

ENFORCEMENT DECREE OF THE FRAMEWORK ACT ON LOW CARBON, GREEN GROWTH

Presidential Decree No. 22124, Apr. 13, 2010
Amended by Presidential Decree No. 22449, Oct. 14, 2010
Presidential Decree No. 22977, Jun. 24, 2011
Presidential Decree No. 23267, Oct. 28, 2011
Presidential Decree No. 23718, Apr. 10, 2012
Presidential Decree No. 23755, Apr. 27, 2012
Presidential Decree No. 24270, Dec. 27, 2012
Presidential Decree No. 24429, Mar. 23, 2013
Presidential Decree No. 24474, Mar. 23, 2013
Presidential Decree No. 25456, Jul. 14, 2014
Presidential Decree No. 25751, Nov. 19, 2014
Presidential Decree No. 27180, May 24, 2016
Presidential Decree No. 27636, Nov. 29, 2016
Presidential Decree No. 28211, Jul. 26, 2017
Presidential Decree No. 28561, Dec. 29, 2017
Presidential Decree No. 28583, Jan. 16, 2018

Article 1 (Purpose)

The purpose of this Decree is to prescribe matters delegated pursuant to the Framework Act on Low Carbon, Green Growth and matters necessary for the enforcement thereof.

Article 2 (Greenhouse Gases)

Hydro fluoro carbons (HFCs) and perfluorocarbons (PFCs) set forth in subparagraph 9 of Article 2 of the Framework Act on Low Carbon, Green Growth (hereinafter referred to as the "ACT") are as specified in Table 1 annexed hereto.

Article 3 (Modifications to National Strategy of Low Carbon, Green Growth)

"Modification to minor matters specified by Presidential Decree" in the proviso to Article 9 (3) of the Act means a modification to a matter that does not affect the essential elements of the national strategy of low carbon, green growth under paragraph (1) of the same Article (hereinafter referred to as the "national strategy"), such as a partial modification to the composition or details of practical tasks and detailed tasks, an annual implementation plan, or a matter regarding the main responsible agency or a related agency

within the direction of the policies.

Article 4 (Formulation of Five-Year National Strategic Plans for Low Carbon, Green Growth)

The Government may formulate a five-year national strategic plan for low carbon, green growth (hereinafter referred to as "five-year plan") every five years in order to implement national strategies efficiently and systematically. In such cases, each five-year plan shall undergo deliberations by the Presidential Committee on Green Growth (hereinafter referred to as the "Committee") under Article 14 of the Act and by the Cabinet meeting.

Article 5 (Establishment of Central Implementation Plan)

(1) Pursuant to Article 10 (1) of the Act, the head of each central administrative agency shall establish an implementation plan for matters under his/her jurisdiction (hereinafter referred to as "central implementation plan"), including the following matters, for each five-year period, within three months from the date on which the national strategy or a five-year plan is established or revised so as to implement the national strategy and the five-year plan:

1. Analysis on the current status related to the promotion of green growth in the areas under his/her jurisdiction, domestic and overseas trends, and the course and results of implementation;
2. Matters concerning the vision for green growth, the direction of policies, and agenda in policies in the areas under his/her jurisdiction;
3. Annual implementation plans for the areas under his/her jurisdiction;
4. Other matters necessary for the implementation of the national strategy and the implementation of the five-year plan.

(2) The Committee may prescribe appropriate guidelines and notify such guidelines to the head of each central administrative agency in order to assist them in efficiently establishing central implementation plans.

Article 6 (Reporting on Central Implementation Plans)

(1) The head of each central administrative agency shall, whenever he/she establishes or revises a central implementation plan, report to the Committee thereon within two months pursuant to Article 10 (2) of the Act.

(2) The Committee shall, upon receiving a report on a central implementation plan pursuant to paragraph (1), deliberate on the conformity of the five-year plan with the national strategy and may present its opinion thereon to the head of the appropriate central administrative agency.

(3) The head of a central administrative agency shall, upon receiving an opinion pursuant to paragraph (2), reflect the opinion in the agency's central implementation plan and related policies, unless any exceptional circumstance exists otherwise.

(4) "A modification to any minor matter specified by Presidential Decree" in the proviso to Article 10 (2) of the Act means a partial modification to agenda in policies within the direction of policies, which constitutes a matter that does not affect the essential elements of a central implementation plan.

Article 7 (Establishment of Regional Implementation Plans)

(1) Pursuant to Article 11 (1) of the Act, the Special Metropolitan City Mayor, each Metropolitan City Mayor, each Do Governor, or the Governor of each Special Self-Governing Province (hereinafter referred to as "Mayor/Do Governor") shall establish a regional implementation plan for green growth (hereinafter referred to as "regional implementation plan"), including the following matters, for each five-year period within six months from the date on which the national strategy or a five-year plan is established or revised:

1. Analysis on the current status related to the promotion of green growth in the Special Metropolitan City, each Metropolitan City or Do, or each Special Self-Governing Province (hereinafter referred to as "City/Do") and the course and results of implementation;
2. Matters concerning the vision, the strategy, the direction of policies, and the agenda of policies, in which each local government's particulars are reflected, in connection with the national strategy, the five-year plan, and central implementation plans;
3. Annual implementation plans;
4. Future prospects and expected effects from the implementation of the regional implementation plan;
5. The regional green growth implementation system linked to local governments within his/her jurisdiction;
6. Other matters necessary for the local government's implementation of low carbon, green growth.

(2) The Minister of Environment may prescribe appropriate guidelines to support and cooperate in establishing regional implementation plans to be harmonized with the national strategy, and notify the relevant Mayors/Do Governors of such guidelines. *<Amended by Presidential Decree No. 27180, May 24, 2016>*

(3) Necessary matters concerning the method and procedure for the establishment of regional implementation plans and the procedure for implementation of the plans shall be prescribed by municipal ordinance, in addition to matters prescribed in paragraphs (1) and (2).

(4) "A modification to any minor matter specified by Presidential Decree" in the proviso to Article 11 (2) of the Act means a partial modification to agenda in policies within the direction for policies, which constitutes a matter that does not affect the essential elements of a central implementation plan.

Article 8 (Review and Evaluation of Current Status of Performance of National Strategy, etc.)

(1) Pursuant to Article 12 (1) of the Act, the Prime Minister shall review and evaluate the performance of the national strategy and central implementation plans every year in compliance with the Framework Act on Public Service Evaluation.

(2) The head of each appropriate central administrative agency shall reflect the results of the review and evaluation under paragraph (1) in establishing and revising the central implementation plan for the areas under his/her jurisdiction or in enforcing related policies.

Article 9 (Review and Evaluation of Current Status of Performance of Regional Implementation Plans)

(1) Pursuant to Article 12 (2) of the Act, each Mayor/Do Governor shall review and evaluate the current status of performance of the relevant regional implementation plan every year.

(2) Each Mayor/Do Governor shall reflect the results of the review and evaluation under paragraph (1) in establishing and revising the City/Do regional implementation plan or in enforcing related policies.

(3) Necessary matters concerning the principles of the evaluation under paragraph (1), agencies subject to the evaluation, the procedure for the evaluation, and other relevant matters shall be prescribed by municipal ordinance.

Article 10 (Composition and Operation of Green Growth Committee)

(1) "Public officials specified by Presidential Decree, such as the Minister of Strategy and Finance, the Minister of Science and ICT, the Minister of Trade, Industry and Energy, the Minister of Environment, and the Minister of Land, Infrastructure and Transport" in Article 14 (4) 1 of the Act, refers to the Minister of Strategy and Finance, the Minister of Education, the Minister of Science and ICT, the Minister of Foreign Affairs; the Minister of the Interior, the Minister of Culture, Sports and Tourism; the Minister of Agriculture, Food and Rural Affairs, the Minister of Trade, Industry and Energy, the Minister of Health and Welfare, the Minister of Environment, the Minister of Gender Equality and Family, the Minister of Land, Infrastructure and Transport; the Minister of Oceans and Fisheries, Minister of SMEs and Startups, the Chairperson of the Korea Communications Commission, the Chairperson of the Financial Services Commission, and the Minister of the Office for Government Policy Coordination. *<Amended by Presidential Decree No. 24270, Dec. 27, 2012; Presidential Decree No. 24429, Mar. 23, 2013; Presidential Decree No. 25751, Nov. 19, 2014; Presidential Decree No. 28211, Jul. 26, 2017>*

(2) The Minister of the Office for Government Policy Coordination shall serve as the executive secretary under Article 14 (5) of the Act. *<Amended by Presidential Decree No. 24429, Mar. 23, 2013>*

(3) If deemed necessary, the Committee Chairperson may require the head of a central administrative agency to attend a meeting of the Committee and present his/her opinion on an item of agenda within his/her jurisdiction or require an appropriate expert to appear before the Committee to hear his/her opinion.

Article 11 (Deliberation on Direction-Setting for Distribution of Financial Resources Related to Green Technology)

(1) When the Committee completes deliberation on matters concerning the direction-setting for distribution, and the efficient use of, financial resources for research and development projects for green technology for low carbon, green growth pursuant to subparagraph 7 of Article 15 of the Act, it may present its opinion to the Minister of Science and ICT. *<Amended by Presidential Decree No. 24474, Mar. 23, 2013; Presidential Decree No. 28211, Jul. 26, 2017>*

(2) The Committee may designate an appropriate specialized institution to assist the Committee in the deliberation under paragraph (1).

Article 12 (Meetings)

(1) In principle, the Committee shall hold regular meetings under Article 16 (2) of the Act on a half-yearly basis.

(2) The Committee Chairperson shall, when he/she intends to convene a meeting, notify each Committee member of the time schedule and agenda of the meeting by not later than seven days before opening the meeting: Provided, That the foregoing shall not apply to an emergency case or any case in which an exceptional circumstance exists.

(3) "Any case specified by Presidential Decree" in the proviso to Article 16 (3) of the Act means any of the following cases. In such cases, the Committee Chairperson shall prepare a written resolution and report to the next meeting of the Committee on the results thereof:

1. Where there is insufficient time to hold a meeting due to urgency;
2. Where it is difficult due to a natural disaster or any other unavoidable cause or event to achieve a quorum for the meeting by attendance of Committee members or where the Committee Chairperson considers it exceptionally necessary.

Article 13 (Subcommittees)

(1) Subcommittees under Article 17 (1) of the Act shall be established in the fields of strategies and systems for green growth, climate change, energy, technical industries, green life, etc., following the resolution at the Committee.

(2) If necessary, the chairperson of each subcommittee may require related public officials and experts in related fields to attend meetings of each subcommittee under paragraph (1) to hear their opinions.

Article 14 Deleted. <by Presidential Decree No. 24429, Mar. 23, 2013>

Article 15 (Composition and Operation of Regional Green Growth Committees)

(1) A regional Green Growth Committee under Article 20 of the Act shall be comprised of not more than 50 members, including two Committee Chairpersons.

(2) The following persons shall be the chairpersons of regional green growth committees <Amended by Presidential Decree No. 24270, Dec. 27, 2012>

1. The Administrative Deputy Mayor or the Administrative Deputy Governor under Article 73 (2) of the Enforcement Decree of the Local Autonomy Act (in cases of a City/Do in which at least two Administrative Deputy Mayors or Administrative Deputy Governors, a person appointed by the relevant Mayor/Do Governor shall be the Administrative Deputy Mayor or the Administrative Deputy Governor): Provided, That where the Deputy Mayor for political affairs or the Deputy Governor for political affairs conducts affairs on green growth by taking partial charge of affairs of the Administrative Deputy Mayor or the Administrative Deputy Governor pursuant to the proviso to Article 73 (4) of the Enforcement Decree of the Local Autonomy Act, the Deputy Mayor for political affairs or the Deputy Governor for political affairs (including cases where the name of the Deputy Mayor for political affairs or the Deputy Governor for political affairs is separately prescribed by municipal ordinance pursuant to paragraph (5) of the same Article);

2. A person appointed by the Mayor/Do Governor from among members referred to in paragraph (3) 2.
- (3) Members of a regional Green Growth Committee shall consist of the following persons:
 1. Public officials appointed by the competent Mayor/Do Governor, from among public officials of the City/Do in the rank of the head of an office or bureau;
 2. Persons commissioned by the competent Mayor/Do Governor, from among persons who have extensive knowledge and experience in low carbon, green growth, including climate change, energy and resources, green technology and green industry, and sustainable development.
- (4) Each regional Green Growth Committee shall deliberate on the following matters:
 1. Matters concerning the basic direction of low carbon, green growth of the local government;
 2. Matters concerning the establishment of and revision to the regional implementation plan;
 3. High-priority tasks and action plans for implementing the regional implementation plan;
 4. Other matters that the Chairperson of the regional Green Growth Committee considers necessary in connection with low carbon, green growth of the local government.
- (5) Matters necessary for the composition and operation of each regional Green Growth Committee shall be prescribed by municipal ordinance of each local government, in addition to the matters prescribed in paragraphs (1) through (4).

Article 16 (Establishment of Green Industry Investment Companies)

- (1) A company eligible for investment in green industry pursuant to Article 29 (1) of the Act shall be a collective investment scheme (referring to a collective investment scheme defined in Article 9 (18) of the Financial Investment Services and Capital Markets Act) that contributes or invests not less than 60/100 of the total contributions, total trust money, or capital in green technology or green industry under paragraph (2) of the aforesaid Article.
- (2) Technology or business related to green technology or green industry under Article 29 (2) 1 or 2 of the Act means the technology or business eligible for certification publicly notified pursuant to Article 19 (6) respectively.
- (3) An enterprise related to green technology or green industry under Article 29 (2) 3 of the Act shall be an enterprise whose sales from the transfer of green technology or green business under paragraph (2) or the manufacturing of related products amount to not less than 30/100 of total sales during the year immediately preceding the year in which an application for certification is filed.
- (4) The Financial Services Commission may, upon receiving an application for registration of a green industry investment company in which a public institution invests pursuant to Article 29 (3) of the Act, notify the head of the competent central administrative agency of details thereof and may consult with him/her as to what decision shall be made with regard to the registration.

Article 17 (Financial Support for and Operation of Green Industry Investment Companies)

- (1) The head of an appropriate central administrative agency may, when he/she grants a public institution a subsidy for contribution to a green industry investment company pursuant to Article 29 (3) of the Act, determine matters necessary for financial support, such as the scale, method, and terms and conditions of

support, considering the feasibility of the business.

(2) The head of an appropriate central administrative agency may, if it is found that a green industry investment company in which a public institution has invested pursuant to Article 29 (3) of the Act fails to satisfy requirements under Article 16 (1) through (3) or has difficulties in continuing its business in a normal condition, require the public institution to abstain from making any additional investment, to recover investments, or to take other necessary measures.

(3) A public institution to which the Government has granted a subsidy pursuant to Article 29 (3) of the Act shall segregate accounts for investments from the institution's own accounts and install separate accounts to account for revenue and expenditure related to such investments separately.

Article 18 (Standardization of Green Technology and Green Industry)

(1) The Minister of Science and ICT, the Minister of Culture, Sports and Tourism, the Minister of Agriculture, Food and Rural Affairs, the Minister of Trade, Industry and Energy, the Minister of Environment, the Minister of Land, Infrastructure and Transport, the Minister of Oceans and Fisheries, Minister of SMEs and Startups and the Chairperson of the Korea Communications Commission may each promote the following projects and provide support necessary for such projects so as to lay down a foundation for the standardization of green technology and green industry under jurisdiction of each of them pursuant to Article 32 (1) of the Act: *<Amended by Presidential Decree No. 24429, Mar. 23, 2013; Presidential Decree No. 28211, Jul. 26, 2017>*

1. Projects for the establishment of foundations for standardization in compliance with international standards and the system for evaluation of conformity;
2. Projects for the standardization of the green technology already developed;
3. Projects for the standardization of green technology and green industry still in the process of research and development in the Republic of Korea;
4. Projects for training professional human resources for laying down foundations for standardization;
5. Other projects necessary for laying down foundations for standardization.

(2) The Minister of Trade, Industry and Energy shall take overall charge of affairs pertaining to the establishment of foundations for the standardization of green technology and green industry under paragraph (1) and may take measures necessary to furnish citizens with necessary information in a swift manner. *<Amended by Presidential Decree No. 24429, Mar. 23, 2013>*

Article 19 (Certification of Conformity of Green Technology and Green Projects and Accreditation of Specialized Green Enterprises)

(1) Pursuant to Article 32 (2) of the Act, the head of each central administrative agency shall grant the certification of conformity (in cases of green technology, including the confirmation on products to which certified green technology has applied) and the accreditation of a specialized green enterprise (hereinafter referred to as "green certification") to a green technology and a green project (referring to a project that has great economic and technical effects, among economic activities related to green growth, such as the installation of facilities and infrastructure for green industries and the application, dissemination, and

diffusion of green technology and green industries) under his/her jurisdiction. *<Amended by Presidential Decree No. 24270, Dec. 27, 2012>*

(2) Any person who intends to obtain green certification shall file an application for green certification with the head of the competent central administrative agency, and the head of the competent central administrative agency shall, upon receiving such application, designate an institution to have it evaluate contents of the application (hereinafter referred to as "evaluating institution") for green certification.

(3) Appropriate central administrative agencies shall jointly form a committee for deliberation on green certification (hereinafter referred to as the "Certification Committee") in order to have it confirm results of the evaluation of an evaluating institution and make a decision on whether to grant green certification.

(4) The head of the competent central administrative agency shall entrust the Korea Institute for Advancement of Technology under Article 38 of the Industrial Technology Innovation Promotion Act with the receipt of applications for green certification and assistance to evaluating institutions in evaluations, pursuant to paragraph (2).

(5) The head of the competent central administrative agency may require a person who files an application for green certification pursuant to paragraph (2) to bear expenses incurred in certification.

(6) The term of validity of green certification shall be three years from the date of certification, and may be extended only once, by up to three years. *<Newly Inserted by Presidential Decree No. 27180, May 24, 2016>*

(7) Except as otherwise expressly provided for in paragraphs (1) through (6), matters necessary for green certification, including subject matters of green certification; the standards, procedures, and method of granting green certification; the extension of the term of validity of green certification; the designation of evaluating institutions; and the composition and operation of the Certification Committee, shall be jointly determined and publicly notified in the Official Gazette, by the Minister of Strategy and Finance; the Minister of Science and ICT; the Minister of Culture, Sports and Tourism; the Minister of Agriculture, Food and Rural Affairs; the Minister of Trade, Industry and Energy; the Minister of Environment; the Minister of Land, Infrastructure and Transport; the Minister of Oceans and Fisheries; Minister of SMEs and Startups; and the Chairperson of the Korea Communications Commission. *<Amended by Presidential Decree No. 24429, Mar. 23, 2013; Presidential Decree No. 27180, May 24, 2016; Presidential Decree No. 28211, Jul. 26, 2017>*

Article 20 (Facilitation of Public Institutions' Purchases of Green Products)

(1) The Administrator of the Public Procurement Service may designate and publicly notify items necessary to facilitate public institutions' purchases of green products pursuant to Article 32 (2) of the Act and prepare guidelines of procurement for such purchases.

(2) The Administrator of the Public Procurement Service may purchase green products as substitute for products that the head of a public institution has requested to purchase or may reflect green products in plans and designs for a project that the head of a public institution has requested to place an order, subject to prior consultation with the head of the public institution.

Article 21 (Support for Green Technology and Green Management of Small and Medium Enterprises)

Minister of SMEs and Startups shall formulate and execute annual promotion plans for the promotion of green technology and green management of medium and small enterprises pursuant to Article 33 of the Act following deliberations by the Committee. <Amended by Presidential Decree No. 24270, Dec. 27, 2012; Presidential Decree No. 28211, Jul. 26, 2017>

Article 22 (Institutions Promoting Projects for Development of Clusters and Complexes for Green Technology and Green Industries)

"An institution or organization specified by Presidential Decree" in Article 34 (3) of the Act refers to any of the following institutions or organizations: <Amended by Presidential Decree No. 22977, Jun. 24, 2011; Presidential Decree No. 23267, Oct. 28, 2011; Presidential Decree No. 24429, Mar. 23, 2013; Presidential Decree No. 27636, Nov. 29, 2016; Presidential Decree No. 28211, Jul. 26, 2017>

1. A project executor under Article 4 of the Act on Special Cases concerning Support for Technoparks;
2. The Korea Industrial Complex Corporation under Article 45-3 of the Industrial Cluster Development and Factory Establishment Act;
3. A specific research institute under Article 2 of the Specific Research Institutes Support Act or a joint management organization under Article 8 of the aforesaid Act;
4. A university, an industrial college, a junior college, or a technical college under the Higher Education Act;
5. A government-funded science and technology research institute under the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes, Etc.;
6. The Korea Industrial Technology Association established with permission of the Minister of Science and ICT pursuant to Article 32 of the Civil Act and pursuant to the Act on the Establishment and Operation of Public Interest Corporations;
7. The Korea Environment Corporation under the Korea Environment Corporation Act;
8. The Korea Environmental Industry and Technology Institute established under the Korea Environmental Industry and Technology Institute Act;
9. The Korea Transportation Safety Authority under the Korea Transportation Safety Authority Act;
10. A project executor under Article 16 (1) 1 of the Industrial Sites and Development Act.

Article 23 (Revision to Basic Plan for Coping with Climate Change)

"A modification to any minor matter specified by Presidential Decree" in the proviso to Article 40 (2) of the Act means any of the following cases:

1. Where a matter related to Article 40 (3) 1 or 2 of the Act (limited to the current status of emission and absorption of greenhouse gases) is partially modified according to domestic or overseas circumstances;
2. Where part of the basic plan for coping with climate change is revised within the maximum of 10/100 of total financial resources required in connection with a matter that does not affect essential elements of the basic plan for coping with climate change, among the matters under Article 40 (3) 6, 7, and 9 of the Act.

Article 24 (Revision to Basic Energy Plan)

"A modification to any minor matter specified by Presidential Decree" in the proviso to Article 41 (2) of the Act means a case where part of the basic energy plan is revised within the maximum of 10/100 of total financial resources required in connection with a matter that does not affect essential elements of the basic energy plan, among the matters under the subparagraphs of paragraph (3) of the aforesaid Article.

Article 25 (Establishment and Management of National Targets for Reduction of Greenhouse Gas Emissions)

(1) A target for the reduction of greenhouse gas emissions referred to in Article 42 (1) 1 of the Act shall be to reduce total nationwide emissions of greenhouse gases in 2030 by 37 percent below the estimated greenhouse gas emissions in 2030. *<Amended by Presidential Decree No. 27180, May 24, 2016>*

(2) In measuring the target for the reduction of greenhouse gas emissions provided for in paragraph (1), the greenhouse gas emissions reduced shall include the greenhouse gas emissions reduced by trading in an international carbon market, etc. *<Newly Inserted by Presidential Decree No. 27180, May 24, 2016>*

(3) The Minister of Environment shall support tasks regarding policy coordination, such as formulating government-wide policies for setting, managing, and implementing targets for the reduction of greenhouse gases prescribed in Article 42 (1) 1 of the Act. In such cases, the heads of relevant central administrative agencies shall cooperate as much as possible, including providing data requested by the Minister of Environment. *<Newly Inserted by Presidential Decree No. 28561, Dec. 29, 2017>*

(4) Where the Committee deliberates on matters concerning measures necessary for the establishment of a particular target for the reduction of greenhouse gas emissions provided for in paragraph (1) and the target for each sector provided for in Article 42 (5) of the Act and for support for the implementation thereof, such matters shall be referred for deliberation to the Mid- and Long-Term Strategy Committee defined in Article 2 of the Regulations on the Mid- and Long-Term Strategy Committee before the deliberation by the Committee. *<Amended by Presidential Decree No. 24270, Dec. 27, 2012; Presidential Decree No. 27180, May 24, 2016; Presidential Decree No. 28561, Dec. 29, 2017>*

(5) Where the Committee deliberates on the basic direction setting for policies on low carbon, green growth, it shall preferentially take into consideration schemes through which the conformity of central and regional implementation plans with the national strategy can be realized to ensure that reduction targets under paragraph (1) are achieved and the basic plan for coping with climate change under Article 40 of the Act, the basic energy plan under Article 41 of the Act, and the basic plan for sustainable development under Article 50 of the Act can be systematically linked. *<Amended by Presidential Decree No. 27180, May 24, 2016>*

Article 26 (Principles of Target Management for Greenhouse Gases and Energy, and Roles of Managers)

(1) The Minister of Environment shall manage and coordinate overall affairs if target management is implemented under Article 42 (6) of the Act. *<Amended by Presidential Decree No. 27180, May 24, 2016; Presidential Decree No. 28561, Dec. 29, 2017>*

(2) The Minister of Environment shall prepare comprehensive standards and guidelines for target management provided for in Article 42 (6) of the Act, including the establishment, control and appraisal of targets, in consideration of the integration and linkage of target management for greenhouse gases and energy, conditions of domestic industries, international trends, prevention of double regulation, and advancement of related regulation; and shall provide a public notice of such standards and guidelines in the Official Gazette. Such standards and guidelines shall be subject to prior consultation with the head of a central administrative agency responsible for each sector under paragraph (3) (hereinafter referred to as "agency responsible for each sector") and deliberation by the Committee. <Amended by Presidential Decree No. 27180, May 24, 2016; Presidential Decree No. 28561, Dec. 29, 2017>

(3) An agency responsible for each sector shall manage the affairs concerning the establishment and control of targets provided for in Article 42 (6) of the Act and matters concerning measures necessary for the sector categorized as follows, and shall ensure that the targets provided for in Article 42 (6) of the Act are consistent with a particular target for the reduction of greenhouse gas emissions provided for in Article 25 (1) and targets for each sector provided for in Article 42 (5) of the Act. In such cases, agencies responsible for each sector shall cooperate with the Minister of Environment in overall management and coordination under paragraph (1) to the maximum extent possible: <Amended by Presidential Decree No. 24270, Dec. 27, 2012; Presidential Decree No. 24429, Mar. 23, 2013; Presidential Decree No. 27180, May 24, 2016; Presidential Decree No. 28561, Dec. 29, 2017>

1. The Ministry of Agriculture, Food and Rural Affairs: Agriculture, forestry, livestock, and food;
2. The Ministry of Trade, Industry and Energy: Industries and power generation;
3. The Ministry of Environment: Wastes;
4. The Ministry of Land, Infrastructure and Transport: Buildings and transportation (excluding marine transportation);
5. The Ministry of Oceans and Fisheries: Oceans, fisheries, marine transportation, and ports.

(4) If necessary to enhance the reliability of target management provided for in Article 42 (6) of the Act, the Minister of Environment may comprehensively monitor and evaluate affairs under jurisdiction of the agency responsible for each sector under paragraph (3) and require the agency responsible for the sector to take necessary measures, such as issuing orders to business entities emitting greenhouse gases and business entities consuming energy under Article 42 (6) of the Act (hereinafter referred to as "controlled entities") to make improvements according to results of such monitoring and evaluation, and the agency responsible for each sector shall comply with such requirement, except in extenuating circumstances. <Amended by Presidential Decree No. 28561, Dec. 29, 2017>

(5) If the Minister of Environment considers that there is a serious problem in results of controlled entities' performance for the targets of reduction of greenhouse gases and energy saving or the reliability of the statements under Article 34, he/she shall conduct an investigation into actual conditions of controlled entities jointly with the agency responsible for each sector.

(6) The Minister of Environment may request the agency responsible for each sector to furnish him/her with data necessary for the monitoring and evaluation under paragraph (4).

Article 27 (Public Institutions subject to Target Management)

"Public institutions specified by Presidential Decree" in Article 42 (4) of the Act refers to the following institutions: <Amended by Presidential Decree No. 28561, Dec. 29, 2017>

1. Public institutions under Article 4 of the Act on the Management of Public Institutions;
2. Local government-invested public corporations under Article 49 of the Local Public Enterprises Act and local government public corporations under Article 76 of the aforesaid Act;
3. Hospitals under the Act on the Establishment of National University-Affiliated Hospitals, the Act on the Establishment of National University-Affiliated Dental Hospitals, the Establishment of Seoul National University Hospital Act, and the Establishment of Seoul National University Dental Hospital Act;
4. National universities and public universities under Article 3 of the Higher Education Act.

Article 28 (Method and Procedure for Target Management of Central Administrative Agencies, etc.)

(1) The head of each central administrative agency under Article 42 (4) of the Act, each local government, or each public institution under Article 27 (hereinafter referred to as "central administrative agency, etc."), shall submit to the Center a plan for achieving targets of the reduction of greenhouse gas emissions and energy saving for the relevant year, including the following matters, by not later than January 31, each year in electronic form: <Amended by Presidential Decree No. 24270, Dec. 27, 2012; Presidential Decree No. 28561, Dec. 29, 2017>

1. Annual targets for the reduction of greenhouse gas emissions and energy saving and an implementation plan therefor;
2. Emissions of greenhouse gases and consumption of energy;
3. Facilities emitting greenhouse gases and facilities using energy;
4. Emissions of greenhouse gases from each facility and consumption of energy per facility;
5. Other matters prescribed by the Minister of Environment to achieve targets of the reduction of greenhouse gas emissions and energy saving.

(2) Where the Minister of Environment deems that an implementation plan referred to in paragraph (1) is inappropriate, he/she may request the head of the competent central administrative agency, etc. to improve or cure the implementation plan, subject to consultation with the Minister of the Interior and Safety, the Minister of Trade, Industry and Energy and the Minister of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 24270, Dec. 27, 2012; Presidential Decree No. 24429, Mar. 23, 2013; Presidential Decree No. 25751, Nov. 19, 2014; Presidential Decree No. 28211, Jul. 26, 2017>

(3) Upon receipt of a request for improvement or supplement pursuant to paragraph (2), the head of a central administrative agency, etc. shall submit the implementation plan, in which such request is reflected, to the Center within one month from the date of such request.

(4) The head of a central administrative agency, etc. shall submit a report on the results of an implementation plan under paragraph (1) to the Center in electronic form, by not later than March 31 of the following year.

(5) The Minister of the Interior and Safety, the Minister of Trade, Industry and Energy, the Minister of Environment and the Minister of Land, Infrastructure and Transport shall jointly evaluate a report on the results of an implementation plan under paragraph (4) within three months from the date of receipt of such report, and shall report the findings of such evaluation to the Prime Minister. *<Amended by Presidential Decree No. 24270, Dec. 27, 2012; Presidential Decree No. 24429, Mar. 23, 2013; Presidential Decree No. 25751, Nov. 19, 2014; Presidential Decree No. 28211, Jul. 26, 2017>*

(6) If necessary according to the outcomes of evaluation under paragraph (5), the Prime Minister may order the heads of central administrative agencies, etc. to take measures necessary to facilitate the reduction of greenhouse gas emissions and energy saving.

(7) The head of a central administrative agency, etc. may achieve targets referred to in Article 42 (4) of the Act, jointly with the heads of other central administrative agencies, etc. *<Newly Inserted by Presidential Decree No. 24270, Dec. 27, 2012; Amended by Presidential Decree No. 28561, Dec. 29, 2017>*

(8) The results of greenhouse gas reduction and energy conservation projects performed by a central administrative agency, etc. outside the relevant agency (excluding other central administrative agencies, etc., controlled entities, enterprises eligible for allocation of greenhouse gas emission permits under Articles 8 and 9 of the Act on the Allocation and Trading of Greenhouse-Gas Emission Permits) may be recognized as the results of implemented targets under Article 42 (4) of the Act. *<Newly Inserted by Presidential Decree No. 24270, Dec. 27, 2012; Amended by Presidential Decree No. 28561, Dec. 29, 2017>*

(9) If necessary to enable the head of a central administrative agency, etc. to achieve targets under Article 42 (4) of the Act without interruption, the head of relevant central administrative agency may provide financial and technical support, research and diagnosis on actual implementation, data and information. *<Newly Inserted by Presidential Decree No. 24270, Dec. 27, 2012; Amended by Presidential Decree No. 28561, Dec. 29, 2017>*

(10) Except as otherwise provided for in paragraphs (1) through (9), the Minister of Environment shall determine detailed matters on the submission, improvement of and supplement to an implementation plan; the submission and evaluation of a report on the results of an implementation plan; the monitoring of actual implementation and follow-up measures; the joint achievement of targets and the scope of outside projects; the recognition and management of the results of actual implementation, etc. by central administrative agencies, etc., in consultation with the Minister of the Interior and Safety, the Minister of Trade, Industry and Energy and the Minister of Land, Infrastructure and Transport, and provide a public notice of the detailed matters in the Official Gazette. *<Newly Inserted by Presidential Decree No. 24270, Dec. 27, 2012; Presidential Decree No. 24429, Mar. 23, 2013; Presidential Decree No. 25751, Nov. 19, 2014; Presidential Decree No. 28211, Jul. 26, 2017>*

Article 29 (Standards for Designation of Controlled Entities)

(1) "Each entity that emits greenhouse gases, and each entity that consumes energy, in the standard quantity specified by Presidential Decree or more" in Article 42 (6) of the Act refers to any of the following business entities: *<Amended by Presidential Decree No. 28561, Dec. 29, 2017>*

1. A business entity whose average total quantities per year of greenhouse gases emitted from and energy consumed in all its places of business during the latest three years as of January 1 of the pertinent year meet all standards in Tables 2 and 3 annexed hereto;

2. A business entity's place of business in which average total quantities per year of emissions of greenhouse gases and consumption of energy during the latest three years meet all the standards in Tables 4 and 5 annexed hereto, among the business entity's places of business.

(2) The agency responsible for each sector shall select business entities under paragraph (1) as controlled entities and notify the Minister of Environment of such entities by not later than April 30 each year, along with relevant data attached thereto. *<Amended by Presidential Decree No. 24270, Dec. 27, 2012>*

(3) The Minister of Environment shall, upon receiving a notice under paragraph (2), examine duplication or omission in selection of controlled entities, appropriateness of regulation, etc. and notify the agency responsible for the sector of results thereof, and the agency responsible for the sector shall, upon receiving such a notice, designate controlled entities and give public notice thereof through the Official Gazette not later than June 30, each year.

(4) Any controlled entity that has an objection to the designation under paragraph (3) may file the objection with the agency responsible for the sector, along with supporting data attached thereto, within 30 days from the date of public notification.

(5) The agency responsible for each sector shall, upon receiving an objection under paragraph (4), review the case and shall notify the relevant controlled entity of results thereof within 30 days from the filing date of the objection, subject to the confirmation of the Minister of Environment, and the agency responsible for each sector shall, if there is any change in the designation of a controlled entity, give public notice of the change in detail through the Official Gazette.

(6) The Minister of Environment may integrate lists of controlled entities, designated and publicly notified by the agency responsible for each sector pursuant to paragraph (3), to make a comprehensive announcement.

Article 30 (Method and Procedure for Target Management for Controlled Entities)

(1) Pursuant to Article 42 (6) of the Act, the agency responsible for each sector shall establish targets of the reduction of greenhouse gases, energy saving, and efficiency in the use of energy of controlled entities for the following year by not later than September 30, each year and shall notify the targets to the controlled entities and the Center. *<Amended by Presidential Decree No. 28561, Dec. 29, 2017>*

(2) In cases of the closure and failure to operate existing facilities, the failure to implement the installation or extension of facilities, or the alteration of the boundary of the organization of controlled entities, the agency responsible for each sector may revise targets under paragraph (1) and notify controlled entities

and the Center of the revised targets. <Newly Inserted by Presidential Decree No. 24270, Dec. 27, 2012>

(3) When the agency responsible for each sector establishes targets of the reduction of greenhouse gases, energy saving, and the efficiency in the use of energy of controlled entities pursuant to paragraph (1), it shall organize and operate a council comprised of public officials under the jurisdiction of related central administrative agencies and non-governmental experts pursuant to the latter part of Article 42 (6) of the Act. <Amended by Presidential Decree No. 24270, Dec. 27, 2012; Presidential Decree No. 28561, Dec. 29, 2017>

(4) Each controlled entity notified of targets under paragraph (1) shall submit an implementation plan for the following year, including the following matters, to the agency responsible for the sector in electronic form by not later than December 31, each year, and the agency responsible for each sector shall confirm and submit the plan to the Center by not later than January 31 of the following year: Provided, That any controlled entity notified of the revised target pursuant to paragraph (2) shall revise matters requiring the revision thereof in the implementation plan submitted and submit the revised implementation plan in an electronic form to the agency responsible for each sector, and the agency responsible for each sector shall confirm and submit the revised implementation plan to the Center within 15 days: <Amended by Presidential Decree No. 24270, Dec. 27, 2012; Presidential Decree No. 28561, Dec. 29, 2017>

1. Annual targets for each three-year period and a performance plan therefor;
2. The current status and operating ratio of production facilities in each place of business;
3. Types and quantity of greenhouse gases emitted from each place of business and types and quantity of energy consumed in each place of business;
4. Targets of reduction of greenhouse gases, energy saving, and the efficiency of the use of energy in each place of business and the method of performance therefor;
5. The current status of greenhouse gases emitted from each main manufacturing process and the consumption of energy in each main production process;
6. Targets of reduction of greenhouse gases, energy saving, and the efficiency of the use of energy in each main manufacturing process and the method of performance therefor;
7. The method of calculating the quantity of greenhouse gases emitted from each place of business and the quantity of energy consumed in each place of business (including calculation and measurement methods);
8. Other matters determined by the Minister of Environment for the implementation of targets under Article 42 (6) of the Act.

(5) Each controlled entity shall report the results (where the installation or extension of facilities has been achieved, which was not considered when it established targets under paragraph (1), the results thereof shall be included) of the execution of an implementation plan under paragraph (4) to the agency responsible for the sector in electronic form by not later than March 31 of the following year, and the agency responsible for each sector shall verify the accuracy of reports on results and whether such reports have been prepared in a measurable, reportable, and verifiable manner and submit the reports to the Center. <Amended by Presidential Decree No. 24270, Dec. 27, 2012>

(6) When the agency responsible for each sector finds that the results of implementation (excluding the results deemed inappropriate to be evaluated by the agency responsible for each sector, which result from the installation or extension of facilities not considered when it established targets under paragraph (1) as the results for the relevant year) of a controlled entity under paragraph (5) do not meet targets according to the evaluation or that the method applied to measurement, reporting, or verification, among details in a report, is inadequate, it shall issue an order for improvement under Article 42 (9) of the Act or take other necessary measures and notify the Minister of Environment thereof. <Amended by Presidential Decree No. 24270, Dec. 27, 2012; Presidential Decree No. 28561, Dec. 29, 2017>

(7) Any controlled entity that has received an order for improvement pursuant to paragraph (6) shall, when it establishes a performance plan under paragraph (4), reflect it in the plan. <Amended by Presidential Decree No. 24270, Dec. 27, 2012>

Article 31 (Management of Register)

(1) The Center shall, upon receiving results of the performance from the agency responsible for each sector under Article 30 (5), enter such details in the register under Article 42 (8) of the Act and manage and operate such information comprehensively in electronic form. <Amended by Presidential Decree No. 24270, Dec. 27, 2012; Presidential Decree No. 28561, Dec. 29, 2017>

(2) The following matters shall be included in the register under paragraph (1): <Amended by Presidential Decree No. 24270, Dec. 27, 2012>

1. Trade name or name of the controlled entity;
2. The representative of the controlled entity;
3. Addresses of the main office and places of business of the controlled entity;
4. Matters concerning the designation of the controlled entity;
5. Matters concerning the performance plan, reports on results, an order for improvement, etc. under Article 30 (4) through (6);
6. Matters concerning the statements under Article 34.

Article 32 (Verification Institutions, etc.)

(1) "A reliable, independent, specialized institution specified by Presidential Decree" in Article 42 (10) of the Act refers to an institution designated and publicly notified by the Minister of Environment in consultation with the agency responsible for the sector, which meets the following requirements: <Amended by Presidential Decree No. 24270, Dec. 27, 2012; Presidential Decree No. 28561, Dec. 29, 2017>

1. The institution shall have professional manpower, facilities, equipment, etc. that enable it to carry out the measurement, reporting, and verification of greenhouse gas emissions and energy consumption in a professional manner;
2. The institution shall buy a liability insurance policy the amount of indemnity covered by which is at least one billion won in relation to the verification of greenhouse gas emissions and energy consumption;

3. The institute shall meet other requirements established by a public notification under paragraph (4).
(2) Where a reliable, independent, specialized institution designated pursuant to paragraph (1) (hereinafter referred to as "verification institution") falls under any of the following cases, the Minister of Environment may cancel the designation of a verification institution under paragraph (1): Provided, That where the verification institution falls under subparagraph 1 or 3 (in cases referred to in subparagraph 3, a grave error committed by design only shall be applicable), the Minister of Environment shall cancel the designation: *<Newly Inserted by Presidential Decree No. 24270, Dec. 27, 2012>*

1. Where it has been designated as a verification institution by deception or other unlawful means;

2. Where it fails to meet the criteria for designation under paragraph (1);

3. Where a grave error, etc. in the result of verification by design or gross negligence has been found.

(3) The Minister of Environment may, if necessary to raise the reliability of the measurement, reporting, and verification of controlled entities, request a verification institution to provide him/her with relevant data, and the verification institution requested shall comply with the request, unless any exceptional circumstance exists otherwise. *<Amended by Presidential Decree No. 24270, Dec. 27, 2012>*

(4) In addition to the matters provided in paragraphs (1) through (3), matters concerning the criteria and procedures for the designation and the cancellation of designation of a verification institution, the selection of a verification institution for controlled entities, etc. shall be determined by the Minister of Environment in consultation with the agencies responsible for each sector, and he/she shall publicly notify such matters in the Official Gazette. *<Amended by Presidential Decree No. 24270, Dec. 27, 2012>*

(5) Where the Minister of Environment intends to cancel the designation of a verification institution pursuant to paragraph (2), he/she shall hold a hearing. *<Newly Inserted by Presidential Decree No. 24270, Dec. 27, 2012>*

Article 33 (Recognition of Results of Early Reduction)

(1) Results verified by a verification institution (hereinafter referred to as "results of early reduction") out of the results voluntarily performed by a controlled entity before its target is controlled pursuant to Article 43 of the Act may be recognized as the results under Article 42 (7) of the Act. *<Amended by Presidential Decree No. 28561, Dec. 29, 2017>*

(2) The Minister of Environment shall determine detailed matters concerning the criteria for recognition of early reduction results, procedures for application for recognition, the standards and scope of projects eligible for recognition, evaluation methods, etc. under paragraph (1) in consultation with the agencies for each sector, and publicly notify such detailed matters in the Official Gazette.

Article 33-2 (Recognition of Results of Outside Reduction)

(1) The results of greenhouse gas reduction, energy conservation and energy utilization efficiency projects performed by a controlled entity outside the relevant entity (hereinafter referred to as "results of outside reduction") by means conforming to international standards may be recognized as the results under Article 42 (7) of the Act. *<Amended by Presidential Decree No. 28561, Dec. 29, 2017>*

(2) The Minister of Environment shall determine detailed matters concerning the criteria for recognition of the results of outside reduction, procedures for application for recognition, the standards and scope of projects eligible for recognition, evaluation methods, etc. under paragraph (1) in consultation with the agencies for each sector, and publicly notify such detailed matters in the Official Gazette.

Article 34 (Procedures for Reporting and Management of Statements)

(1) Each controlled entity shall prepare a statement of the quantities of greenhouse gases emitted and energy consumed for the relevant year (in cases of the year in which it is first designated as a controlled entity pursuant to Article 29 (3), referring to the last three years) pursuant to Article 44 (1) of the Act and shall submit the statement to the agency responsible for the relevant sector by not later than March 31 of the following year, along with results of testing performed by the testing institution, in electronic form.

<Amended by Presidential Decree No. 24270, Dec. 27, 2012>

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

1. The scale of the entity, manufacturing facilities, raw materials of products, and manufacturing quantity;
2. Types and quantity of greenhouse gases emitted from each place of business and types, scale, quantity, and operating hours of facilities emitting greenhouse gases;
3. Types and quantity of energy used in each place of business, the composition of fuel in use, and types, scale, quantity, and operating hours of facilities using energy;
4. The quantity and types of greenhouse gases emitted from each manufacturing process and facility and the scale of each manufacturing process and facility;
5. Types, scale, processing efficiency, quantity, and operating hours of facilities for preventing emission of greenhouse gases used in manufacturing process;
6. Types and quantity of greenhouse gases collected and disposed of;
7. The calculation and measurement method of the quantity of greenhouse gases emitted from each sector under subparagraphs 2 through 6 and the quantity of energy used in each sector;
8. The procedure for quality management of statements;
9. Deleted; *<by Presidential Decree No. 24270, Dec. 27, 2012>*
10. Other matters recognized by the agency responsible for each sector, subject to prior consultation with the Minister of Environment, for the control of the quantity of greenhouse gases emitted and the quantity of energy used by each controlled entity.

(3) The agency responsible for each sector shall, upon receiving a statement pursuant to paragraph (1), examine contents thereof and then submit the statement to the Center, along with relevant data, without delay, and the Center shall keep and maintain them in the register under Article 31 (1).

(4) As to a reliable, independent, specialized institution for verifying the reliability of statements under Article 44 (2) of the Act, Article 32 shall apply mutatis mutandis.

(5) Matters concerning the method of preparing statements and the procedure for reporting shall be determined and publicly notified through the Official Gazette by the Minister of Environment, subject to

prior consultation with the agency responsible for each sector, in addition to the matters prescribed in paragraphs (1) through (4).

Article 35 (Disclosure of Statements, etc.)

(1) In principle, a statement under Article 34 shall be disclosed, unless any exceptional circumstance exists otherwise, and the agency responsible for each sector and the Center may, upon receiving a request from a relevant administrative agency or a public institution under Article 4 of the Act on the Management of Public Institutions, furnish it with such a statement, subject to deliberation by the Committee.

(2) The Center may, upon receiving a request from the Financial Services Commission or the Korea Exchange for the disclosure of a listed corporation's business report pursuant to Article 163 of the Financial Investment Services and Capital Markets Act, forward the relevant controlled entity's statement.

(3) The disclosure of a statement under Article 44 (3) of the Act shall be made in electronic form through the web-site of the agency responsible for each sector or the Center's integrated information management system for greenhouse gases.

(4) Any controlled entity that intends to request non-disclosure of a statement pursuant to the proviso to Article 44 (3) of the Act shall file an explanatory letter regarding reasons for non-disclosure, along with the statement.

(5) The Center shall have a committee for examination on disclosure of statements under Article 44 (4) of the Act (hereinafter referred to as the "Examination Committee") in order to have it examine and decide whether to disclose information entirely or partially when a request for non-disclosure of a statement is filed pursuant to paragraph (4).

(6) The Examination Committee shall be comprised of not more than nine members, including one Committee Chairperson. <Amended by Presidential Decree No. 27180, May 24, 2016>

(7) A person nominated by the Minister of Environment, from among members of the Senior Executive Service of the Ministry of Environment shall serve as the Committee Chairperson, and the following persons shall serve as Committee members: <Amended by Presidential Decree No. 27180, May 24, 2016; Presidential Decree No. 28561, Dec. 29, 2017>

1. Five public official members appointed each by the heads of agencies responsible for each sector, from among those working for the agencies responsible for each sector;

2. Private sector members commissioned by the Minister of Environment through consultation with the agencies responsible for each sector, from among those who have considerable knowledge and experience in green growth and information disclosure.

(8) A meeting shall be duly formed to be open with the attendance of a majority of incumbent Committee members and shall adopt resolutions by the affirmative vote of a majority of members present at the meeting.

(9) Except as otherwise expressly provided for in paragraphs (6) through (8), matters necessary for the composition and operation of the Examination Committee shall be determined by the Committee Chairperson, subject to resolution of the Examination Committee.

Article 35-2 (Exclusion of and Voluntary Refrainment by Committee Member)

(1) Any Committee member shall be excluded from the examination and decision of relevant agenda item, if he/she falls under any of the following cases:

1. Where the representative of a controlled entity which requests non-disclosure of a statement, is or was a Committee member's spouse, lineal ascendant or descendant or sibling; or his/her spouse's lineal ascendant or descendant or sibling;
2. Where a Committee member is or was an executive officer or employee (including an outside director) of a controlled entity which requests non-disclosure of a statement, during the last three years;
3. Where a Committee member is deemed to have a direct interest in a controlled entity which requests non-disclosure of a statement.

(2) Where a Committee member falls under a ground for exclusion referred to in paragraph (1) or it is deemed impracticable to provide impartial examination due to his/her circumstances, he/she shall voluntarily refrain from the examination of relevant agenda item.

Article 35-3 (Discharge from Office of Committee Members, etc.)

(1) Any agency responsible for each sector, which has appointed a Committee member pursuant to Article 35 (7) 1, may withdraw such appointment if he/she falls under any of the following cases:

1. Where he/she is unable to perform his/her duties due to any mental disorder;
2. Where it is found that he/she has been engaged in any misconduct in connection with his/her duties;
3. Where he/she is deemed unfit to serve as a Committee member on the ground of neglect of duty, loss of dignity, or for other reasons;
4. Where he/she fails to refrain from examination despite falling under Article 35-2 (1);
5. Where he/she has expressed his/her difficulty in conducting duties.

(2) Where a private sector member commissioned under Article 35 (7) 2 falls under any subparagraph of paragraph (1), the Minister of Environment may discharge him/her from office. *<Amended by Presidential Decree No. 28561, Dec. 29, 2017>*

Article 36 (Establishment and Management of National Integrated Information Management System for Greenhouse Gases)

(1) To establish and manage a national integrated information management system for greenhouse gases prescribed in Article 45 (1) of the Act, a Greenhouse Gas Inventory and Research Center (hereinafter referred to as "Center") shall be established under the authority of the Minister of Environment. *<Amended by Presidential Decree No. 27180, May 24, 2016; Presidential Decree No. 28561, Dec. 29, 2017>*

(2) The Center shall take charge of the following affairs:

1. Assistance in setting up targets of the reduction of greenhouse gases at the national level and for each sector;
2. Operation of the national integrated information management system for greenhouse gases in compliance with international standards;

3. Cooperation and assistance in business affairs and furnishing information to appropriate central administrative agencies pursuant to Articles 26 through 35;
4. Survey and research on support for reduction of domestic and overseas greenhouse gases;
5. Cooperation with international institutions and organizations related to low carbon, green growth, as well as with developing countries.

(3) The Minister of Environment shall organize and operate a consultative body comprised of public officials who are members of the Senior Executive Service of related central administrative agencies, including the Ministry of Strategy and Finance; the Ministry of the Interior and Safety; the Ministry of Agriculture, Food and Rural Affairs; the Ministry of Trade, Industry and Energy; the Ministry of Environment; the Ministry of Land, Infrastructure and Transport; the Ministry of Oceans and Fisheries; the Office for Government Policy Coordination; and the Korea Forest Service, in order for the Center to conduct its affairs efficiently and systematically. <Amended by Presidential Decree No. 24429, Mar. 23, 2013; Presidential Decree No. 25751, Nov. 19, 2014; Presidential Decree No. 27180, May 24, 2016; Presidential Decree No. 28211, Jul. 26, 2017; Presidential Decree No. 28561, Dec. 29, 2017>

(4) Pursuant to Article 45 (2) of the Act, any agency responsible for each sector shall submit, to the Center, greenhouse gas information and statistics of its sector during the previous year according to the following categories by not later than June 30 each year: <Amended by Presidential Decree No. 24270, Dec. 27, 2012; Presidential Decree No. 24429, Mar. 23, 2013; Presidential Decree No. 27180, May 24, 2016>

1. The Minister of Agriculture, Food and Rural Affairs: Agriculture, livestock industry, and forestry;
2. The Minister of Trade, Industry and Energy: Energy and industrial process;
3. The Minister of Environment: Wastes;
4. The Minister of Land, Infrastructure and Transport: Buildings and transportation (excluding marine transportation);
5. The Minister of Oceans and Fisheries: Oceans, fisheries, marine transportation, and ports.

(5) In order to secure international reliability of the national integrated information management system for greenhouse gases, the Minister of Environment shall examine the validity of greenhouse gas information and statistics referred to in paragraph (4), and shall have a public status as an institution for the national integrated information management of greenhouse gases. In such cases, the Minister of Environment shall consult with the Commissioner of the Statistics Korea to secure the fairness and reliability of greenhouse gas statistics. <Amended by Presidential Decree No. 27180, May 24, 2016; Presidential Decree No. 28561, Dec. 29, 2017>

(6) The Center may, if considered necessary to carry out its business affairs efficiently, request any of the following institutions related to low carbon, green growth, including climate change, energy, and sustainable development, to render necessary assistance with human resources, information, and analysis, subject to prior consultation with the head of the competent central administrative agency:

1. A research institute under Article 8 (1) of the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutes, Etc.;

2. A research institute under Article 8 (1) of the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes, Etc.;
3. A public institution under Article 4 of the Act on the Management of Public Institutions.

Article 37 (Management of Average Energy Consumption Efficiency of Automobiles and Allowable Emission of Greenhouse Houses)

(1) In executing business affairs for the control of greenhouse gases from traffic sector pursuant to Article 47 (2) of the Act, the standards for average energy consumption efficiency of automobiles shall be prescribed by the Minister of Trade, Industry and Energy, while the standards for allowable emission of greenhouse gases from automobiles shall be prescribed by the Minister of Environment, but the application to auto makers (including importers; the same shall apply hereinafter) and management of the standards for average energy consumption efficiency of automobiles and the standards for allowable emission of greenhouse gases from automobiles shall be under jurisdiction of the Minister of Environment. In such cases, the Minister of Environment shall furnish the Minister of Trade, Industry and Energy with data regarding the application and management of such standards. *<Amended by Presidential Decree No. 24429, Mar. 23, 2013>*

(2) The Minister of Environment shall publicly notify standards that allow auto makers to alternatively comply with the standards for average energy consumption efficiency of automobiles and the standards for allowable emission of greenhouse gases from automobiles under paragraph (1) through the Official Gazette, taking into consideration domestic and overseas conditions of the automobile industry, international trends of regulation, the method and procedure for measurement, and simplification of sanctions, subject to prior consultation with the Minister of Trade, Industry and Energy. *<Amended by Presidential Decree No. 24429, Mar. 23, 2013>*

Article 38 (Establishment, Implementation, etc. of Measures for Adaptation to Climate Change)

(1) Pursuant to Article 48 (4) of the Act, the Minister of Environment shall establish and implement measures for adaptation to climate change, including the following matters, for each five-year period, in consultation with the heads of related central administrative agencies and following deliberation by the Committee: *<Amended by Presidential Decree No. 24270, Dec. 27, 2012>*

1. Matters concerning international agreements, etc. for adaptation to climate change;
2. Matters concerning improvement of capability of monitoring, forecast, information, and utilization of climate change;
3. Matters concerning assessment of the impact of climate change and weaknesses in each sector and each region;
4. Matters concerning measures for adaptation to climate change in each sector and each region;
5. Matters concerning the prevention of disasters on vulnerable classes, areas, etc. resulting from climate change;
6. Matters concerning joint promotion of the green life campaigns under Article 58 of the Act and measures for adaptation to climate change;

7. Other matters that the Minister of Environment considers necessary for adaptation to climate change.
(2) The head of each related central administrative agency, each Mayor/Do Governor and the head of each Si/Gun/Gu (referring to the head of each autonomous Gu; hereinafter the same shall apply) shall formulate and execute a detailed implementation plan for measures to adapt to climate change for matters under his/her jurisdiction in accordance with the measures for adaptation to climate change under paragraph (1).

<Amended by Presidential Decree No. 24270, Dec. 27, 2012>

(3) In order to confirm the appropriateness, etc. of the execution of a detailed implementation plan under paragraph (2), the Minister of Environment may check the results of such detailed implementation plan with the head of each related central administrative agency, each Mayor/Do Governor and the head of each Si/Gun/Gu every year. *<Newly Inserted by Presidential Decree No. 24270, Dec. 27, 2012>*

(4) The Minister of Environment may organize and operate a consultative body comprised of members of the Senior Executive Service of related central administrative agencies for the formulation and execution of measures for adaptation to climate change under paragraph (1) and a detailed implementation plan under paragraph (2). *<Newly Inserted by Presidential Decree No. 24270, Dec. 27, 2012>*

(5) Where the Minister of Environment deems it necessary to formulate and execute a detailed implementation plan under paragraph (2) and to check the results under paragraph (3), he/she may request the heads of related central administrative agencies, Mayors/Do Governors and the heads of Sis/Guns/Gus to submit necessary data. *<Newly Inserted by Presidential Decree No. 24270, Dec. 27, 2012>*

Article 39 (Modification to Basic Plan for Sustainable Development)

"A modification to a minor matter specified in Presidential Decree" in the proviso to Article 50 (2) of the Act means any of the following cases:

1. Where a matter under Article 50 (3) 1 and 4 of the Act is modified;
2. Where part of the basic plan for sustainable development is modified with the maximum of 10/100 of total financial resources required to the extent that shall not affect essential elements of the basic plan for sustainable development.

Article 40 (Management of Green Homeland)

(1) "Plans specified by Presidential Decree, including the comprehensive national land plan and basic urban and Gun plans" in Article 51 (1) of the Act refers to the plans listed in attached Table 6. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(2) The plans concerning which it is required to hear the Committee's opinion in advance pursuant to Article 51 (3) of the Act in establishing each plan are as follows:

1. The comprehensive national land plan under Article 9 (1) of the Framework Act on the National Land and the comprehensive Do plan under Article 13 (1) of the aforesaid Act;
2. The five-year regional development plan under Article 4 (1) of the Special Act on Balanced National Development;
3. The Seoul Metropolitan Area Readjustment Plan under Article 4 (1) of the Seoul Metropolitan Area Readjustment Planning Act;

4. Other plans that the Committee Chairperson considers necessary, subject deliberation by the Committee.

Article 41 (Targets of Reduction of Greenhouse Gases from Traffic Sector)

Pursuant to Article 53 (1) of the Act, the Minister of Land, Infrastructure and Transport shall establish and implement targets for the reduction of greenhouse gases from traffic sector, energy saving, and the efficiency in the use of energy, including the following matters, in consultation with the heads of related central administrative agencies and following deliberation by the Committee: *<Amended by Presidential Decree No. 24270, Dec. 27, 2012; Presidential Decree No. 24429, Mar. 23, 2013>*

1. The current status of greenhouse gases emitted from each transportation means, such as automobiles, trains, aircraft, and ships, and the energy consumption rate of such transportation means;
2. The current status of greenhouse gases emitted from each type of energy;
3. Targets of the reduction of greenhouse gases, energy saving, and the efficiency in the use of energy for each five-year period and the performance plan therefor;
4. Annual targets of the reduction of greenhouse gases, energy saving, and the efficiency in the use of energy and the performance plan therefor.

Article 42 (Standards of Green Buildings)

(1) "Buildings that meet or exceed the standards prescribed by Presidential Decree" in Article 54 (2) of the Act, means buildings specified in Article 11 (1) of the Enforcement Decree of the Green Buildings Construction Support Act. *<Amended by Presidential Decree No. 27180, May 24, 2016>*

(2) Pursuant to Article 54 (2) of the Act, the Minister of Land, Infrastructure and Transport shall formulate an implementation plan, following deliberation by the Committee, in order to establish and manage the quantity of energy consumed in buildings under paragraph (1) and the target for the reduction of greenhouse gases and may, if necessary, establish detailed standards for the consumption of energy and the reduction of green gases. *<Amended by Presidential Decree No. 24270, Dec. 27, 2012; Presidential Decree No. 24429, Mar. 23, 2013>*

Article 43 (Expansion, etc. of Green Buildings)

(1) "Public institutions and educational institutions specified by Presidential Decree" in Article 54 (6) of the Act refers to the following institutions:

1. Public institutions under Article 4 of the Act on the Management of Public Institutions;
2. Local government-invested public corporations under Article 49 of the Local Public Enterprises Act and local government public corporations under Article 76 of the aforesaid Act;
3. Research institutes under Article 8 of the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutes, Etc. and research groups under Article 18 of the aforesaid Act;
4. Research institutes under Article 8 of the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes, Etc. and research groups under Article 18 of the aforesaid Act;

5. Local government-invested research institutes under Article 4 of the Act on the Establishment and Operation of Local Government-Invested Research Institutes;
6. Hospitals under the Act on the Establishment of National University-Affiliated Hospitals, the Act on the Establishment of National University-Affiliated Dental Hospitals, the Establishment of Seoul National University Hospital Act, and the Establishment of Seoul National Dental Hospital Act;
7. National universities and public universities under Article 3 of the Higher Education Act.

(2) "A new city development project or an urban redevelopment project in a scale not smaller than the scale specified by Presidential Decree" in Article 54 (7) of the Act refers to any of the following projects:

1. A housing site development project executed in an area of not less than 3.3 million square meters pursuant to the Housing Site Development Promotion Act;
2. The Administrative City Construction Project executed pursuant to the Special Act on the Construction of Administrative City in Yeongi-Gongju Area for Follow-Up Measures for New Administrative Capital;
3. An enterprise city development project executed pursuant to the Special Act on the Development of Enterprise Cities;
4. An innovation city development project executed pursuant to the Special Act on the Construction and Support of Innovation Cities Following Relocation of Public Agencies;
5. Other urban development project in an area of not less than one million square meters.

(3) The Government may provide financial support, abate or exempt taxes, or provide support otherwise in any of the following cases in order to expand green buildings pursuant to Article 54 (8) of the Act: *<Amended by Presidential Decree No. 24270, Dec. 27, 2012; Presidential Decree No. 24429, Mar. 23, 2013>*

1. A building of which total score of the energy performance index in an energy conservation plan submitted by a building owner pursuant to Article 14 of the Green Building Development Support Act is at least 80 points as a result of calculation according to the standards determined and publicly notified by the Minister of Land, Infrastructure and Transport;
2. A building to which green building certification under Article 16 of the Green Building Development Support Act has been granted;
3. A building to which certification of building energy efficiency rating under Article 17 of the Green Building Development Support Act has been granted;
4. Where the Minister of Land, Infrastructure and Transport considers it necessary to provide support to improve the energy efficiency of any building that has been used for five years since its use was approved pursuant to Article 22 of the Building Act;
5. Where the Minister of Land, Infrastructure and Transport considers it necessary to provide financial support or abate or exempt taxes in order to expand green buildings on any other ground.

Article 44 (Imposition and Collection of Administrative Fines)

(1) Administrative fines under Article 64 (1) of the Act shall be imposed and collected by the agency responsible for each sector, subject to prior consultation with the Minister of Environment.

(2) The guidelines for the imposition of administrative fines under paragraph (1) are as prescribed in Table 7 annexed hereto.

(3) The agency responsible for each sector may aggravate or mitigate an administrative fine by not more than one-half of the amount of the administrative fine in Table 7 annexed hereto, taking into consideration the degree, motive, and consequences of the offense: Provided, That the amount as aggravated shall not exceed the maximum amount of the administrative fine in Article 64 (1) of the Act.

ADDENDA

Article 1 (Enforcement Date)

This Decree shall enter into force on April 14, 2010; Provided, That the amended provisions of Articles 17-2, 17-3, and 17-4 of the Enforcement Decree on the Promotion of the Conversion into Environment-Friendly Industrial Structure from among the amended provisions of Article 3 (2) of the Addenda shall enter into force on July 14, 2011.

Article 2 (Transitional Measure concerning Five-Year Plans, etc.)

Five-year plans and central and regional implementation plans already established when this Decree enters into force shall be deemed five-year plans under Article 4, central implementation plans under Article 5, and regional implementation plans under Article 7, respectively.

Article 3 Omitted.

ADDENDA <Presidential Decree No. 22449, Oct. 14, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on October 16, 2010.

Article 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 22977, Jun. 24, 2011>

Article 1 (Enforcement Date)

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

Article 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 23267, Oct. 28, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on October 29, 2011.

Article 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 23718, Apr. 10, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force from April. 15, 2012. (Proviso Omitted.)

Articles 2 through 15 Omitted.

ADDENDA <Presidential Decree No. 23755, Apr. 27, 2012>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Presidential Decree No. 24270, Dec. 27, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 43 (3) 1 through 3 shall enter into force on February 23, 2013, and the part concerning the heads of Sis/Guns/Gus in the amended provisions of Article 38 shall enter into force on January 1, 2015.

Article 2 (Applicability to Joint Implementation of Targets for Reduction of Greenhouse Gases and Energy Conservation and Results of Outside Projects of Central Administrative Agencies, etc.)

The amended provisions of Article 28 (7) and (8) shall apply from targets for the reduction of greenhouse gases and energy conservation of central administrative agencies, etc. in the year of 2013.

Article 3 (Transitional Measures concerning Requirements for Designation of Verification Institutions)

Verification institutions designated in accordance with the former provisions as at the time this Decree enters into force shall meet the requirements for designation under the amended provisions of the subparagraphs of Article 32 (1) by not later than December 31, 2013.

ADDENDA <Presidential Decree No. 24429, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 24474, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Presidential Decree No. 25456, Jul. 14, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 15, 2014.

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 25751, Nov. 19, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That among Presidential Decrees amended pursuant to Article 5 of Addenda, the amendments of the Presidential Decree promulgated before this Decree enters into force but the date on which it enters into force has not arrived shall enter into force on the dates the relevant Decrees enter into force.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 27180, May 24, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on June 1, 2016.

Article 2 (Applicability to Term of Validity of Green Certification)

The amended provisions of Article 19 shall apply to green certification granted before this Decree enters into force. In such cases, green certification, the term of validity of which has not yet expired as at the time this Decree enters into force, shall be deemed the first green certification granted under Article 32 of the Act.

Article 3 (Applicability to Submission of Greenhouse Gas Information and Statistics)

The amended provisions of Article 36 (4) shall begin to apply from greenhouse gas information and statistics for the year 2016.

Article 4 (General Transitional Measures concerning Administrative Dispositions, etc. Taken by Agencies Responsible for Oceans, Fisheries, Marine Transportation or Ports before Change of Such Agencies)

Dispositions taken, procedures processed, and activities performed by the Minister of Land, Infrastructure and Transport, designated by the previous provisions as an agency responsible for each sector, in connection with the target management of greenhouse gases and energy in oceans, fisheries, marine transportation and ports as at the time this Decree enters into force, shall be deemed dispositions taken, procedures processed, and activities performed by the Minister of Oceans and Fisheries pursuant to the amended provisions of Article 26 (3); and applications or reports submitted to, or any other activities performed in relation to the Minister of Land, Infrastructure and Transport, prescribed by the previous provisions as an agency responsible for each sector, shall be deemed applications or reports submitted to, or any other activities performed in relation to the Minister of Oceans and Fisheries pursuant to the amended provisions of Article 26 (3).

ADDENDA <Presidential Decree No. 27636, Nov. 29, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on December 2, 2016.

Article 2 Omitted.

ADDENDA <Presidential Decree No. 28211, Jul. 26, 2017>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That Presidential Decrees amended by Article 8 of the Addenda, which were promulgated before this Decree enters into force but the enforcement dates of which have not arrived yet, shall enter into force on the enforcement date of the respective Decrees.

Articles 2 through 8 Omitted.

ADDENDUM <Presidential Decree No. 28561, Dec. 29, 2017>

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

ADDENDA <Presidential Decree No. 28583, Jan. 16, 2018>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 18, 2018.

Article 2 Omitted.