2. A person who intends to divide or merge a corporation which is an electric utility business operator;

3. A person who intends to acquire stocks with the intent to exercise dominant influence over the management right of an operator of the electric utility business (excluding operators of the electricity generation business with generation installations of 20,000 kilowatts or less), falling under the standards prescribed by Presidential Decree.

(2) Where the Minister of Trade, Industry and Energy intends to grant approval pursuant to paragraph (1), he/she shall examine the following matters according to the procedures under Article 7: *<Amended by Act No. 12816, Oct. 15, 2014>*

1. A person who intends to fully or partially acquire the electric utility business;

2. A person who intends to divide or merge a corporation which is an electric utility business operator.
(3) Where the Minister of Trade, Industry and Energy grants approval pursuant to paragraph (1), he/she shall give public notice thereof, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
<Amended by Act No. 11690, Mar. 23, 2013>

(4) Where the Minister of Trade, Industry and Energy intends to grant approval pursuant to paragraph (1), he/she shall consult with the Nuclear Safety and Security Commission if the electric installation in question is a nuclear power plant. <Amended by Act No. 10912, Jul. 25, 2011; Act No. 11690, Mar. 23, 2013>

Article 11 (Succession, etc. to Business)

(1) A person falling under any of the following subparagraphs shall succeed to the status of an operator of the electric utility business:

1. Where an operator of the electric utility business that is not a corporation dies, his/her heir;
2. A person who has acquired the electric utility business from its operator by obtaining approval under Article 10 (1);
3. Where an operator of the electric utility business that is a corporation merges by obtaining approval under Article 10 (1), a corporation surviving or newly established after the corporate merger;
4. Where an operator of the electric utility business that is a corporation divides the corporation by obtaining approval under Article 10 (1), a newly established corporation after the corporate division.

(2) Article 8 shall apply mutatis mutandis to the successors under paragraph (1).

Article 12 (Revocation, etc., of Business Licenses)

(1) Where an operator of the electric utility business falls under any of the following subparagraphs, the Minister of Trade, Industry and Energy may revoke his/her license or order to suspend his/her business for a specified period not exceeding six months, subject to deliberation by the Electricity Regulatory Commission: Provided, That his/her license shall be revoked if he/she falls under any of subparagraphs 1 through 4 or 4-2: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12612, May 20, 2014; Act No. 12816, Oct. 15, 2014>

1. Where he/she falls under any of the subparagraphs of Article 8;
2. Where he/she fails to establish electric installations and commence business within the period for preparation prescribed in Article 9;
3. Where the foreign investment made for an operator of the electricity generation business running a nuclear power plant (hereinafter referred to as "operator of the nuclear power generation business") falls under Article 2 (1) 4 of the Foreign Investment Promotion Act;
4. Where he/she obtains a licence or a modified license pursuant to Article 7 (1) by fraud and improper means;
- 4-2. Where he/she fails to commence works due to failure to obtain approval of work plans under Article 61 (1) without just ground by the time determined and publicly notified by the Minister of Trade, Industry and Energy;

5. Where he/she fully or partially acquires by transfer an electric utility business, or divides or merges any corporation without obtaining authorization therefor pursuant to Article 10 (1);
6. Where he/she refuses to supply electricity without any just ground, in violation of Article 14;
7. Where he/she permits the use of any electric installations or supplies electricity without obtaining authorization or modifies authorization from the Minister of Trade, Industry and Energy, in violation of Article 15 (1) or 16 (1);
8. Where he/she violates an order issued by the Minister of Trade, Industry and Energy pursuant to Article 18 (3);
9. Where he/she violates an order issued by the Minister of Trade, Industry and Energy pursuant to Article 23 (1);
10. Where he/she violates an order issued by the Minister of Trade, Industry and Energy pursuant to Article 29 (1);
11. Where he/she is required to trade electricity only by an agreement on compensation for difference pursuant to Article 34 (2), but trades electricity not by such agreement on compensation for difference authorized under paragraph (3) of the same Article;
12. Where he/she fails to obtain authorization or to report pursuant to Article 61 (1) through (4);
13. Where he/she keeps accounts, in violation of Article 93 (1);
14. Where he/she operates the electric utility business during the period of business suspension.

(2) In any of the following cases, paragraph (1) shall not apply for six months after the relevant reason arises:

1. Where a corporation falls under subparagraph 6 of Article 8;
 2. Where an operator of nuclear power generation business falls under paragraph (1) 3;
 3. Where a successor to the status of an operator of the electric utility business falls under any of subparagraphs 1 through 5 of Article 8.
- (3) Where it is recognized that an operator of the electric distribution business fails to operate his/her licensed electric utility business in part of his/her business zone in violation of Article 6, the Minister of Trade, Industry and Energy may reduce any part of his/her business zone. <Amended by Act No. 11690, Mar. 23, 2013>
- (4) Where an operator of the electric utility business falls under any of paragraph (1) 5 through 14, the Minister of Trade, Industry and Energy may impose a surcharge not exceeding 50 million won in lieu of a business suspension order if business suspension is likely to cause considerable inconvenience to electricity consumers, etc., or otherwise jeopardize any public interest. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12612, May 20, 2014>
- (5) Standards for dispositions by type of violation, to be imposed under paragraph (1) and standards for the imposition of surcharges under paragraph (4) shall be determined by Ordinance of the Ministry of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>

(6) Where a person liable to pay a surcharge under paragraph (4) fails to pay it by the payment deadline, the Minister of Trade, Industry and Energy may collect it in the same manner as delinquent national taxes are collected. <Amended by Act No. 11690, Mar. 23, 2013>

Article 13 (Hearings)

When the Minister of Trade, Industry and Energy intends to revoke a license under Article 12 (1), he/she shall hold a hearing. <Amended by Act No. 11690, Mar. 23, 2013>

Article 14 (Obligation to Supply Electricity)

No operator of electricity generation business and operator of electric sales business shall refuse to supply electricity without just ground prescribed by Presidential Decree. <Amended by Act No. 13858, Jan. 27, 2016>

Article 15 (Charges for Use, etc. of Electric Transmission or Distribution Installations)

(1) An operator of the electric transmission business or an operator of the electric distribution business shall set charges for the use of electric installations and other matters concerning the conditions of their use, as prescribed by Presidential Decree, and obtain approval therefor from the Minister of Trade, Industry and Energy. The same shall also apply to any modification thereof. <Amended by Act No. 11690, Mar. 23, 2013>

(2) When the Minister of Trade, Industry and Energy intends to grant approval under paragraph (1), he/she shall submit the case to the Electricity Regulatory Commission for deliberation. <Amended by Act No. 11690, Mar. 23, 2013>

Article 16 (Terms and Conditions of Electricity Supply)

(1) An operator of the electric sales business shall prepare terms and conditions concerning electric utility charges and other conditions of supply (hereinafter referred to as "basic terms and conditions of supply") and obtain approval from the Minister of Trade, Industry and Energy, as prescribed by Presidential Decree. The same shall also apply to any modification thereof. <Amended by Act No. 11690, Mar. 23, 2013>

(2) When the Minister of Trade, Industry and Energy intends to grant approval under paragraph (1), he/she shall submit the case to the Electricity Regulatory Commission for deliberation. <Amended by Act No. 11690, Mar. 23, 2013>

(3) An operator of the electric sales business may prepare terms and conditions on rates and conditions different from those prescribed in the basic terms and conditions of supply within the extent necessary for the efficient management of the demand of electricity (hereinafter referred to as "alternative terms and conditions of supply"), and electric consumers may choose matters prescribed in the alternative terms and conditions of supply in lieu of the basic terms and conditions of supply.

(4) An operator of the electric sales business shall retain the written basic terms and conditions of supply including the alternative terms and conditions of supply (hereinafter referred to as "terms and conditions of supply") at sales offices, places of business, etc., and make them available for inspection by electric consumers before the enforcement of such terms and conditions.

(5) An operator of the electric sales business shall provide electricity in accordance with the terms and conditions of supply.

Article 16-2 (Trading of Electricity, etc. between Operators of District Electric Business and Operators of Electric Sales Business)

(1) Where there is a shortage or surplus of electricity due to an accident or any other cause determined by Ordinance of the Ministry of Trade, Industry and Energy, an operator of the district electric business may make transactions on such portion of shortage or surplus with an operator of the electric sales business.

<Amended by Act No. 11690, Mar. 23, 2013>

(2) No operator of the electric sales business may refuse the transactions provided for in paragraph (1) unless any justifiable ground exists.

(3) An operator of the electric sales business shall prepare terms and conditions on electric charges and other conditions of transaction (hereinafter referred to as "supplementary terms and conditions of supply") in relation to the transactions provided for in paragraph (1) and obtain approval therefor from the Minister of Trade, Industry and Energy. The same shall also apply to any modification thereof. *<Amended by Act No. 11690, Mar. 23, 2013>*

(4) Article 16 (2) shall apply mutatis mutandis to approval under paragraph (3).

Article 17 (Request of Electric Utility Charge)

An operator of the electric sales business shall specify details of the electric utility charges for each item in the electric utility bills charged to electric consumers, in the manner prescribed by Ordinance of the Ministry of Trade, Industry and Energy. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 18 (Maintenance of Quality of Electric Service)

(1) An operator of the electric utility business shall maintain the quality of electric service that he/she provides, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) An operator of the electric utility business and the Korea Power Exchange shall assess the quality of electric service and record and preserve the results thereof, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) Where the Minister of Trade, Industry and Energy deems that the interests of electric consumers is adversely affected because the quality of electric service that an operator of the electric utility business provides has not been duly maintained in compliance with paragraph (1), he/she may order such operator of the electric utility business to repair or remodel electric installations, to improve the method of operating them, and to take other appropriate measures, subject to deliberation by the Electricity Regulatory Commission. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 19 (Installation and Management of Electric Meters)

(1) Any person that falls under any of the following subparagraphs shall install and manage electric meters to measure the volume of electricity traded by time slot:

1. Operators of the electricity generation business (excluding operators of the electricity generation business determined by Presidential Decree);

2. Persons that have set up electric installations for private use (limited to where electricity is traded pursuant to the proviso to Article 31 (2));
 3. Operators of the district electric business (limited to where electricity is traded pursuant to Article 31 (3));
 4. Operators of the electric distribution business;
 5. Consumers of electricity who directly purchase electricity under the proviso to Article 32.
- (2) Matters concerning the permissible errors, etc., of electric meters installed under paragraph (1) shall be determined by the Minister of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>

Article 20 (Providing Service for Use of Electric Installations)

- (1) An operator of electric transmission business or an operator of electric distribution business shall make electric installations available for other operators of electric utility business or electric consumers who directly purchase electricity pursuant to the proviso to Article 32 without any discrimination among them.
- (2) An operator of electric utility business may lease electric installations to those who need to install electric communications wire facilities (hereinafter referred to as "electric communications wire facilities") under Article 46 (2) of the Framework Act on National Informatization.
- (3) When an agreement has been reached pursuant to Article 46 (4) of the Framework Act on National Informatization, an operator of electric utility business shall, as a result of the agreement, lease electric installations to the person who has requested mediation under paragraph (3) of the same Article.
- (4) A person who installs electric communications wire facilities with electric installations leased under paragraphs (2) and (3) shall comply with the technical standards for the safety management of electric installations referred to in Article 67.

Article 21 (Prohibited Acts)

- (1) No operator of the electric utility business shall commit any of the following which may jeopardize a fair competition in the electricity market or the interests of consumers of electricity, or have another person commit such act:
 1. Submitting false materials on electricity produced at an electric power station to the Korea Power Exchange in an attempt to manipulate the electricity trading price under Article 33 into unduly high level;
 2. Making a discrimination in providing service for the use of electric transmission or distribution installations, of failing to do his/her duty of providing such a service, or of delaying in doing such a duty;
 3. Harming the activities of another operator of the electric utility business or the interests of the consumers of electricity by abusing the information on the operator of the electric utility business that he/she has acquired in the course of providing service for the use of electric transmission or distribution installations;
 4. Unreasonably setting electric rates or charges for the use of electric transmission or distribution installations by unreasonably classifying costs or revenues;

5. Substantially harming the interests of the consumers of electricity in the course of supplying electricity, such as delay in performing service, etc. by an operator of the electric utility business;
6. Failing to implement the instructions of the Korea Power Exchange without any justifiable grounds.

(2) The types of, and criteria for, the acts under paragraph (1) shall be determined by Presidential Decree.

Article 22 (Fact-Finding Investigation, etc.)

(1) If deemed necessary to protect public interests or if an operator of the electric utility business is deemed to have committed a prohibited act listed in Article 21 (1), the Minister of Trade, Industry and Energy may have a public official belonging to the Electricity Regulatory Commission conduct an investigation to verify the fact. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) The Minister of Trade, Industry and Energy may, if necessary for an investigation under paragraph (1), order an operator of the electric utility business to submit necessary materials or objects, and may have a public official belonging to the Electricity Regulatory Commission enter the office or place of business of such operator or the place of business of any other person that is entrusted by such operator with the affairs of operation, in order to investigate account books, documents, and other materials or objects as prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) Where the Minister of Trade, Industry and Energy conducts an investigation under paragraph (2), he/she shall notify a person subject to the investigation of the investigation plan stating the date, reason, matters to be investigated, etc., at least seven days before the investigation: Provided, That the same shall not apply where an urgency is required, or where it is deemed that the purpose of investigation cannot be achieved due to the destruction of evidence, etc. if prior notice is given. *<Amended by Act No. 11690, Mar. 23, 2013>*

(4) A public official that enters the office or the place of business and engages in the investigation pursuant to paragraph (2) shall carry with him/her a document that verifies his/her authority and produce it to the interested parties, and, at the time of the investigation, issue to the interested parties a certificate stating the date, purpose, etc., of the investigation.

Article 23 (Measures against Prohibited Acts)

(1) Where it is deemed that an operator of electric utility business has committed a prohibited act referred to in Article 21 (1), the Minister of Trade, Industry and Energy may, after deliberation by the Electricity Regulatory Commission, order the operator to take any of the following measures or request disciplinary action against the employees involved in the prohibited act: *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 13858, Jan. 27, 2016>*

1. Providing service for the use of electric transmission or distribution installations;
2. Amending the internal regulations, etc.;
3. Releasing information;
4. Suspending prohibited acts;
5. Publicly announcing the fact that he/she has been ordered to take corrective measures due to the commission of the prohibited act;

6. Other necessary matters prescribed by Presidential Decree for recovery from violations caused by prohibited acts.

(2) An operator of electric utility business, who has been given an order by the Minister of Trade, Industry and Energy pursuant to paragraph (1), shall implement the order within the period determined by the Minister of Trade, Industry and Energy: Provided, That if it is deemed that he/she is unable to comply with the order within the period due to a natural disaster or other extenuating circumstances, the Minister of Trade, Industry and Energy may extend the period for implementing the order. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 24 (Imposition and Collection of Surcharge on Prohibited Acts)

(1) When an operator of the electric utility business has committed a prohibited act listed in Article 21 (1), the Minister of Trade, Industry and Energy may, as prescribed by Presidential Decree, impose and collect a surcharge within the limit of 5/100 of the amount of sales of the operator concerned, subject to deliberation by the Electricity Regulatory Commission: Provided, That the Minister of Trade, Industry and Energy may impose or collect a surcharge not exceeding one billion won in cases determined by Presidential Decree, where no sale has been made or the amount of sale is difficult to be estimated. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) The types of violations referred to in paragraph (1), criteria for the imposition of surcharges, and other necessary matters shall be determined by Presidential Decree.

(3) Where a person that is obligated to pay a surcharge under paragraph (1) fails to pay it by the payment deadline, the Minister of Trade, Industry and Energy may collect it in the same manner as delinquent national taxes are collected. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 24-2 (Application Mutatis Mutandis to Operators of District Electric Business)

@Articles 14 through 16, 17 and 20 (1) shall apply mutatis mutandis to an operator of the district electric business.

Article 25 (Formulation of Master Plan for Electricity Supply and Demand)

(1) The Minister of Trade, Industry and Energy shall formulate a master plan for electricity supply and demand (hereinafter referred to as "master plan") to stabilize the supply and demand of electricity. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 11968, Jul. 30, 2013>*

(2) Where the Minister of Trade, Industry and Energy intends to formulate or change a master plan, he/she shall consult with the heads of relevant central administrative agencies, collect opinions through a public hearing, and finalize it following deliberation by the Electric Policy Council under Article 47-2: Provided, That where there exists a cause prescribed by Presidential Decree, such as that a public hearing fails to be held in an ordinary manner due to a cause not imputable to the Minister of Trade, Industry and Energy, he/she may not hold a public hearing; in such cases, public opinions shall be heard by a method corresponding to the public hearing, as prescribed by Presidential Decree. *<Newly Inserted by Act No. 11968, Jul. 30, 2013>*

(3) Where minor matters prescribed by Presidential Decree in the master plan are to be changed, procedures under paragraph (2) may be omitted. <Newly Inserted by Act No. 11968, Jul. 30, 2013>

(4) Where the master plan is determined pursuant to paragraph (2), the Minister of Trade, Industry and Energy shall announce it publicly without delay, and notify the heads of relevant central administrative agencies of such fact. <Newly Inserted by Act No. 11968, Jul. 30, 2013>

(5) Where the master plan is formulated or changed, the Minister of Trade, Industry and Energy shall report to the relevant standing committee of the National Assembly. In such cases, matters to be considered under Article 3 (2) shall be included. <Newly Inserted by Act No. 11968, Jul. 30, 2013; Act No. 14672, Mar. 21, 2017>

(6) The master plan shall include the following: <Amended by Act No. 11968, Jul. 30, 2013; Act No. 13313, May 18, 2015>

1. Matters concerning the basic direction-setting for the supply and demand of electricity;
2. Matters concerning the long-term outlook for the supply and demand of electricity;
3. Matters concerning plans for generation installations and plans for major transmission and substation facilities;
4. Matters concerning the management of electricity demand;
5. Matters concerning the evaluation of the preceding master plan;
6. Other matters deemed necessary for the supply and demand of electricity.

(7) The Minister of Trade, Industry and Energy shall endeavor to make the master plan compliant with the targets for the reduction of greenhouse gases referred to in Article 42 of the Framework Act on Low Carbon, Green Growth. <Newly Inserted by Act No. 11968, Jul. 30, 2013>

(8) Where it is necessary to formulate the master plan, the Minister of Trade, Industry and Energy may request that operators of electric utility business, the Korea Power Exchange, and other related agencies and organizations prescribed by Presidential Decree to submit relevant data. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 11968, Jul. 30, 2013>

(9) Other necessary matters for formulating the master plan shall be prescribed by Presidential Decree. <Amended by Act No. 11968, Jul. 30, 2013>

Article 25-2 (Implementation of Basic Inspection, etc.)

(1) Where the Minister of Trade, Industry and Energy formulates the master plan, he/she shall direct a person that intends to engage in the electricity generation business to conduct a basic inspection including possible effects on the relevant area and to hear the opinions of residents, relevant specialists, etc.

(2) Necessary matters concerning the methods and procedures for the basic inspection and opinion hearing under paragraph (1) shall be prescribed by Presidential Decree.

Article 26 (Reporting on Plans for Establishment, etc. of Electric Installations)

An operator of the electric utility business shall formulate and report plans for the establishment of electric installations and for the supply of electricity to the Minister of Trade, Industry and Energy, as prescribed by Presidential Decree. The same shall also apply to any modification of reported matters. <Amended by Act

No. 11690, Mar. 23, 2013>

Article 27 (Obligations of Operators of Electric Transmission Business, etc.)

An operator of the electric transmission business, an operator of the electric distribution business, and an operator of the district electric business shall be equipped with, and maintain and manage, installations meeting the standards determined and publicly notified by the Minister of Trade, Industry and Energy so as to smoothly transmit or distribute electricity in response to changes in the supply of and demand for electricity. *<Amended by Act No. 7017, Dec. 30, 2003; Act No. 7744, Dec. 23, 2005; Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

Article 27-2 (Maintenance of Credibility of Electric Power System)

(1) The Minister of Trade, Industry and Energy shall determine and publicly notify standards for the maintenance of credibility of electric power systems.

(2) The Korea Power Exchange and operators of electric utility business shall maintain credibility of electric power systems according to the standards referred to in paragraph (1).

(3) The Minister of Trade, Industry and Energy shall monitor, evaluate, inspect, etc., whether the credibility of electric power systems is maintained (hereinafter referred to as "management of credibility of electric power systems") and disclose the findings. *<Amended by Act No. 13313, May 18, 2015>*

(4) Where it is necessary to manage credibility of electric power systems, the Minister of Trade, Industry and Energy may request that the Korea Power Exchange and operators of electric utility business to submit data. In such cases, those who are requested to submit data shall comply with the request, except in extenuating circumstances.

(5) Where the credibility of electric power systems is not deemed properly maintained in accordance with the standards referred to in paragraph (1) to the detriment of the interests of electricity consumers, the Minister of Trade, Industry and Energy may order the Korea Power Exchange and operators of electric utility business to take necessary measures after deliberation by the Electricity Regulatory Commission.

<Newly Inserted by Act No. 13313, May 18, 2015>

Article 28 (Plans for Manufacture and Supply of Fuels for Nuclear Power Generation)

Any person that intends to manufacture and supply fuel for the nuclear power generation for operators of the nuclear power generation business shall, as prescribed by Presidential Decree, formulate a long-term plan for the manufacture and supply of fuel for the nuclear power generation and shall obtain approval therefor by the Minister of Trade, Industry and Energy. The same shall also apply to any modification of approved matters. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 29 (Control of Electricity Demand and Supply, etc.)

(1) In cases of natural calamities, wars, internal turmoil, sudden economic fluctuations, and other events similar thereto, the Minister of Trade, Industry and Energy may, if deemed particularly necessary for the sake of public interests, issue an order on the following to an operator of the electric utility business or a person that has set up electric installations for private use: *<Amended by Act No. 11690, Mar. 23, 2013>*

1. Supply of electricity to specific operators of the electric sales business or specific operators of the district electric business;
2. Supply of electricity to specific consumers of electricity;
3. Provision of service for the use of electric transmission or distribution installations by specific operators of the electric sales business, specific operators of the district electric business or specific consumers of electricity.

(2) Where any order has been issued under paragraph (1), the amount of money to be paid or received thereby between the parties concerned and other necessary matters shall be determined by a mutual agreement between the parties concerned.

Article 30 (Compensation for Losses)

Where an operator of the electric utility business or a person that has set up electric installations for private use as ordered pursuant to Article 29 (1) suffers a loss, the Minister of Trade, Industry and Energy shall pay due compensation. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 31 (Electric Power Trading)

(1) An operator of the electricity generation business and an operator of the electric sales business shall engage in electric power transactions in the electricity market, as prescribed by the rules on the operation of the electricity market referred to in Article 43: Provided, That this shall not apply to cases prescribed by Presidential Decree, including islands.

(2) No person that has set up electric installations for private use shall not trade the electricity that he/she produces in the electricity market: Provided, That this shall not apply to cases prescribed by Presidential Decree.

(3) Where there is a shortage or surplus of electricity in a particular supply district, an operator of the relevant district electric business may trade such portion of shortage or surplus in the electricity market, as prescribed by Presidential Decree.

(4) An operator of the electric sales business may preferentially purchase the electricity produced by any of the following persons, as prescribed by the rules on the operation of the electricity market referred to in Article 43: *<Amended by Act No. 11965, Jul. 30, 2013>*

1. An operator of the electricity generation business, the scale of which is smaller than that defined by Presidential Decree;
2. A person who has set up electric installations for private use (limited to where electric utility transactions are made pursuant to the proviso to paragraph (2));
3. An electric power producer that produces electricity using new and renewable energy as defined in subparagraphs 1 and 2 of Article 2 of the Act on the Promotion of the Development, Use and Diffusion of New and Renewable Energy;
4. An integrated energy business operator deemed licensed to generate electricity pursuant to Article 48 of the Integrated Energy Supply Act;

5. An operator of the electricity generation business that operates a hydraulic power station.

(5) A person prescribed by Presidential Decree, from among persons registered as a supplier of smart grid services pursuant to Article 12 (1) of the Smart Grid Construction and Utilization Promotion Act (hereinafter referred to as "demand-management operator"), may trade electricity in the electricity market in accordance with the rules on the operation of the electricity market provided for in Article 43: Provided, That where a business entity belonging to an enterprise group subject to limitations on mutual investment under Article 9 (1) of the Monopoly Regulation and Fair Trade Act among demand-management operators trades electricity, it shall meet the standards for the proportion of trading volume of electricity prescribed by Presidential Decree. <Newly Inserted by Act No. 12612, May 20, 2014>

Article 32 (Direct Purchase of Electricity)

No consumer of electricity may purchase electricity directly from the electricity market: Provided, That this shall not apply to a consumer who uses a volume greater than that prescribed by Presidential Decree.

Article 33 (Electric Power Trading Price and Settlement)

(1) The price of electricity traded in the electricity market (hereinafter referred to as "electricity trading price") shall be governed by the interaction of the supply and demand of electricity, measured by time slot. <Amended by Act No. 10500, Mar. 30, 2011>

(2) Notwithstanding paragraph (1) if necessary for the protection of electricity consumers, the Minister of Trade, Industry and Energy may determine and publicly notify the maximum electricity trading price. In such cases, the Minister of Trade, Industry and Energy shall submit the case to the Electricity Regulatory Commission for deliberation in advance. <Newly Inserted by Act No. 12612, May 20, 2014>

(3) The settlement of electricity transactions shall be based on the electricity trading price, and the detailed methods for settlement shall comply with the rules on the operation of the electricity market under Article 43. <Newly Inserted by Act No. 10500, Mar. 30, 2011; Act No. 12612, May 20, 2014>

Article 34 (Agreement on Compensation for Difference)

(1) An operator of the electricity generation business may enter into an agreement (hereinafter referred to as "agreement on compensation for difference") with an electricity purchaser (referring to an operator of the electric sales business, an operator of the district electric business who purchases electricity pursuant to Article 31 (3), or an electricity consumer who directly purchases electricity pursuant to the proviso to Article 32; hereafter the same shall apply in this Article) whereby a base price is established to reduce risks arising from fluctuations in trading prices and the difference between the base price and the electricity trading price is compensated. <Amended by Act No. 12612, May 20, 2014>

(2) To stabilize supply and demand of electricity and to protect the interests of electricity consumers, operators of electricity generation businesses, and electricity purchasers meeting the standards prescribed by Presidential Decree shall trade electricity only by an agreement on compensation for difference in the volume of electricity determined and publicly notified by the Minister of Trade, Industry and Energy: Provided, That where contributions provided for in Article 44 (2) 1 of the Act on Construction of Dams and Assistance, etc. to their Environs are decreased as a result of entering into an agreement on

compensation for difference, electricity purchasers shall make up for the decreased contributions as prescribed by Presidential Decree. *<Newly Inserted by Act No. 12612, May 20, 2014>*

(3) An operator of the electricity generation business and an electricity purchaser who have entered into an agreement on compensation for difference pursuant to paragraph (2) shall jointly obtain approval of the content of the agreement on compensation for difference from the Minister of Trade, Industry and Energy, as prescribed by Presidential Decree. The same shall also apply to the modification thereof. *<Newly Inserted by Act No. 12612, May 20, 2014>*

(4) Where the Minister of Trade, Industry and Energy intends to grant authorization provided for in paragraph (3), he/she shall submit the case to the Electricity Regulatory Commission for deliberation: Provided, That the deliberation by the Electricity Regulatory Commission may be omitted for minor matters prescribed by Presidential Decree. *<Newly Inserted by Act No. 12612, May 20, 2014>*

Article 35 (Establishment)

(1) The Korea Power Exchange shall be established to operate the electricity market and the electric power system.

(2) The Korea Power Exchange shall be a juristic person.

(3) The location of the principal office of the Korea Power Exchange shall be prescribed by its articles of incorporation. *<Amended by Act No. 10500, Mar. 30, 2011>*

(4) The Korea Power Exchange shall be duly formed by registering its establishment at the registry in the area where the principal office is located.

Article 36 (Business)

(1) The Korea Power Exchange shall conduct any of the following in order to achieve its purposes:

1. Opening and operating the electricity market;
2. Electric power trading;
3. Screening membership qualifications;
4. Charging, adjusting, and paying the value of electric power trading and the cost arising from the electric power trading;
5. Calculating the volume of electric power traded;
6. Establishing and amending all the related rules and regulations including the rules on the operation of the electricity market under Article 43;
7. Operating the electric power system;
8. Measuring the quality of electric service and recording and preserving the results thereof under Article 18 (2);
9. Business incidental to the business under subparagraphs 1 through 8.

(2) The Korea Power Exchange may entrust part of its business under paragraph (1) to another agency or organization.

(3) The Korea Power Exchange may keep a separate account for each of its business areas, the nature of which is different from each other.

Article 37 (Matters to be Entered in Articles of Incorporation)

The articles of incorporation of the Korea Power Exchange shall include the following as well as those provided in Article 16 (1) of the Act on the Management of Public Institutions:

1. Assets;
2. Members;
3. Membership deposits;
4. Transfer and return of the equity of members.

Article 38 (Relationship with other Acts)

Except as otherwise provided in this Act and the Act on the Management of Public Institutions, the provisions of the Civil Act concerning the incorporated associations (excluding Article 39 of the same Act) shall apply mutatis mutandis to the Korea Power Exchange. In such cases, "members", "general meeting of members" and "directors or auditors" of the incorporated associations shall be deemed "members", "general meeting of members" and "executive members of the Korea Power Exchange", respectively.

Article 39 (Qualifications for Members)

The members of the Korea Power Exchange shall be the following persons: *<Amended by Act No. 12612, May 20, 2014>*

1. Operators of the electricity generation business trading electricity in the electricity market;
2. Operators of the electric sales business;
3. Consumers of electricity who purchase electricity directly from the electricity market;
4. Persons equipped with electric installations for private use and engaged in trading electricity in the electricity market;
5. Operators of the district electric business who engage in trading electricity in the electricity market;
6. Persons who meet requirements prescribed by the articles of incorporation of the Korea Power Exchange, from among those who do not engage in trading electricity in the electricity market;
7. Demand-management operators trading electricity in the electricity market.

Article 40 (Expenses Incurred in Operation of Korea Power Exchange)

(1) Expenses incurred in the operation of the Korea Power Exchange shall be borne by the following funds: *<Amended by Act No. 11690, Mar. 23, 2013>*

1. Membership fees;
2. Commissions on electric power trading;
3. Other revenues prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

(2) The Korea Power Exchange shall, as prescribed by Presidential Decree, determine the commissions referred to in paragraph (1) 2 and report thereupon to the Minister of Trade, Industry and Energy.

<Amended by Act No. 11690, Mar. 23, 2013>

Article 41 (Disclosure of Information)

(1) For the fair trade of electricity, the Korea Power Exchange shall, as prescribed by Presidential Decree, disclose information on the operation of the electricity market and the electric power system, such as the volume of electric power traded, electricity trading price, and outlook of electricity demand.

(2) Where an operator of electric utility business demands the provision of data on the operation of the electricity market and the electric power system, the Korea Power Exchange shall comply therewith unless there is a compelling reason not to do so, such as the contents thereof infringing on trade secrets (referring to trade secrets under subparagraph 2 of Article 2 of the Unfair Competition Prevention and Trade Secret Protection Act) of other operators of electric utility business.

Article 42 (Executives and Employees 'Duty to Keep Confidential)

(1) No executives and employees of the Korea Power Exchange may reveal or abuse confidential information that they have become aware of in the course of performing their duties, or allow another person to make use of such confidential information.

(2) Paragraph (1) shall apply mutatis mutandis to executives and employees of the agency or organization to which the Korea Power Exchange has entrusted part of its business under Article 36 (2).

Article 43 (Rules on Operation of Electricity Market)

(1) The Korea Power Exchange shall establish rules on the operation of the electricity market and the electric power system (hereinafter referred to as "rules on the operation of the electricity market").

(2) Where the Korea Power Exchange intends to formulate, modify, or repeal the rules on the operation of the electricity market, it shall obtain approval therefor from the Minister of Trade, Industry and Energy.

<Amended by Act No. 11690, Mar. 23, 2013>

(3) Where the Minister of Trade, Industry and Energy intends to grant approval under paragraph (2), he/she shall submit the rules to the Electricity Regulatory Commission for deliberation. *<Amended by Act No. 11690, Mar. 23, 2013>*

(4) The rules on the operation of the electricity market shall include the followings:

1. Methods of electric power trading;
2. Adjustment and settlement of the accounts of electric power trading;
3. Disclosure of information on electric power trading;
4. Procedures and methods of the operation of the electric power system;
5. Installation of electric meters, measurement thereof, etc.;
6. Mediation of disputes over electric power trading;
7. Other matters deemed necessary to operate the electricity market.

Article 44 (Qualification to Participate in Electricity Market)

No person, other than a member of the Korea Power Exchange, is allowed to engage in trading electricity in the electricity market.

Article 45 (Methods of Operating Electric Power System)

(1) The Korea Power Exchange may issue instructions necessary for the operation of an electric power system to operators of the electric utility business and demand-management operators. In such cases, the

instructions issued to operators of the electric utility business and demand-management operators shall be based on the priority determined in the electricity market. *<Amended by Act No. 12612, May 20, 2014>*

(2) Notwithstanding the latter part of paragraph (1), if the Korea Power Exchange deems it necessary for the operation of an electric power system, the Korea Power Exchange may issue an instruction differently from the priority. In such cases, the modification of instruction shall be based on fair and objective criteria. *<Amended by Act No. 12612, May 20, 2014>*

(3) The Minister of Trade, Industry and Energy may, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy, entrust any part of the operational affairs of the electric power system to an operator of the electric transmission business or an operator of the electric distribution business. In such cases, necessary matters in respect to the scope of the operational affairs, etc., shall be determined and publicly announced by the Minister of Trade, Industry and Energy. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 46 (Emergency Measures)

(1) When it is deemed that natural calamities, wars, internal turmoil, sudden economic fluctuations, and other events equivalent thereto, hamper the normal trading of electric power, the Minister of Trade, Industry and Energy may suspend or restrict trading electricity in the electricity market or take other necessary measures. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) When the Minister of Trade, Industry and Energy deems that the grounds for which he/she has taken the measures specified in paragraph (1) cease to exist, he/she shall remove such measures without delay. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 47 (Formulation and Implementation of Plan to Create Foundation for Electric Utility Industry)

(1) The Minister of Trade, Industry and Energy shall formulate and implement a plan to create a foundation for the electric utility industry (hereinafter referred to as "plan to create a foundation for electric utility industry") in order to promote the sustainable development of the electric utility industry and stabilize the supply of and demand for electricity. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) The plan to create a foundation for electric utility industry shall include the followings:

1. Fundamental direction-setting for the electric utility industry;
2. Projects under the subparagraphs of Article 49;
3. Fostering of experts for the electric utility industry;
4. Promotion of, and assistance to, electrical research institutes and organizations;
5. Use of coal supply for electricity generation in light of a long-term plan for the coal industry under Article 3 of the Coal Industry Act;
6. Other matters necessary to create a foundation for the electric utility industry.

(3) Necessary matters to formulate and implement the plan to create a foundation for the electric utility industry shall be determined by Presidential Decree.

Article 47-2 (Establishment, etc., of Power Policy Council)

(1) An Electric Policy Council shall be established under the Ministry of Trade, Industry and Energy to deliberate upon important matters concerning the supply and demand of electricity and create a foundation for the electricity industry. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) The Power Policy Council shall deliberate on the followings: *<Amended by Act No. 11690, Mar. 23, 2013>*

1. The master plan;
2. The plan to create a foundation for the electricity industry;
3. Implementation plan for the plan to create a foundation for the electricity industry;
4. Other important matters for the development of the electricity industry, which are brought for deliberation by the Minister of Trade, Industry and Energy.

(3) The Power Policy Council shall be comprised of not more 30 members, including one chairperson. *<Newly Inserted by Act No. 13858, Jan. 27, 2016>*

(4) Matters necessary for the composition and operation of the Power Policy Council shall be prescribed by Presidential Decree. *<Amended by Act No. 13858, Jan. 27, 2016>*

Article 48 (Establishment of Fund)

The Government shall establish the Electrical Industry Foundation Fund (hereinafter referred to as the "Fund") to secure financial resources necessary for the sustainable development, and the creation of the foundation, of the electric utility industry.

Article 49 (Use of Fund)

The Fund shall be used to implement the following projects or programs: *<Amended by Act No. 11965, Jul. 30, 2013; Act No. 11968, Jul. 30, 2013; Act No. 12357, Jan. 28, 2014; Act No. 13313, May 18, 2015>*

1. Projects for supporting entities engaged in new and renewable energy power generation business and projects for improving the link condition of the power system of new and renewable energy under the Act on the Promotion of the Development, Use and Diffusion of New and Renewable Energy;
2. An electricity demand control program;
3. A project to promote the development of electric power resources;
4. A project designed to assist in providing electricity to the residents of islands and remote areas;
5. A research and development program on the electricity industry;
6. A project designed to assist the domestic coal industry, liquefied natural gas industry, and integrated energy industry, in combination with the electricity industry;
7. A program to assist in surveying, research and publicity of electrical safety;
8. A project to inspect electric installations for general use;
9. A project to assist neighboring areas under the Act on Assistance to Electric Power Plants-Neighboring Areas;
- 9-2. A project to support areas adjacent to transmission and substation facilities provided for in Article 10 (2) of the Act on the Compensation and Support for Areas Adjacent to Transmission and Substation Facilities;

10. A project to promote the construction and use of smart grids provided for in the Smart Grid Construction and Utilization Promotion Act;

11. Other important projects prescribed by Presidential Decree, related to the electricity industry.

Article 50 (Creation of Fund)

(1) The Fund shall be created with the following funds: *<Amended by Act No. 10253, Apr. 12, 2010>*

1. Charges and additional dues under Article 51;
2. Penalty surcharges under Article 12-6 (1) of the Act on the Promotion of the Development, Use and Diffusion of New and Renewable Energy;
3. Proceeds accrued from the operation of the Fund;
4. Revenues determined by Presidential Decree.

(2) In addition to the financial resources secured pursuant to paragraph (1), the Minister of Trade, Industry and Energy may borrow money from the special accounts for energy and resources-related projects, other funds, etc. at the expense of the Fund. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12154, Jan. 1, 2014>*

(3) When the Minister of Trade, Industry and Energy intends to borrow funds pursuant to paragraph (2), he/she shall, in advance, consult with the Minister of Strategy and Finance. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 51 (Charges)

(1) To implement the projects or programs specified in the subparagraphs of Article 49, the Minister of Trade, Industry and Energy may impose and collect charges on electric consumers within the limits of 65/1000 of the electric utility rates (in cases of electric consumers that directly purchase electricity under the proviso to Article 32, referring to the sum of the purchasing prices and charges for the use of electric transmission or distribution installations specified in Article 15), as prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) The Minister of Trade, Industry and Energy may avoid imposing or collecting charges on electric consumers falling under any of the following subparagraphs, notwithstanding the provisions of paragraph (1): *<Amended by Act No. 11690, Mar. 23, 2013>*

1. Electricity generated by independent power facilities (including independent power facilities under the Act on the Promotion of the Development, Use and Diffusion of New and Renewable Energy);
2. Electricity for the pumping-up power business, used for the purpose of producing the electricity to sell to the electricity market;
3. Electricity supplied in a particular supply district by an operator of the district electric business (including an operator of the integrated energy supply business construed as an operator of the district electric business pursuant to this Act).

(3) Where a person that is liable to pay charges under paragraph (1) fails to pay them by the payment deadline, the Minister of Trade, Industry and Energy shall collect additional dues prescribed by Presidential Decree within the extent not exceeding 5/100 of the charges, on arrears for a period from the day following the deadline to the day before the payment date. *<Amended by Act No. 11690, Mar. 23, 2013>*

(4) Where a person that is liable to pay charges under paragraph (1) fails to pay them by the payment deadline, the Minister of Trade, Industry and Energy shall urge him/her to pay them by a specified period and may, unless the charges and additional dues specified in paragraph (3) are paid within the period, collect them in the same manner as delinquent national taxes are collected. <Amended by Act No. 11690, Mar. 23, 2013>

(5) The Minister of Trade, Industry and Energy shall place the charges and additional dues collected under paragraphs (1) and (3) in the account of the Fund. <Amended by Act No. 11690, Mar. 23, 2013>

(6) The Minister of Trade, Industry and Energy shall endeavor to reduce the charges specified in paragraph (1) and take measures necessary therefor. <Amended by Act No. 11690, Mar. 23, 2013>

(7) Necessary matters for the collection of charges, etc., shall be determined by Presidential Decree.

Article 52 (Operation and Management of Fund)

(1) The Fund shall be operated and managed by the Minister of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>

(2) The Minister of Trade, Industry and Energy may partially entrust the Fund operation and management affairs to a corporation or organization determined by Presidential Decree. <Amended by Act No. 11690, Mar. 23, 2013>

(3) Necessary matters for the operation and management of the Fund shall be determined by Presidential Decree.

Article 53 (Establishment and Formation of Electricity Regulatory Commission)

(1) There is hereby established an Electricity Regulatory Commission within the Ministry of Trade, Industry and Energy in order to deliberate on matters concerning the creation of a fair competitive environment for the electric utility and the protection of the interests of electricity consumers as well as to adjudicate on disputes arising in relation to the electric utility business. <Amended by Act No. 11690, Mar. 23, 2013>

(2) The Electricity Regulatory Commission shall consist of not more than nine members, including one Chairperson, and the number of members determined by Presidential Decree shall be standing members.

(3) The members of the Electricity Regulatory Commission, including the Chairperson, shall be appointed or commissioned by President on the recommendation by the Minister of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>

(4) The Electricity Regulatory Commission shall have a secretariat to conduct its clerical affairs.

Article 54 (Qualification, etc. for Member)

(1) Any of the following persons shall become members of the Electricity Regulatory Commission:

1. A public official who is or was in Grade III or higher;
2. A person who is or was a judge, a public prosecutor, or a lawyer, for ten or more years;
3. A person who serves or served as an associate professor or higher in a university under the Higher Education Act or an officially recognized-research institute, or who has been or had been in the position equal to or higher than an associate professor for not less than ten years, after the completion of his/her

studies in the field of law, economics, business management, electrical engineering or other electricity-related discipline at a university;

4. A person who has served as a representative or a standing executive in an electricity-related enterprise for not less than five years or who has served in an electricity-related enterprise for not less than five years;

5. A person who has served in an electricity-related organization or a consumer protection-related organization for not less than ten years.

(2) The terms of service under paragraph (1) 2 and 3 shall be summed up.

(3) The term of office for the members who are not public officials shall be three years and they may be reappointed.

Article 55 (Guarantee of Status of Members)

No member of the Electricity Regulatory Commission shall be dismissed from office or decommissioned against his/her will unless he/she falls under either of the following circumstances:

1. Where he/she is sentenced to imprisonment without prison labor or a heavier punishment;

2. Where he/she is unable to perform his/her duties for a long time due to a mental or physical debility.

Article 56 (Functions of Electricity Regulatory Commission)

(1) The Electricity Regulatory Commission shall deliberate on the following issues and make an adjudication referred to in Article 57: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 11968, Jul. 30, 2013; Act No. 12612, May 20, 2014; Act No. 13313, May 18, 2015>

1. Electric utility licenses and modified licenses referred to in Article 7;

2. Approval for the acquisition of the electric utility or for the division or merger of a corporation referred to in Article 10;

3. Revocation of electric utility licenses, the suspension of business, the reduction of the business zone, and the imposition of surcharges referred to in Article 12;

4. Approval for charges for, and for other conditions of, the use of electric transmission or distribution installations referred to in Article 15;

5. Approval for the basic terms and conditions of supply and supplementary terms and conditions of supply of an operator of electric sales business referred to in Articles 16 and 16-2;

6. Approval for the basic terms and conditions of supply of an operator of district electric business under Article 16 that are applied mutatis mutandis under Article 24-2;

7. Repair or remodel of electric installations, the improvement of the methods of operating electric installations, and other necessary measures referred to in Article 18 (3);

8. Measures to be taken against prohibited acts referred to in Article 23 (1);

9. Imposition and collection of surcharges for prohibited acts referred to in Article 24 (1);

9-2. Matters concerning the maximum electricity trading price provided for in Article 33 (2);

9-3. Matters concerning the authorization for an agreement on compensation for difference provided for in Article 34 (3);

10. Approval for the rules on the operation of the electricity market;
11. Matters concerning annual plans and results concerning the duty of managing the credibility of electric power systems and the enactment, amendment, repeal, etc., of related rules;
- 11-2. Matters concerning the Minister of Trade, Industry and Energy's order to take measures pursuant to Article 27-2 (5);
12. Matters concerning the protection of electric consumers;
13. Matters concerning reorganization of the electricity industry, such as introduction of competitive systems to the electricity industry;
14. Matters prescribed by other statutes, to be submitted to the Electricity Regulatory Commission for deliberation;
15. Matters requested by the Minister of Trade, Industry and Energy to be submitted for deliberation.

(2) The Electricity Regulatory Commission may make recommendations to the Minister of Trade, Industry and Energy regarding the management and operation of the electricity market. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 57 (Adjudication of Electricity Regulatory Commission)

(1) Where operators of the electric utility business, consumers of electricity, etc. fail to reach or cannot reach a mutual agreement on the following matters relating to electric utility, they may apply to the Electricity Regulatory Commission for adjudication thereon: *<Amended by Act No. 10500, Mar. 30, 2011>*

1. Charges for, and other conditions of, the use of electric transmission or distribution installations under Article 15;
2. Terms and conditions of supply;
3. Agreement between the parties concerned on the payment or receipt of an amount of charges resulting from the orders issued for the adjustment of the electric supply and demand under Article 29;
4. Bearing expenses under Article 72;
5. Compensation for a loss under Article 90;
6. Compensation for a loss under Article 90-2;
7. Other disputes arising in relation to the electric utility or matters defined by other Acts as matters subject to adjudication by the Electricity Regulatory Commission.

(2) Where the Electricity Regulatory Commission has received an application for adjudication under paragraph (1), it shall notify the other party concerned of such fact and provide him/her an opportunity to state his/her opinion within a specified period: Provided, That if he/she fails to comply therewith without any justifiable ground, this shall not apply.

(3) Where the Electricity Regulatory Commission has made adjudication in respect to the application for adjudication under paragraph (1), it shall serve, without delay, the original texts of its adjudication on the parties concerned.

(4) Where no lawsuit has been filed by the other party in respect to the contents of the said adjudication within 60 days from the date on which the original texts of the adjudication has been served on the parties

concerned or where any lawsuit filed in respect thereto has been withdrawn, it shall be deemed that an agreement to the same effect as the contents of the adjudication has been reached between the parties concerned. *<Amended by Act No. 10500, Mar. 30, 2011>*

(5) Except as otherwise provided in paragraphs (1) through (4), matters necessary for the adjudication shall be prescribed by Presidential Decree. *<Newly Inserted by Act No. 10500, Mar. 30, 2011>*

Article 58 (Quorum)

The Electricity Regulatory Commission shall pass a resolution with the concurrent vote of a majority of all registered members.

Article 59 (Expert Committee)

(1) The Electricity Regulatory Commission may have expert committees for each field of specialization to perform its affairs in an efficient manner.

(2) Necessary matters for the formation, functioning, and operation of expert committees under paragraph (1) shall be determined by Ordinance of the Ministry of Trade, Industry and Energy. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 60 (Formation and Operation)

Except as otherwise provided in this Act, matters necessary for the formation, operation, etc. of the Electricity Regulatory Commission shall be determined by Presidential Decree.

Article 61 (Approval for, or Reporting on, Plans of Works for Setting up Electric Installations for Electric Utility)

(1) If an operator of the electric utility business intends to perform works defined by Ordinance of the Ministry of Trade, Industry and Energy for setting up or altering electric installations for the electric utility business, he/she shall obtain approval for his/her plan for the works from the Minister of Trade, Industry and Energy. The same shall also apply to any modification of approved matters. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) If an operator of the electric utility business intends to modify insignificant matters prescribed by Ordinance of the Ministry of Trade, Industry and Energy, among the approved matters, he/she shall report it to the Minister of Trade, Industry and Energy, notwithstanding the latter part of paragraph (1). *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) If an operator of the electric utility business intends to perform works defined by Ordinance of the Ministry of Trade, Industry and Energy for setting up or altering electric installations for an electric utility, other than those subject to approval under paragraph (1), he/she shall report it to the Minister of Trade, Industry and Energy before commencing the works. The same shall also apply to any modification of reported matters. *<Amended by Act No. 11690, Mar. 23, 2013>*

(4) If electric installations are destroyed or damaged due to an accident or natural disaster or by other cause, or it is inevitable to commence electric works due to the occurrence of emergency cases, such as a war or internal turmoil, an operator of the electric utility business shall, notwithstanding paragraphs (1) through (3), commence the electric works, as prescribed by Ordinance of the Ministry of Trade, Industry

and Energy, and report it without delay to the Minister of Trade, Industry and Energy thereafter. *<Amended by Act No. 11690, Mar. 23, 2013>*

(5) Necessary matters for approval under paragraph (1) and reporting under paragraphs (2) through (4) shall be determined by Ordinance of the Ministry of Trade, Industry and Energy. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 62 (Approval for, or Reporting on, Plans for Works for Setting up Electric Installations for Private Use)

(1) When a person intends to conduct works defined by Ordinance of the Ministry of Trade, Industry and Energy for setting up or altering electric installations for private use, he/she shall obtain approval for his/her plan for the works from the Minister of Trade, Industry and Energy. The same shall also apply to any modification of approved matters. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) When a person intends to conduct works determined by Ordinance of the Ministry of Trade, Industry and Energy for setting up or altering electric installations for private use, other than those subject to approval under paragraph (1), he/she shall report it to the Mayor/Do Governor before commencing the works. The same shall also apply to any modification of reported matters. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) In cases of works for setting up or altering low-voltage electric installations for private use defined by Ordinance of the Ministry of Trade, Industry and Energy, the report on the plan for works may, notwithstanding the former part of paragraph (2), be replaced by an application for inspection prior to operation under Article 63. *<Amended by Act No. 11690, Mar. 23, 2013>*

(4) Article 61 (4) shall apply mutatis mutandis to works for setting up or altering electric installations for private use.

(5) Necessary matters for approval under paragraph (1) and reporting under paragraphs (2) and (4) shall be determined by Ordinance of the Ministry of Trade, Industry and Energy. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 63 (Pre-Use Inspection)

When a person has completed works for setting up or altering electric installations in accordance with Article 61 or 62, he/she shall use such installations after passing an inspection by the Minister of Trade, Industry and Energy or the competent Mayor/Do Governor, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 64 (Temporary Use of Electric Installations)

(1) Where it is deemed that electric installations have no defect in their safe operation and their temporary operation is necessary, although they failed to pass the inspection under Article 63, the Minister of Trade, Industry and Energy or the competent Mayor/Do Governor may allow the temporary use of such installations after specifying the period and the method of operation. In such cases, the Minister of Trade, Industry and Energy or the Mayor/Do Governor shall give notice of the period and method of operation specified. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) The standard for a permit for temporary use of electric installations under paragraph (1), such as where an emergency spare generator is not completed, the period of use not exceeding one year, the method of temporary use of electric installations under paragraph (1), and other necessary matters shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>

Article 65 (Periodic Inspection)

An operator of the electric utility business and an owner or possessor of electric installations for private use shall, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy, undergo periodical inspections conducted by the Minister of Trade, Industry and Energy or the competent Mayor/Do Governor, with regard to electric installations prescribed by Ordinance of the Ministry of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>

Article 66 (Inspections of Electric Installations for General Use)

(1) The Minister of Trade, Industry and Energy shall have the Korea Electrical Safety Corporation under Article 74 (hereinafter referred to as "Safety Corporation") or an operator of the electric sales business (limited to electric installations prescribed by Presidential Decree, among the pre-use inspections; hereinafter, the same shall apply in this Article) inspect as to whether the electric installations for general use satisfy the technical standards for the safety control of electric installations set out in Article 67, periodically before and during the use of relevant electric installations, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy: Provided, That the same shall not apply where, in cases of periodic inspection on electric installations for general use set up in a dwelling structure (hereinafter referred to as "periodic inspection"), any consent for such inspection is unobtainable from the relevant owner or occupant. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Where, as a result of inspection under the main sentence of paragraph (1), it is deemed that the electric installations for general use do not meet the technical standards for the safety control of electric installations set out in Article 67, the Safety Corporation and the operator of the electric sales business shall promptly notify the owner or occupant concerned of the followings:

1. Details of the necessary measures to comply with the technical standards for the safety control of electric installations under Article 67;
2. Consequences that may arise from the failure to take measures under subparagraph 1;

(3) Where, as a result of periodical inspection, minor repair (limited to minor electric works under the proviso to Article 3 (1) of the Electrical Construction Business Act) is necessary for any electric installations that do not comply with the technical standards for the safety control of electric installations set out in Article 67, and where there exists any request by the owner or occupant of the relevant electric installations, the Safety Corporation may directly repair them.

(4) Where the Safety Corporation and an operator of the electric sales business performs the duty of inspection or notification under paragraph (1) or (2), they shall prepare and preserve the records of the matters determined by Ordinance of the Ministry of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>

(5) Where, as a result of inspection as to whether the measures notified under paragraph (2) have been taken, the relevant owner or occupant fails to take the measures notified under paragraph (2) 1, the Safety Corporation shall notify the Governor of a Special Self-Governing Province or the head of a Si/Gun/Gu (hereinafter referred to as "head of a Si/Gun/Gu") of such failure to take the measures. In such cases, the head of a Si/Gun/Gu shall order the relevant owner or occupant to repair, remodel or relocate the relevant electric installations (hereinafter referred to as "improvement order"): Provided, That in cases prescribed by Ordinance of the Ministry of Trade, Industry and Energy and where it is deemed that there exists no time for waiting an improvement order from the head of a Si/Gun/Gu since the status of electric installations failing to satisfy the technical standards is serious, the Safety Corporation shall notify the head of a Si/Gun/Gu thereof after it directly issues an improvement order. *<Amended by Act No. 11690, Mar. 23, 2013>*

(6) Where it is deemed that the fear for the occurrence of electricity-related disaster is grave because the owner or occupant of electric installations for general use failed to comply with an improvement order (including where the Safety Corporation directly issues an improvement order), the head of a Si/Gun/Gu shall, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy, request an operator of the electric sales business to suspend the supply of electricity to the owner or occupant concerned and immediately notify the Safety Corporation of the fact that the owner or occupant concerned failed to comply with the improvement order. In such cases, the operator of the electric sales business in receipt of a request for suspending electricity supply shall comply therewith in the absence of extenuating circumstances. *<Amended by Act No. 11690, Mar. 23, 2013>*

(7) The Safety Corporation may, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy, request an operator of the electric sales business to provide materials required for an inspection under paragraph (1). In such cases, the operator of the electric sales business in receipt of such request shall comply with such request in the absence of extenuating circumstances. *<Amended by Act No. 11690, Mar. 23, 2013>*

(8) A person that makes an inspection under paragraph (1) shall carry a certificate indicating his/her authority and produce it to the interested parties.

(9) The standards for, and the method of, an inspection under paragraph (1) and other necessary matters shall be determined by Ordinance of the Ministry of Trade, Industry and Energy. *<Amended by Act No. 11690, Mar. 23, 2013>*

(10) Paragraphs (1), (2), (4), and (6) through (9) shall apply mutatis mutandis to operators of the district electric business. In such cases, "operator of the electric sales business" shall be deemed "operator of the district electric business".

Article 66-2 (Electrical Safety Inspection on Facilities, etc., Used by Multitude)

(1) Any person who intends to operate any of the following facilities or to expand or rebuild the relevant facilities shall, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy, undergo a safety inspection by the Safety Corporation on the electric installations set up in the relevant facilities before

filing an application for a permit, registration or authorization or submitting a report (including an application filed for altering the permit, registration or authorization and a report made on the change, following the change of the location of the relevant facilities) as prescribed by the following statutes for the operation of relevant facilities, or before filing an application for approval for use of the structures pursuant to the Building Act: <Amended by Act No. 10789, Jun. 7, 2011; Act No. 11690, Mar. 23, 2013; Act No. 12329, Jan. 21, 2014; Act No. 13313, May 18, 2015>

1. Juvenile training facilities under the Juvenile Activity Promotion Act:

2. Facilities for a business to provide the viewing of video products under the Promotion of the Motion Pictures and Video Products Act, a game-providing business and a business to provide Internet computer game facilities under the Game Industry Promotion Act, and a business for singing practice room under the Music Industry Promotion Act;

2-2. Pistol shooting ranges prescribed by Presidential Decree among shooting ranges under the Act on Safety Management of Shooting and Shooting Ranges;

2-3. Golf driving ranges prescribed by Presidential Decree among sports facilities under the Installation and Utilization of Sports Facilities Act;

2-4. Places of massage practice or massage parlors under the Medical Service Act;

3. Facilities for a business of danran bistro and a business of amusement and tavern quarters prescribed by Presidential Decree, among the food and entertainment business under the Food Sanitation Act;

4. Nurseries under the Infant Care Act;

5. Kindergartens under the Early Childhood Education Act;

6. Other facilities prescribed by Presidential Decree for which a safety inspection on electric installations is deemed required.

(2) Any person who intends to alter the current status of the designated cultural heritage and the facilities installed within the relevant protection zone under the Cultural Heritage Protection Act pursuant to Article 35 (1) 1 and 2 of the same Act (including cases applied mutatis mutandis pursuant to Article 74 of the same Act; hereinafter the same shall apply) shall, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy pursuant to paragraph (1), undergo a safety inspection by the Safety Corporation after the alteration of the current status is completed. <Amended by Act No. 10000, Feb. 4, 2010; Act No. 11690, Mar. 23, 2013>

(3) In conducting safety inspections referred to in paragraphs (1) and (2), the Safety Corporation shall keep and preserve records of the matters prescribed by Ordinance of the Ministry of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>

Article 66-3 (Special Safety Inspection and Emergency Measures)

(1) The Minister of Trade, Industry and Energy may have the Safety Corporation conduct a special safety inspection to determine whether electric installations set up in any of the following facilities are in conformity with the technical standards necessary to ensure the safety control of electric installations under Article 67: <Amended by Act No. 11690, Mar. 23, 2013>

1. Facilities where electric accidents occur or are likely to occur due to disasters, such as typhoons, heavy snowfall, etc. ;
 2. Facilities where electric accidents are likely to occur during the vulnerable times caused by seasonal factors, such as the rainy season, the winter season, etc.;
 3. Facilities subject to safety inspection, which are conducted by the State or local governments in collaboration with relevant administrative agencies to prevent a fire;
 4. Facilities used by the State or local governments to hold events.
- (2) The Safety Corporation shall notify the owners or occupants of electric installations and relevant administrative agencies of the findings of special safety inspection pursuant to paragraph (1).
- (3) Where any owner or occupant of electric installations for general use (limited to the residential use) asks for emergency measures necessary to remove inconvenience or to ensure the safety in the use of electricity, the Minister of Trade, Industry and Energy may have the Safety Corporation take such emergency measures promptly. *<Amended by Act No. 11690, Mar. 23, 2013>*
- (4) Detailed matters concerning the subject matter, scope, etc. of the emergency measures under paragraph (3) shall be prescribed by Presidential Decree.

Article 67 (Technical Standards)

- (1) The Minister of Trade, Industry and Energy shall determine and give public notice of technical standards necessary for the safety control of electric installations (hereinafter referred to as "technical standards"). The same shall also apply to any modification thereof. *<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013; Act No. 13858, Jan. 27, 2016>*
- (2) The technical standards shall include technical requirements for human exposure to electromagnetic waves, which take into account the impact of electromagnetic waves on human body. *<Newly Inserted by Act No. 13858, Jan. 27, 2016>*

Article 68 (Maintenance of Electric Installations)

An operator of the electric utility business and an owner or occupant of electric installations for private or general use shall maintain electric installations in a manner that meets the technical standards.

Article 69 (Protection of Underwater Wires)

- (1) An operator of the electric utility business may apply to the Minister of Trade, Industry and Energy for the designation of an underwater electric line protection zone if necessary to protect electric lines laid underwater (hereinafter referred to as "underwater electric lines"). *<Amended by Act No. 11690, Mar. 23, 2013>*
- (2) When the Minister of Trade, Industry and Energy receives an application under paragraph (1), he/she may designate an underwater wire protection zone. In such cases, when he/she is to designate an aquaculture zone licensed under the Fisheries Act as an underwater wire protection zone, he/she shall obtain the consent thereto from the licensee of the relevant aquaculture zone. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) When the Minister of Trade, Industry and Energy has designated an underwater wire protection zone, he/she shall give public notice thereof. <Amended by Act No. 11690, Mar. 23, 2013>

(4) When the Minister of Trade, Industry and Energy intends to designate an underwater wire protection zone, he/she shall consult in advance with the Minister of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>

Article 70 (Prohibition from Damaging Wires within Underwater Wire Protection Zones)

No one shall engage in any of the following activities within underwater wire protection zones as defined in Article 69: Provided, That this shall not apply where he/she obtains approval from the Minister of Trade, Industry and Energy: <Amended by Act No. 11690, Mar. 23, 2013>

1. Damaging underwater wires;
2. Anchoring;
3. Extracting minerals and collecting marine products underwater;
4. Other activities prescribed by Presidential Decree, which could damage underwater wires.

Article 71 (Issuing Orders to Meet Technical Standards)

Where it is deemed that electric installations or electric communications wire installations established pursuant to Article 20 (4) do not meet the technical standards as a result of an inspection under Article 63 or 65, the Minister of Trade, Industry and Energy or a Mayor/Do Governor may order an operator of the electric utility business or the owner or occupant of electric installations for private or general use (including persons that set up the electric communications wire installations) to repair, remodel, relocate, or to suspend or restrict the use of the electric installations or the electric communication wire installations. <Amended by Act No. 11690, Mar. 23, 2013>

Article 72 (Relocation, etc. of Installations)

(1) Where any impediment has been inflicted or is likely to be inflicted between electric installations for the electric utility or for private use and electric installations, other goods owned by another person, or any other utility, the person who has provided causes later shall take measures necessary for removing such impediments or bear expenses incurred in taking such measures. <Amended by Act No. 10500, Mar. 30, 2011>

(2) Where any ground object and others established or to be established by another person has prevented or is likely to prevent electric installations for the electric utility from meeting the technical standards, the person who has set up or intends to set up the ground object and others shall either take a measure necessary to make the relevant electric installations to meet the technical standards, or may request an operator of the electric utility business to take necessary measures. <Amended by Act No. 10500, Mar. 30, 2011>

(3) An operator of the electric utility business shall, upon receipt of a request under paragraph (2), take necessary measures, except for cases prescribed by Presidential Decree where he/she has difficulties in performing duties or technical difficulties, such as it is impossible to secure the site for the relevant measures or to make the relevant installations meet the technical standards.

(4) Expenses incurred in taking measures under paragraphs (2) and (3) shall be borne by the person who has established or intends to establish the ground objects and others: Provided, That subsequent to installing electric lines in the air above the land or in the underground space of another person under Article 89, where the owner or occupant of such land establishes or intends to establish ground objects and others on such land, the relocation expenses may be reduced or exempted in accordance with the standards prescribed by Presidential Decree, such as the relocation plan, lapsed years of the relevant electric lines, etc. <Amended by Act No. 10500, Mar. 30, 2011>

(5) The scope of measures pursuant to paragraphs (1) and (4), method of taking such measures, standards for bearing expenses, and other necessary matters shall be prescribed by Presidential Decree. <Newly Inserted by Act No. 10500, Mar. 30, 2011>

Article 72-2 (Relocation of Aerial Electric Lines into Underground Space)

(1) Where the head of a Si/Gun/Gu or a landowner deems it necessary to relocate electric poles and the overhead electric lines installed on the electric poles (including the electric communications wire facilities installed on the electric poles pursuant to Article 20) into underground space (hereinafter referred to as "relocation into underground"), he/she may request an operator of the electric utility business to relocate them.

(2) Expenses incurred in the relocation into underground pursuant to paragraph (1) shall be borne by the person that requests it: Provided, That where such relocation into underground is requested by the head of a Si/Gun/Gu for the purpose of public interests, the person that has installed the electric lines may bear some of expenses in accordance with the standards and procedures determined by the Minister of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>

(3) The Minister of Trade, Industry and Energy may determine and publicly notify standards and procedures for bearing expenses under paragraph (2), and other detailed matters necessary for the smooth implementation of relocation into underground. <Amended by Act No. 11690, Mar. 23, 2013>

Article 73 (Appointment, etc., of Electrical Safety Supervisors)

(1) An operator of electric utility business or an owner or occupant of electric installations for private use shall, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy, appoint an electrical safety supervisor by field, from among those who have qualifications for engineers in the fields of electrical, mechanical and civil engineering under the National Technical Qualifications Act, in order to perform safety control service in connection with the works, maintenance, and operation of electric installations (excluding the electric installations out of service). <Amended by Act No. 11690, Mar. 23, 2013>

(2) Notwithstanding paragraph (1), an owner or occupant of electric installations for private use may entrust the duties concerning the safety control of electric installations to either of the following persons. In such cases, any person entrusted with the safety control duties shall appoint an electrical safety supervisor by field under paragraph (1):

1. A person specializing in the electrical safety control duties who meets the requirements prescribed by Presidential Decree, such as capital, technical manpower to be retained, etc.;

2. A person specializing in the facilities management who retains the person who has acquired the technical qualification by field under paragraph (1).

(3) Notwithstanding paragraph (1), an owner or an occupant of electric installations (limited to electric installations for private use and power-generation installations that generate electricity by using solar energy and fuel cells defined in Article 2 of the Act on the Promotion of the Development, Use and Diffusion of New and Renewable Energy) below the scale defined by Ordinance of the Ministry of Trade, Industry and Energy may, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy, have any of the following persons perform the safety control duties on behalf of him/her. In such cases, the person performing the safety control duties on behalf of him/her shall be deemed appointed as an electrical safety supervisor: <Amended by Act No. 11690, Mar. 23, 2013>

1. The Safety Corporation;

2. An operator that conducts the electrical safety control by proxy who meets the requirements prescribed by Presidential Decree, such as capital, technical manpower to be retained, etc.;

3. A person that has acquired technical qualifications in the electricity field and that retains the equipment prescribed by Presidential Decree.

(4) Notwithstanding paragraphs (1) through (3), with respect to an area or electric installations for which it is deemed difficult, or inadequate, to appoint an electrical safety supervisor or to make a fictitious appointment, an electrical safety supervisor may be appointed as separately prescribed by Ordinance of the Ministry of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>

(5) A person who has appointed an electrical safety supervisor under paragraphs (1) through (4) shall designate an acting person, where the electrical safety supervisor is temporarily unable to perform his/her duties due to a trip or disease or any other reason, for such period; and where the electrical safety supervisor is dismissed, until the appointment of another electrical safety supervisor, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>

(6) Necessary matters concerning the detailed technical qualifications and duties of an electrical safety supervisor under paragraphs (1) through (4) and the scope, workload, and minimum required inspections which a person performing agency business for electrical safety control shall observe under paragraph (3) shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13858, Jan. 27, 2016>

Article 73-2 (Reporting, etc. on Appointment or Dismissal of Electrical Safety Supervisors)

(1) A person that has appointed or dismissed an electrical safety supervisor under Article 73 (1) through (4) shall promptly report to an association designated and publicly notified by the Minister of Trade, Industry and Energy (hereinafter referred to as the "Electric Safety Supervisor Association"), among the organizations of electric safety supervisors listed in Article 18 (1) of the Electric Technology Management Act, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy. The same shall also apply to any modification of reported matters prescribed by Ordinance of the Ministry of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>

(2) The Electric Safety Supervisor Association shall, when the person that has filed a report on appointment of an electrical safety supervisor under paragraph (1) requests the issuance of a certificate for completion of appointment report, issue such certificate, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) A person that reports the dismissal of any electrical safety supervisor pursuant to paragraph (1) shall select and appoint another electrical safety supervisor within 30 days from the date of dismissal of such electrical safety supervisor.

Article 73-3 (Duty of Good Faith, etc., of Electrical Safety Supervisors)

(1) An electrical safety supervisor shall faithfully perform the duties under Article 73 (6).

(2) An operator of electric utility business, an owner or occupant of electric installations for private use (including any person entrusted with the safety control duties of electric installations under Article 73 (2)) and their employees shall comply with the opinion of an electrical safety supervisor concerning safety control.

(3) An electrical safety supervisor shall prepare and preserve the records of the safety control of electric installations as prescribed by Ordinance of the Ministry of Trade, Industry and Energy. *<Newly Inserted by Act No. 13858, Jan. 27, 2016>*

Article 73-4 (Education, etc., of Electrical Safety Supervisors)

(1) An electrical safety supervisor shall receive safety control education for works, maintenance, and operation of electric installations (hereinafter referred to as "safety control education"), conducted by the Minister of Trade, Industry and Energy. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 13858, Jan. 27, 2016>*

(2) The Minister of Trade, Industry and Energy may, if necessary, combine theoretical education and practical training for safety control education. *<Newly Inserted by Act No. 13858, Jan. 27, 2016>*

(3) Matters necessary for conducting safety control education under paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy. *<Newly Inserted by Act No. 13858, Jan. 27, 2016>*

(4) A person who has appointed an electrical safety supervisor shall dismiss an electrical safety supervisor who fails to receive safety control education without any just ground. *<Amended by Act No. 13858, Jan. 27, 2016>*

Article 73-5 (Registration for or Reporting on Persons, etc. Specializing in Electrical Safety Control Duties)

(1) Any person that intends to be entrusted with, or vicariously perform, electrical safety control duties under Article 73 (2) or (3) shall register or report to the Minister of Trade, Industry and Energy or the Mayor/Do Governor, according to the following classification: *<Amended by Act No. 11690, Mar. 23, 2013>*

1. Any person specializing in the electrical safety control duties referred to in Article 73 (2) 1 who intends to be entrusted with the electrical safety control duties shall register with the Minister of Trade, Industry and Energy;

2. A vicarious operator of the electrical safety control duties referred to in Article 73 (3) 2 who intends to vicariously perform the safety control duties shall register with the Mayor/Do Governor;
3. Any person who has acquired technical qualifications in the electricity field referred to in Article 73 (3) 3 and intends to vicariously perform the electrical safety control duties shall file a report thereon with the Mayor/Do Governor.

(2) When matters registered or reported under paragraph (1) as prescribed by Ordinance of the Ministry of Trade, Industry and Energy are modified, the modified registration or report shall be made within 30 days from the date on which the grounds for such modification take place. <Amended by Act No. 11690, Mar. 23, 2013>

(3) The Minister of Trade, Industry and Energy or a Mayor/Do Governor shall, upon receipt of a registration or report, or of a modified registration or modified report, under paragraph (1) or (2), issue a certificate of registration or completion of report to the applicant for registration or the person who made the report. <Amended by Act No. 11690, Mar. 23, 2013>

Article 73-6 (Disqualification and Revocation, etc., of Registration)

(1) None of the following persons is eligible to register pursuant to Article 73-5 (1) 1 and 2:

1. A person under adult guardianship;
2. A person declared bankrupt but not reinstated yet;
3. A person for whom two years have not passed since his/her imprisonment with labor or heavier punishment declared by a court for violating this Act was completely executed (including cases where the execution is deemed terminated) or exempted;
4. A person who is under suspension of the execution of his/her imprisonment with labor or greater punishment declared by a court;
5. A person whose registration has been revoked pursuant to paragraph (2) (excluding the revocation of registration under subparagraph (1) or (2)) and for whom two years have not yet elapsed since the revocation (in cases of a corporation, including a person responsible for such revocation and its representative);
6. A corporation whose representative falls under any of subparagraphs 1 through 5.

(2) When any person who has registered as a person specializing in electricity safety control duties or a vicarious operator of electrical safety control duties under Article 73-5 (1) 1 or 2, respectively, falls under any of the following cases, the Minister of Trade, Industry and Energy or the Mayor/Do Governor may revoke his/her registration or order him/her to fully or partially suspend his/her business for a fixed period not exceeding six months, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy: Provided, That where he/she falls under subparagraph 1, his/her registration shall be revoked:

1. Where he/she has registered by fraud or other improper means;
2. Where one month lapses from the date on which the requirements prescribed by Presidential Decree of Article 73 (2) 1 and (3) 2 are not met;

3. Where he/she lends a certificate of registration issued under Article 73-5 (3) to a third person;
4. Where he/she exceeds the scope and workload of an agency service for electrical safety control or fails to meet the minimum inspections required under Article 73 (6).
5. Where he/she falls under any of the subparagraphs of paragraph (1) (excluding cases where a corporation falling under paragraph (1) 6 replaces its representative with another qualified person and appoints him/her to the position within six months).

Article 73-7 (Hearings)

The Minister of Trade, Industry and Energy or a Mayor/Do Governor shall hold a hearing, where he/she intends to revoke registration under Article 73-6 (2). <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13858, Jan. 27, 2016>

Article 73-8 (Survey on Actual Status of Electrical Safety Control Duties)

(1) The Minister of Trade, Industry and Energy shall conduct surveys on the actual status of electrical safety control duties at least once every year, as prescribed by Presidential Decree. <Newly Inserted by Act No. 13858, Jan. 27, 2016>

(2) Where the Minister of Trade, Industry and Energy deems it necessary for the safety control of electric installations as a result of the surveys under paragraph (1), he/she may recommend or order an owner or occupant of electrical installations to make improvement or correction, respectively, with respect to the safety control of electric installations. <Newly Inserted by Act No. 13858, Jan. 27, 2016>

(3) The Mayor/Do Governor may, when deemed necessary to inspect matters related to safety control duties, order an entrusted person or agent for electrical safety control duties (hereafter referred to as "agent, etc." in this Article) under Article 73 (2) or Article 73 (3) 2 and 3 submit necessary materials or have public officials under his/her control enter the business places of the agents, etc., or places of electric installations where the agents, etc., perform electrical safety control duties in order to inspect account books, documents, and other materials or objects. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13858, Jan. 27, 2016>

(4) Article 22 (3) and (4) shall apply mutatis mutandis to the procedures and methods for conducting an inspection under paragraph (3). <Amended by Act No. 13858, Jan. 27, 2016>

Article 74 (Establishment of Korea Electrical Safety Corporation)

(1) There is hereby established a Korea Electrical Safety Corporation to carry out survey, research, technology development, and publicity on electrical safety and perform the duties of inspection and check-up of electric installations in order to prevent electricity-related disasters.

(2) The Safety Corporation shall be a juristic person.

(3) The Safety Corporation shall be duly formed by registering its establishment at the registry in the area where its principal office is located.

Article 75 (Operation, etc. of Safety Corporation)

Expenses incurred for the operation of the Safety Corporation shall be borne by the following funding: <Amended by Act No. 10500, Mar. 30, 2011>

1. Fees paid by persons who intend to undergo an inspection under Article 97 (1) 1 or an inspection under subparagraph 2 of the same paragraph;
2. Disaster-preventing inspection costs, etc. borne by disaster control agencies under the Framework Act on the Management of Disasters and Safety for the purpose of preventing disasters;
3. Contributions from the Fund;
4. Loans and other revenues.

Article 76 (Executives)

(1) Executives of the Safety Corporation shall consist of one President, not more than eight directors and one auditor.

(2) The President shall represent the Safety Corporation and exercise overall control of the affairs of the Safety Corporation.

Article 77 Deleted. <by Act No. 9680, May 21, 2009>

Article 78 (Services)

The Safety Corporation shall carry out the following: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13858, Jan. 27, 2016>

1. Survey and research on electrical safety;
2. Development and distribution of technologies concerning electrical safety;
3. Specialized education and provision of information concerning electrical safety;
4. Promotion of publicity concerning electrical safety;
5. Inspection and checking of electric installations and technical assistance;
6. Investigation of causes, details, etc., of electric accidents under Article 96-3 (3);
7. International technical cooperation concerning electrical safety;
8. Projects entrusted by the Minister of Trade, Industry and Energy or the Mayor/Do Governor to ensure electrical safety;
9. Safety diagnosis on electric installations and other projects required for the electrical safety control.

Article 79 (Relationship with other Acts)

Except as prescribed by this Act and the Act on the Management of Public Institutions, the provisions of the Civil Act concerning the incorporated foundation shall apply mutatis mutandis to the Safety Corporation.

Article 80 (Supervision)

The Minister of Trade, Industry and Energy shall guide and supervise services related to any of the followings, among the services of the Safety Corporation: <Amended by Act No. 11690, Mar. 23, 2013>

1. Performance of the services listed in Article 78;
2. Sale, acquisition, transfer, or provision as collateral of major fundamental property of the Safety Corporation, such as land and buildings;
3. Other matters prescribed by other Acts and subordinate statutes.

Article 81 (Prohibition of Use of Similar Name)

No person or entity that is not the Safety Corporation shall use the name "Korea Electrical Safety Corporation" or a name similar thereto.

Article 87 (Use of Land, etc., Owned by a Third Person)

(1) If it is necessary for the purpose of the establishment of electric installations for electric utility or a field investigation, measuring, and the execution of work therefor, or for the purpose of repair and maintenance of electric installations for electric utility, an operator of electric utility business may use land or buildings and other structures thereon (hereinafter referred to as "land, etc.") which a third person owns, or may alter or remove vegetation and other obstacles owned by a third person, as prescribed by the Act on the Acquisition of and Compensation for Land, etc. for Public Works Projects.

(2) In either of the following cases, an operator of electric utility business may temporarily use land, etc., owned by a third person or alter or remove vegetation owned by a third person: Provided, That if the land, etc., owned by a third person is used for the residential purpose, he/she shall pre-consult with its residents about the date and period of such temporary use:

1. A temporary use of land, etc., owned by a third person within 15 days in the event that electric installations for electric utility, etc., are damaged or are likely to be damaged due to a natural disaster, war, internal turmoil, or other emergency situations;

2. The alteration or removal of vegetation obstructive to electric lines for electric utility if it is deemed that the vegetation has seriously damaged the relevant electric lines or may cause fire or other disasters because it has been neglected.

(3) Where an operator of electric utility business temporarily use land, etc., owned by a third person or alters or removes vegetation owned by a third person under paragraph (2), he/she shall immediately notify its occupant or owner thereof.

(4) An occupant or owner of land, etc., shall not refuse, obstruct or evade without just ground when an operator of electric utility business attempts to temporarily use the land, etc., and alter or remove vegetation under paragraph (2). *<Newly Inserted by Act No. 13858, Jan. 27, 2016>*

Article 88 (Entry to Land, etc., Owned by Another Person)

(1) An operator of the electric utility business may enter another person's land, etc. if necessary for the purposes of establishment, maintenance, or safety control of electric installations. In such cases, the operator of the electric utility business shall consult in advance with its owner or occupant about the method and period of such entry. *<Amended by Act No. 10500, Mar. 30, 2011>*

(2) When an operator of the electric utility business fails, or is unable, to reach an agreement under paragraph (1), he/she may enter land, etc. with approval from the head of a Si/Gun/Gu.

(3) When the head of a Si/Gun/Gu receives an application for approval under paragraph (2), he/she shall notify the owner or occupant of the land, etc. thereof and shall give him/her an opportunity to state his/her opinion.

(4) When an operator of the electric utility business is to enter another person's land, etc. pursuant to paragraph (2), he/she shall in advance notify its owner or occupant thereof.

(5) A person who enters another person's land, etc. pursuant to paragraph (2) shall carry a document indicating his/her authority and produce it to interested persons.

Article 89 (Use of Airspace over Land, etc. Owned by Another Person)

(1) An operator of the electric utility business may, if necessary for the operation of his/her business, install electric lines over or in the underground space of the land owned by another person within the limits of causing no obstruction to the way the land is currently in use. In such cases, the operator of the electric utility business shall consult in advance with the owner or occupant of the land about the method for installation of the electric lines and the period of existence thereof. *<Amended by Act No. 10500, Mar. 30, 2011>*

(2) Article 88 (2) through (5) shall apply mutatis mutandis to cases falling under paragraph (1).

Article 89-2 (Registration, etc. of Establishment of Partitioned Superficies)

(1) Where an agreement has been reached by consulting with the owner of the land and the person concerned under subparagraph 5 of Article 2 of the Act on the Acquisition of and Compensation for Land, etc. Public Works on the premises that the partitioned superficies should be created or transferred with respect to the use of airspace over or underground space of the land owned by another person, an operator of the electric utility business shall create or transfer the partitioned superficies. *<Amended by Act No. 10500, Mar. 30, 2011>*

(2) Where an operator of the electric utility business receives a ruling of expropriation or use to the effect of the creation or transfer of the partitioned superficies with respect to the use of airspace over or underground space of the land under the Act on the Acquisition of and Compensation for Land, etc. Public Works, he/she may unilaterally apply for the registration of the creation or transfer of the partitioned superficies concerned as applied mutatis mutandis pursuant to Article 99 of the Registration of Real Estate Act. *<Amended by Act No. 10500, Mar. 30, 2011; Act No. 10580, Apr. 12, 2011>*

(3) Necessary matters concerning procedures for registration of partitioned superficies with respect to the use of airspace over or underground space of land shall be prescribed by Supreme Court Regulations. *<Amended by Act No. 10500, Mar. 30, 2011>*

(4) Notwithstanding Articles 280 and 281 of the Civil Act, the duration of the partitioned superficies under paragraphs (1) and (2) shall last until transmission electric lines[referring to the electric lines interconnecting electric power stations with other electric power stations, substations with other substations, and electric power stations and substations with other electric power stations and substations (excluding those exclusively used for communications) and electric installations belonging thereto; hereinafter the same shall apply no longer exist. *<Amended by Act No. 10500, Mar. 30, 2011>*

Article 90 (Compensation for Losses Caused by Temporary Use of Land, etc.)

An operator of the electric utility business shall duly compensate for any loss caused by his/her temporary use of land, etc. owned by another person or his/her alteration or removal of vegetation owned by another

person under Article 87 (2), by his/her entry into land, etc. owned by another person under Article 88 (1).
<Amended by Act No. 10500, Mar. 30, 2011>

Article 90-2 (Compensation for Losses Caused by Temporary Use of Airspace over Land, etc.)

(1) An operator of the electric utility business shall duly compensate for any loss caused by his/her installation of transmission electric wires over or in the underground space of the land owned by another person under Article 89 (1).

(2) The area of land based on which the amount of compensation under paragraph (1) is calculated shall be classified as follows:

1. When using airspace over land: the area of the land facing vertically to the extent of the horizontal space that spans both of the outermost lines of transmission lines and is added by three meters respectively on both sides. In such cases, if necessary for protection of a building, etc., the area can be extended to the separation distance by voltage between electric wires and the building as specified by technical standards;

2. When using underground space: the area of the land facing vertically to the underground space used for the installation or protection of the facilities for transmission line.

(3) Matters concerning detailed standards and method for calculation of compensation for loss under paragraphs (1) and (2) shall be prescribed by Presidential Decree.

Article 91 (Reinstatement)

When an operator of the electric utility business has completed his/her temporary use of land, etc. under Article 87 (2) 1, he/she shall reinstate the land, etc. or pay to its owner or occupant expenses therefor.

Article 92 (Use of Public Land)

(1) When an operator of the electric utility business deems it necessary to install electric wires for the electric utility over public land managed by the State, local governments or other public institutions he/she may use the land with a permit from its manager.

(2) In cases that fall under paragraph (1), when the relevant land manager refuses such permit without any justifiable ground or when the conditions of permit are found inappropriate, the competent Minister that exercises jurisdiction over the land concerned may grant a permit for the use of the land or alter the conditions of permit at the request of an operator of the electric utility business.

(3) When the competent Minister intends to grant a permit for the use of land or to alter the conditions of permit under paragraph (2), he/she shall hold consultations in advance with the Minister of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>

Article 92-2 (Special Cases concerning Supply of Electricity by Operators of Integrated Energy Supply Business)

(1) Any operator of the integrated energy supply business who is equipped with generation installations with a capacity 300,000 kilowatts or below, as prescribed by Presidential Decree among the integrated energy supply business operators who have obtained a business license pursuant to Article 9 of the Integrated Energy Supply Act, may supply electricity in the supply district permitted under Article 9 of the

Integrated Energy Supply Act, notwithstanding Article 31 (1).

(2) An operator of the integrated energy supply business under paragraph (1) shall be deemed an operator of the district electric business for the purposes of this Act.

Article 93 (Separation of Accounting)

(1) An operator of electric utility business determined by Presidential Decree shall carry out his/her accounting practices concerning the preparation of accounting documents including statements of financial position and income statements, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 13313, May 18, 2015>*

(2) Where an operator of electric utility business under paragraph (1) operates non-electric utility business, he/she shall apply the principle of separate accounting to the electric utility business and non-electric utility business.

Article 94 (Depreciation, etc.)

The Minister of Trade, Industry and Energy may, if deemed particularly necessary for the due operation of the electric utility business, order an operator of the electric utility business to depreciate fixed assets for the electric utility business or to set up reserves or allowances by determining types, methods or amounts within the limits permissible under the Corporate Tax Act or the Restriction of Special Taxation Act.

<Amended by Act No. 11690, Mar. 23, 2013>

Article 95 Deleted. *<by Act No. 9016, Mar. 28, 2008>*

Article 96 (Restrictions on Foreign-Capital Invested Companies)

The Minister of Trade, Industry and Energy shall not grant a foreign-capital invested company as defined in the Foreign Investment Promotion Act the following permit, approval or designation: *<Amended by Act No. 11690, Mar. 23, 2013>*

1. Permit for the electricity generation business under Article 7 (1) (limited to the operation of an nuclear power station);
2. Approval for the plan for the manufacture and supply of fuel for nuclear power generation under Article 28.

Article 96-2 (Reporting)

(1) The Minister of Trade, Industry and Energy may, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy, require that a Mayor/Do Governor, the head of a Si/Gun/Gu, the Safety Corporation, an operator of the electric sales business, and an operator of the district electric business file a report on the matters as to electrical safety, such as the current status of inspection of electric installations or checkup, etc. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) A Mayor/Do Governor may, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy, require that an electric technicians association file a report as to the appointment and dismissal of an electrical safety supervisor. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 96-3 (Notification and Investigation of Serious Accidents)

(1) Where any serious accident prescribed by Ordinance of the Ministry of Trade, Industry and Energy occurs due to the electric installations under his/her operation, an operator of electric utility business and an owner or occupant of electric installations for private use shall notify the Minister of Trade, Industry and Energy thereof, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>

(2) In the event of a serious accident prescribed by Ordinance of the Ministry of Trade, Industry and Energy relating to the operation of electric power systems, the Korea Power Exchange shall notify the Minister of Trade, Industry and Energy thereof, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy. <Newly Inserted by Act No. 13858, Jan. 27, 2016>

(3) The Minister of Trade, Industry and Energy may, if deemed necessary to prevent the recurrence of any electric accident, require that either of the following persons conduct an investigation of the cause, details, etc., of the electrical accidents prescribed by Presidential Decree: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13858, Jan. 27, 2016>

1. The Safety Corporation;

2. Persons designated by the Minister of Trade, Industry and Energy, from among those who have technical manpower and equipment prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

Article 96-4 (Preparation of Electrical Disaster Statistics)

(1) The Minister of Trade, Industry and Energy may prepare and manage statistics on electrical disasters including electrical fires and electric shocks as prescribed by Presidential Decree to effectively formulate and implement safety management policies.

(2) Except as otherwise provided for in this Act, the Statistics Act shall apply mutatis mutandis to matters relating to the preparation of statistics referred to in paragraph (1).

(3) The Minister of Trade, Industry and Energy may have the Safety Corporation or an agency with expertise fully or partially perform the affairs of survey, preparation, analysis, and management of statistics under paragraph (1).

Article 97 (Fees, etc.)

(1) Any of the following persons shall pay fees, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy: <Amended by Act No. 11690, Mar. 23, 2013>

1. Persons that intend to undergo an inspection under Articles 63 and 65;

2. Persons that intend to undergo an electrical safety inspection under Article 66-2;

3. Persons that intend to receive a certificate for report on an appointment of an electrical safety supervisor under Article 73-2 (2);

4. Persons that intend to make modified registration under Article 73-5 (2) (limited to the case where the modified matter is related to a technical manpower).

(2) Persons that intend to receive safety control education for electrical safety supervisors under Article 73-4 (1) shall pay education fees, as prescribed by Ordinance of the Ministry of Trade, Industry and

Energy. <Amended by Act No. 11690, Mar. 23, 2013>

Article 98 (Delegation and Entrustment of Authority)

(1) The Minister of Trade, Industry and Energy may, as prescribed by Presidential Decree, partially delegate the authority vested upon him/her under this Act to its affiliated agencies or the Mayors/Do Governors. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Of the authority vested upon the Minister of Trade, Industry and Energy or the Mayors/Do Governors under this Act, the following authority may partially be entrusted to the Safety Corporation, as prescribed by Presidential Decree: <Amended by Act No. 11690, Mar. 23, 2013>

1. Receipt of the report of the plan of works, or the report of alteration, for electric installations for private use under Article 62 (2);
2. Inspection of electric installations under Articles 63 and 65;
3. Permission for the temporary use of electric installations under Article 64.

(3) Of the authority vested upon the Minister of Trade, Industry and Energy or the Mayors/Do Governors under this Act, the following authority may be entrusted to the Electric Safety Supervisor Association, as prescribed by Presidential Decree: <Amended by Act No. 11690, Mar. 23, 2013>

1. Safety control education under Article 73-4 (1);
2. Modified registration of a person specializing in the electrical safety control duties and a vicarious operator of the electrical safety control duties under Article 73-5 (2) (limited to the case where the modified matter is related to a technical manpower).

(4) The Minister of Trade, Industry and Energy may entrust affairs related to the survey, research, and review for the revision of technical standards to the corporations or organizations involved in the safety control of electric installations, as prescribed by Presidential Decree. <Amended by Act No. 11690, Mar. 23, 2013>

Article 99 (Legal Fiction as Public Official in Application of Penal Provisions)

Either of the following persons shall be deemed public officials for the purposes of Articles 129 through 132 of the Criminal Act: <Amended by Act No. 11690, Mar. 23, 2013>

1. Any member of the Electricity Regulatory Commission that is not a public official;
2. Executives and employees of the Safety Corporation, a corporation or organization who engage in conducting the affairs entrusted by the Minister of Trade, Industry and Energy or the Mayor/Do Governor pursuant to Articles 52 (2) and 98 (2) through (4).

Article 100 (Penalty Provisions)

(1) Any of the following persons shall be punished by imprisonment with labor for not more than ten years or by a fine not exceeding 100 million won: <Amended by Act No. 12612, May 20, 2014>

1. A person who interrupts the generation, transmission, transformation, or distribution of electricity by damaging or stealing electric installations for the electric utility;
2. A person who hampers the generation, transmission, transformation, or distribution of electricity by causing impairment to the function of electric installations for the electric utility.

(2) Any of the following persons shall be punished by imprisonment with labor for not more than five years or by a fine not exceeding 50 million won: <Amended by Act No. 12612, May 20, 2014>

1. A person who hampers the generation, transmission, transformation, or distribution of electricity by manipulating electric installations without any justifiable grounds;
2. A person engaged in the electric utility business who causes obstruction to the generation, transmission, transformation, or distribution of electricity by failure to perform his/her duties of maintaining or operating electric installations for the electric utility without any justifiable ground.

(3) A criminal attempt under paragraphs (1) and (2) 1 shall be punished.

Article 101 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than three years or by a fine not exceeding 30 million won: <Amended by Act No. 12612, May 20, 2014>

1. A person who operates the electric utility business without a license or a modified license, in violation of Article 7 (1);
2. A person who commits a prohibited act referred to in Article 21 (1);
3. A person who fails to comply with any order issued under Article 23;
4. A person who manufactures and supplies fuel for nuclear power generation without authorization or modified authorization, in violation of Article 28;
5. A person who engages in electric power trading at a place other than the electricity market, in violation of Article 31 (1) and (2) or 32;
6. Deleted; <by Act No. 13858, Jan. 27, 2016>
7. A person who damages underwater wires or commits any act likely to damage underwater wires, in violation of Article 70.

Article 102 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than two years or by a fine not exceeding 20 million won: <Amended by Act No. 12612, May 20, 2014; Act No. 13858, Jan. 27, 2016>

1. A person who refuses to supply electricity without any just ground, in violation of Article 14;
2. A person who discriminate in providing service for the use of electric installations, in violation of Article 20 (1);
3. A person who sets up electric communication wire facilities at electric installations for electric utility without lease under Article 20 (2);
4. Deleted; <by Act No. 12612, May 20, 2014>
5. A person who divulges or misappropriates confidential information he/she has learned in the course of performing his/her duties or makes them available to others for use, in violation of Article 42 (1) (including cases where the aforementioned provisions apply mutatis mutandis pursuant to paragraph (2)).

Article 103 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding ten million won: <Amended by Act No. 12612, May 20, 2014; Act No. 13313, May 18, 2015>

1. A person who makes electric installations available for others without approval or modified approval under Article 15 (1);
2. A person who supplies electricity without approval or modified approval under Article 16 (1);
3. A person who fails to disclose information referred to in Article 41 (1) or a person who modifies, eliminates or manipulates information relating to the operation of electric power systems without just ground;
- 3-2. A person who constructs or alters electric installations, in violation of Article 61 (1) or 62 (1);
4. A person not falling under any of the subparagraphs of Article 73 (3), who vicariously performs the safety control duties of electricity installations;
- 4-2. A person who performs electrical safety control duties without being registered under Article 73-5 (1) 1 or 2 or without filing for modified registration provided for in paragraph (2) of the same Article;
5. A person who is registered under Article 73-5 (1) 1 and 2 or files for modified registration referred to in paragraph (2) of the same Article by deceit or other unlawful means.

Article 104 (Penalty Provisions)

Any person who fails to appoint an electrical safety supervisor, in violation of Article 73 (1) through (4), shall be punished by a fine not exceeding five million won.

Article 105 (Penalty Provisions)

Any of the following persons shall be punished by a fine not exceeding three million won: <Amended by Act No. 12612, May 20, 2014; Act No. 13313, May 18, 2015>

1. A person who provides electricity, in violation of Article 16 (5);
2. A person who violates any order issued under Article 18 (3), 27-2 (5) or 29 (1);
3. A person who uses electric installations without passing the inspection required in Article 63: Provided, That cases where the notification of temporary use provided for in Article 64 is received shall be excluded;
4. A person who violates any order issued under Article 71 (limited to an owner or occupant of electric installations for the electric utility or for private use);
5. Deleted; <by Act No. 12612, May 20, 2014>
6. A person who carries out accounting, in violation of Article 93 (2).

Article 106 (Penalty Provisions)

Any of the following persons shall be punished by a fine not exceeding one million won: <Amended by Act No. 13858, Jan. 27, 2016>

1. A person who conducts works for setting up or altering electric installations, in violation of Article 61 (3);

2. Deleted; <by Act No. 12612, May 20, 2014>
3. A person who refuses, obstructs, or evades an inspection under Article 65;
4. A person who fails to designate an agent for an electrical safety supervisor, in violation of Article 73 (5);
5. A person who performs agency business for electrical safety control, but exceeds the scope and workload of the agency service for electrical safety control or fails to meet the minimum inspections required under Article 73 (6).

Article 107 (Joint Penalty Provisions)

Where a representative of a corporation, or an agent or employee of, or any other person employed by, a corporation or an individual commits a violation falling under any of Articles 101 through 106 in connection with the business of the corporation or the individual, not only shall such violator be punished, but the corporation or the individual shall also be punished by a fine under the relevant Articles: Provided, That this shall not apply where the corporation or the individual has not been negligent in paying due attention and supervision concerning the relevant business in order to prevent such violation.

Article 108 (Administrative Fines)

(1) Any of the following persons shall be punished by an administrative fine not exceeding three million won: <Amended by Act No. 11965, Jul. 30, 2013; Act No. 13858, Jan. 27, 2016>

1. A person who refuses to comply with an order for submission of materials or objects, or refuses, obstructs or evades inspection of books, documents and other materials or objects, provided for in Article 22 (2);
2. A person who fails to comply with a request for submission of data provided for in Article 27-2 (4) or submits false data;
3. A person who violates an improvement order issued by the head of a Si/Gun/Gu or the Safety Corporation provided for in Article 66 (5);
4. A person who violates an order issued to the owner or occupant of electric installations for general use pursuant to Article 71;
- 4-2. A person who fails to make a record, makes a false record, or fails to preserve a record under Article 73-3 (3);
5. A person who refuses to comply with an order to submit materials, or refuses, obstructs or evades inspection of books, documents or other materials or objects, provided for in Article 73-8 (3);
6. A person who uses the name "Korea Electrical Safety Corporation" or any name similar thereto, in violation of Article 81;
7. A person who violates an order issued under Article 94;
8. A person who fails to notify pursuant to Article 96-3 (1) or (2).

(2) Any of the following persons shall be punished by an administrative fine not exceeding one million won:

1. A person who fails to submit a report or modified report provided for in Article 9 (4), 26, 73-2 (1), or 73-5 (1) 3 or (2), or falsely files a report or modified report;
 2. A person who fails to keep the terms and conditions of supply or to make them available for perusal, in violation of Article 16 (4);
 3. A person who fails to keep records provided for in Article 18 (2), 66 (4), or 66-2 (3) or keep false records, or who fails to preserve records;
 4. A person who constructs or alters electric installations, in violation of Article 61 (2) or 62 (2);
 5. A person who refuses, obstructs, or evades the inspection (excluding inspection of electric installations for general use established in residential facilities) required under Article 66 (1);
 6. A person who fails to undergo safety control education, or who fails to dismiss any person who fails to undergo safety control education in violation of Article 73-4.
- (3) Administrative fines under paragraphs (1) and (2) shall be imposed and collected by the Minister of Trade, Industry and Energy, a Mayor/Do Governor, or the head of a Si/Gun/Gu, as prescribed by Presidential Decree. <Amended by Act No. 11690, Mar. 23, 2013>

ADDENDA

Article 1 (Enforcement Date)

This Act shall enter into force two months after the date of its promulgation: Provided, That Article 32 shall enter into force on the date determined by Presidential Decree within a period of two years from the date this Act enters into force and subparagraph 8 of Article 49 shall enter into force on January 1, 2002.

Article 2 (Transitional Measures in Respect to General Electricity Business Operators)

Any operator who was issued a license for the general electricity business pursuant to the previous Act as at the time this Act enters into force shall, notwithstanding Article 7 (3), be deemed to have been licensed to conduct the business of generation, transmission, distribution and sales of electricity under this Act.

Article 3 (Restriction on Issuance of License for Electric Sales Business)

The Minister of Commerce, Industry and Energy shall not issue licenses for the electric sales business prescribed in Article 7 (1) until the date determined by Presidential Decree within a period of ten years from the date this Act enters into force.

Article 4 (Transitional Measures in Respect to Specific Electricity Business Operator)

(1) The operator who was issued a license for the specific electricity business pursuant to the provisions of the previous Act at the time this Act enters into force shall be deemed to have been licensed to conduct the electricity generation business under this Act.

(2) The specific electricity business operator as provided in paragraph (1) may, notwithstanding Article 31 (1), supply electricity to the specified place for supply that was assigned to him/her under the provisions of the previous Act for a period of two years from the date this Act enters into force.

Article 5 (Transitional Measures in Respect to Supply of Electricity by Operator of Integrated Energy Supply Business)

The operator who was, after reporting under the proviso of Article 15 (1) of the previous Act to the Minister of Commerce, Industry and Energy, supplying electricity in the area covered by the integrated energy supply as an operator of the integrated energy supply business deemed to have been licensed to conduct the electricity generation business pursuant to Article 48 of the Integrated Energy Supply Act as at the time this Act enters into force may, notwithstanding Article 31 (1), supply electricity in the same area for a period of three years after the date this Act enters into force.

Article 6 (Transitional Measures in Respect to Supply of Electricity by Person Who Set up Electric Installations for Private Use)

The person who was, with the approval of the Minister of Commerce, Industry and Energy under Article 15 (4) 3 of the previous Act, supplying electricity as a person who set up electric installations for private use as at the time this Act enters into force may, notwithstanding Article 31 (2), may supply electricity according to the conditions set out in his/her license for a period of three years from the date this Act enters into force.

Article 7 (Transitional Measures in Respect to Terms and Conditions of Supply)

The terms and conditions of supply, the approval for which the general electricity business operator licensed under Article 5 of the previous Act at the time this Act enters into force obtained pursuant to Article 17 of the previous Act, shall be deemed to be the terms and conditions of supply, the approval for which have been granted to an operator of the electric sales business under Article 2 of the Addenda pursuant to this Act.

Article 8 (Transitional Measures in Respect to Contracts of Supply and Demand)

(1) The person who made a contract of supply and demand provided for in Article 20 (1) of the previous Act with a general electricity business operator licensed under the previous Act at the time this Act enters into force may, notwithstanding the amended provisions of Article 31 (1) and (2), supply electricity to the person deemed to be an operator of the electric sales business under Article 2 of the Addenda in compliance with the same contract of supply and demand.

(2) In the case of modification of the contract of supply and demand as prescribed in paragraph (1), approval therefor shall be obtained from the Minister of Commerce, Industry and Energy. In this case, the Minister of Commerce, Industry and Energy shall refer this matter to the Electricity Regulatory Commission for deliberation.

Article 9 (Special Case of Supply of Electricity)

(1) A person who acquired by transfer the installations of electricity generation that the general electricity business operator licensed under the previous Act sold within six months from the date this Act enters into force may, notwithstanding Article 31 (1), make a contract of supply and demand with a person deemed to be an operator of the electric sales business under Article 2 of the Addenda and supply electricity to the same person deemed to be an operator of the electric sales business.

(2) The contract of supply and demand provided for in paragraph (1) shall be approved by the Minister of Commerce, Industry and Energy. The same shall also apply to any modification thereof.

(3) In cases the Minister of Commerce, Industry and Energy intends to grant approval under paragraph (2), he/she shall refer it to the Electricity Regulatory Commission for deliberation.

Article 10 (Transitional Measures in Respect to Grounds for Disqualification of Operator of Electric Utility Business)

As respects grounds for disqualification of the operator of the electric utility business who had been licensed under the previous Act as at the time of the enforcement of the Electricity Business Act amended by Act No. 5830, Article 2 of the Addenda of the same amended Act shall apply.

Article 11 (Transitional Measures in Respect to Dispositions, etc.)

Licenses, approval, authorization given, and other administrative acts committed, by the administrative agencies or acts committed to the administrative agencies, such as reports, etc., under the provisions of the previous Act as at the time this Act enters into force shall be deemed to be the acts that have been committed by or to the administrative agencies under the provisions corresponding thereto, if any, of this Act.

Article 12 (Transitional Measures with Respect to Penalty Provisions and Administrative Fines)

With respect to the application of penalty provisions and administrative fines to violations committed before this Act enters into force, the provisions of the previous Act shall apply.

Article 13 Omitted.

Article 14 (Relationship with Other Acts)

A citation of a provision of the former Electricity Business Act in force at the time this Act enters into force shall be deemed a citation of this Act or the corresponding provision hereof in lieu of the former provision.

ADDENDA <Act No. 6637, Jan. 26, 2002>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures for Expense Sharing following Relocation, etc. of Electric Wires)

In the wake of an establishment of electric lines in the air above the land of another person under previous provisions as at the time this Act enters into force, where the owner or occupant of such land has established or establishes any ground object and others on such land, if such electric lines do not satisfy the technical standards or are unlikely to satisfy them, the main body to take necessary measures, such as relocation of electric lines to be performed in order to make them satisfy the technical standards, or the main body to bear the expenses required for such measures shall be based on the following classifications:

1. With respect to the electric lines which have been established from the enforcement date of Act No. 6283; the amended Act of the Electric Utility Act to the date immediately preceding the enforcement

date of this Act, the operator of electric utility business under Article 72 (2) (proviso) of the said amended Act;

2. With respect to the electric lines which have been established before the enforcement date of the said amended Act, the owner or occupant of such land.

Article 3 (Transitional Measures for Electrical Safety Supervisor)

Any person appointed as the person in charge of electrical safety control under previous Article 73 (1), (2) and (6) as at the time this Act enters into force shall be deemed appointed as the electrical safety supervisor under the amended provisions of paragraphs (1) through (4) of the same Article.

Article 4 (Transitional Measures for Persons Specializing in Electrical Safety Control Duties)

Any person designated by the Minister of Commerce, Industry and Energy as a control agency eligible for performing the duties of a person in charge of electrical safety control under the previous Article 40 (1) 6 of the Act on Special Measures for the Deregulation of Corporate Activities as at the time this Act enters into force shall be deemed to have filed for registration with the Minister of Commerce, Industry and Energy as a person specializing in the electrical safety control duties under the amended provisions of Article 73-5 (1) 1.

Article 5 (Transitional Measures for Chief Director)

The chief director of the Safety Corporation as at the time this Act enters into force shall be deemed to appointed as the President under the amended provisions of Article 76: Provided, That his/her term of office shall commence from the date of appointment as the previous chief director.

Article 6 (Transitional Measures for Penalty Provisions and Administrative Fines)

For the purpose of applying penalty provisions and administrative fines to violations committed before this Act enters into force, the previous provisions shall govern.

Article 7 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 12 Omitted.

ADDENDA <Act No. 7017, Dec. 30, 2003>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Operator of Integrated Energy Supply Business)

(1) Where any operator of the integrated energy supply business who has obtained a business license pursuant to Article 9 of the Integrated Energy Supply Act prior to February 25, 2004 is supplying, or is slated to supply, electricity in the permitted supply district, the operator shall be deemed an operator of the district electric business under this Act, beginning with the enforcement date of this Act.

(2) An operator of the integrated energy supply business under paragraph (1) may supply electricity in the relevant supply district until the date preceding the enforcement date of this Act, notwithstanding Article 31 (1).

Article 3 (Transitional Measures concerning Terms and Conditions of Supply)

Where any operator of the integrated energy supply business who obtained a business license pursuant to Article 9 of the Integrated Energy Supply Act as at the time this Acts enters into force has reported to the Minister of Commerce, Industry and Energy the terms and conditions of supply under Article 17 of the said Act, he/she shall be deemed to have obtained the approval of the terms and conditions of supply under this Act.

ADDENDA <Act No. 7188, Mar. 11, 2004>

Article 1 (Enforcement Date)

This Act shall enter into force on the date set by Presidential Decree within the period of three months after the Act is promulgated.

Articles 2 through 11 Omitted.

ADDENDA <Act No. 7284, Dec. 31, 2004>

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. 7508, May 26, 2005>

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

(2) (Transitional Measures) Any act, including disposition, done by the Mayor/Do Governor under the previous Act before this Act enters into force shall be deemed committed by the head of a Si/Gun/Gu under this Act, and any application, notification or other acts committed to the Mayor/Do Governor under the previous Act before this Acts enters into force shall be deemed an application, notification or other acts done by the head of a Si/Gun/Gu under this Act.

ADDENDUM <Act No. 7744, Dec. 23, 2005>

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

ADDENDA <Act No. 7943, Apr. 28, 2006>

Article 1 (Enforcement Date)

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

Articles 2 through 15 Omitted.

ADDENDA <Act No. 8135, Dec. 30, 2006>

Article 1 (Enforcement Date)

This Act shall enter into force on January, 1, 2007.

Articles 2 through 9 Omitted.

ADDENDA <Act No. 8194, Jan. 3, 2007>

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

(2) (Applicability to Applications for Authorization) The amended provisions of Article 66-2 (1) shall apply to the first person who files an application for authorization, an application for altering the license, an application for altering the registration, an application for altering authorization and an application for altering report after this Act enters into force.

(3) (Applicability to Deadlines for Altering Registration or Reports) The amended provisions of Article 73-5 (2) shall apply to the first-arising grounds for alteration after this Act enters into force.

(4) (Transitional Measures concerning Administrative Disposition) The administrative disposition taken against any violation of the partially amended provisions of Articles 12 (1) 4 through 13 and 73-6 with the exception of each subparagraph shall be governed by the previous provisions.

ADDENDA <Act No. 8346, Apr. 11, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 13 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.

ADDENDUM <Act No. 9017, Mar. 28, 2008>

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

ADDENDA <Act No. 9016, Mar. 28, 2008>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2009. (Proviso Omitted.)

Articles 2 through 8 Omitted.

ADDENDUM <Act No. 9244, Dec. 26, 2008>

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

ADDENDA <Act No. 9680, May 21, 2009>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Registration, etc. of Establishment of Partitioned Superficies)

The amended provisions of Article 89-2 shall apply to the first case where an agreement has been reached or a ruling of expropriation of the land tribunal has been made with respect to the use of airspace over the land after this Act enters into force.

Article 3 (Applicability to Fees)

The amended provisions of Article 97 (1) 4 shall apply to the first person who files an application for modified registration under Article 73-5 (2) after this Act enters into force.

Article 4 (Transitional Measures concerning Certificate of Completion of Report)

(1) The certificate for completion of appointment report issued under previous Article 73-2 (2) as at the time this Act enters into force shall be deemed the certificate for completion of appointment report issued under the amended provisions of Article 73-2 (2).

(2) The certificate of completion of report issued under previous Article 73-5 (3) as at the time this Act enters into force shall be deemed the certificate of completion of report issued under the amended provisions of Article 73-5 (3).

Article 5 Omitted.

ADDENDA <Act No. 10000, Feb. 4, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Act No. 10253, Apr. 12, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Act No. 10500, Mar. 30, 2011>

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

(2) (Applicability to Bearing Expenses for Relocation, etc. of Installations) The amended provisions of Article 72 shall apply to the first case where the expenses are borne for any electric utility, ground objects or other goods installed or to be installed after this Act enters into force.

(3) (Applicability to Compensation for Loss) The amended provisions of Article 90-2 shall apply to the first case where the consultation on the use of the airspace over or the underground space of any land owned by another person is held after this Act enters into force.

ADDENDA <Act No. 10580, Apr. 12, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Act No. 10789, Jun. 7, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Act No. 10912, Jul. 25, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Act No. 11690, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

(2) Omitted.

Articles 2 through 7 Omitted.

ADDENDA <Act No. 11965, Jul. 30, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDUM <Act No. 11968, Jul. 30, 2013>

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

ADDENDA <Act No. 12154, Jan. 1, 2014>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Act No. 12329, Jan. 21, 2014>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDUM <Act No. 12357, Jan. 28, 2014>

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

ADDENDA <Act No. 12612, May 20, 2014>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Incompetents, etc.)

Incompetents under adult guardianship provided for in the amended provisions of subparagraph 1 of Article 8 shall be deemed to include persons for whom the declaration of incompetency or quasi-incompetency remains effective pursuant to Article 2 of the Addenda of the Civil Act (Act No. 10429).

ADDENDA <Act No. 12816, Oct. 15, 2014>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Existing Operators of Electric Utility Business)

The Minister of Trade, Industry and Energy shall determine the period for preparation, including the time for obtaining approval of work plans pursuant to the amended provisions of Article 12, and notify an operator of the electric utility business that has yet to commence business after obtaining the licence under Article 7 (1) as at the time this Act enters into force.

ADDENDUM <Act No. 13313, May 18, 2015>

This Act shall enter into force three months after the date of its promulgation: Provided, That the amended provisions of Article 66-2 (1) shall enter into force six months after the date of its promulgation.

ADDENDA <Act No. 13340, Jun. 22, 2015>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDUM <Act No. 13858, Jan. 27, 2016>

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

ADDENDUM <Act No. 14672, Mar. 21, 2017>

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

