

GREEN BUILDINGS CONSTRUCTION SUPPORT ACT

Act No. 11365, Feb. 22, 2012
Amended by Act No. 11690, Mar. 23, 2013
Act No. 12703, May 28, 2014
Act No. 13426, Jul. 24, 2015
Act No. 13474, Aug. 11, 2015
Act No. 13790, Jan. 19, 2016
Act No. 14079, Mar. 22, 2016
Act No. 14122, Mar. 29, 2016
Act No. 15316, Dec. 26, 2017
Act No. 15673, Jun. 12, 2018
Act No. 15728, Aug. 14, 2018

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to prescribe matters necessary for developing green buildings under the Framework Act on Low Carbon, Green Growth and to contribute to realizing green growth with low carbon emissions and to improving the welfare of the people by reducing the emission of greenhouse gases from buildings and by increasing the number of green buildings.

Article 2 (Definitions)

The terms used in this Act shall be defined as follows: <Amended by Act No. 12703, May 28, 2014; Act No. 13790, Jan. 19, 2016>

1. The term "green building" means a building under Article 54 of the Framework Act on Low Carbon, Green Growth and a building that minimizes its influence on the environment and simultaneously provides comfortable and healthy residential environment;
2. The term "development of green buildings" means construction activities aimed at constructing green buildings, maintaining functions of green buildings, or converting conventional buildings into green buildings;
3. The term "building energy assessor" means a person who performs the duties of efficient energy management in the fields of architecture, machinery, electricity, and new and renewable energy regarding buildings, such as assessing the certification of energy efficiency rating, and who has obtained a license under Article 31;
4. The term "zero energy building" means a green building in which energy requirement is minimized by minimizing the energy load needed for the building and by utilizing new and renewable energy.

Article 3 (Basic Principles)

The development of green buildings shall be promoted based upon the following basic principles:

1. Development of green buildings by reducing the emission of greenhouse gases;
2. Development of eco-friendly and sustainable green buildings;
3. Development of green buildings that utilize new and renewable energy, and save resources;
4. Promotion of efficient use of energy in existing buildings;
5. Securing equilibrium between social classes and between regions regarding the development of green buildings.

Article 4 (Responsibilities of the State, etc.)

- (1) The State and local governments shall formulate measures for the development of green buildings and prepare measures of administrative and financial support necessary for the promotion thereof.
- (2) The State and local governments shall endeavor to promote the development of green buildings according to equitable standards and procedures.

Article 5 (Relationship with Other Acts)

- (1) Except as otherwise expressly provided for in other Acts concerning the development of green buildings, this Act shall prevail.
- (2) Where Acts concerning green buildings are enacted or amended, such Acts shall comply with the purpose and basic principles of this Act.

CHAPTER II MASTER PLANS, ETC. FOR GREEN BUILDINGS

Article 6 (Formulation of Master Plans for Green Buildings)

- (1) To promote the development of green buildings, the Minister of Land, Infrastructure and Transport shall formulate a master plan for green buildings every five years (hereinafter referred to as "master plan") including the following matters: <Amended by Act No. 11690, Mar. 23, 2013>
 1. Current state of green buildings and prospect thereof;
 2. Setting objectives to be attained, such as reducing greenhouse gas emissions from green buildings and saving energy in green buildings, and direction of promotion;
 3. Matters concerning devising and operating a green building information system;
 4. Matters concerning research and development of green buildings;
 5. Matters concerning training, supporting, and managing of specialists in green buildings;
 6. Matters concerning support for projects of developing green buildings;
 7. Matters concerning demonstration projects for the development of green buildings;
 8. Matters concerning policy directions for building materials and construction for the development of green buildings;
 9. Other matters necessary for expediting the development of green buildings.
- (2) To collect basic data necessary for formulating a master plan, the Minister of Land, Infrastructure and Transport may request the heads of relevant central administrative agencies, the heads of local governments, the heads of public institutions (referring to the public institutions under Article 4 of the Act on the Management of Public Institutions; hereinafter the same shall apply), and the heads of institutions specialized in energy which are determined by Ordinance of the Ministry of Land, Infrastructure and Transport to submit related data; and the heads of agencies, etc. in receipt of such request shall comply with it unless there is a compelling reason not to do so. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12703, May 28, 2014>
- (3) When the Minister of Land, Infrastructure and Transport intends to formulate a master plan, he/she shall consult with the heads of relevant central administrative agencies, Special Metropolitan City Mayor, Metropolitan City Mayors, Special Self-Governing City Mayor, Do Governors, or Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor") and shall hear opinions of the Presidential Committee on Green Growth under Article 14 of the Framework Act on Low Carbon, Green Growth. <Amended by Act No. 11690, Mar. 23, 2013>

- (4)Where the Minister of Land, Infrastructure and Transport intends to formulate or modify (except for cases falling under paragraph (5)) a master plan, he/she shall hear opinions of a building committee under Article 4 of the Building Act. <Newly Inserted by Act No. 13790, Jan. 19, 2016>
- (5)Where the Minister of Land, Infrastructure and Transport intends to modify insignificant matters prescribed by Presidential Decree, he/she may omit the procedures under paragraphs (3) and (4). <Amended by Act No. 13790, Jan. 19, 2016>
- (6)Where the Minister of Land, Infrastructure and Transport formulates a master plan pursuant to paragraph (1), he/she shall publicly notify the plan and notify the heads of relevant central administrative agencies and Mayors/Do Governors thereof. In such cases, the Mayors/Do Governors shall notify the plan to the heads of Sis (including administrative Sis under Article 11 (2) of the Special Act on the Establishment of Jeju Special Self-Governing Province and the Development of Free International City; hereinafter the same shall apply), Guns and Gus (referring to autonomous Gus; hereinafter the same shall apply) under their jurisdiction so that the general public may peruse it. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13426, Jul. 24, 2015>
- (7)Matters necessary for formulating a master plan under paragraphs (1) through (4), public notice under paragraph (6), etc. shall be prescribed by Presidential Decree. <Amended by Act No. 13790, Jan. 19, 2016>

Article 6-2 (Projects, etc. to Develop Green Buildings)

- (1)To implement a master plan, the government shall endeavor to include expenses necessary for the following projects in the expenditure budget of each fiscal year: <Amended by Act No. 13790, Jan. 19, 2016; Act No. 15316, Dec. 26, 2017>
1. Survey of demand for information and technologies on green buildings and production of statistics;
 - 2.Certification of green buildings, certification of building energy efficiency rating, and ex post facto management;
 - 3.Training of specialists in the field of green buildings;
 - 4.Promotion of colleges and universities specialized in the field of green buildings and of a core technology research center;
 - 5.Research and development of technologies for the development of green buildings, and assessment of technologies;
 - 6.Technological guidance in the field of green buildings, education, and publicity;
 - 7.Building material performance assessment (hereinafter referred to as "green building materials") and assessment of facilities necessary for the development of green buildings, certification, and ex post facto management;
 - 8.Support for enterprises specialized in the manufacture and construction of green building materials and facilities;
 - 9.Support for joint use of green building materials and facilities;
 - 10.Support for the operation of green building centers;
 - 11.Implementation of demonstration projects for the development of green buildings;
 - 12.Promotion, spread, and dissemination of zero energy buildings;
 - 13.Projects of developing green buildings by utilizing markets, such as projects of reducing greenhouse gas emissions;
 - 14.Projects of promotion, spread, and dissemination of building energy management systems;
 - 15.International cooperation relating to green buildings;

- 16.Support for international standardization of green building technologies;
- 17.Support for green remodeling under Article 27;
- 18.Other projects necessary for the development of green buildings which are prescribed by Presidential Decree.
- (2) "Building energy management system" in paragraph (1) 14 means a system in which measuring, controlling, operating, etc. are integrated to provide optimum building energy management method by monitoring the use of energy for the maintenance of comfortable indoor environment and efficient energy management of a building. <Newly Inserted by Act No. 13790, Jan. 19, 2016>

[This Article Newly Inserted by Act No. 12703, May 28, 2014]

Article 7 (Formulation, etc. of Regional Plans to Develop Green Buildings)

- (1) Pursuant to a master plan, the Mayors/Do Governors shall formulate and implement a plan for the development of green buildings (hereinafter referred to as "development plan") of the Special Metropolitan City, Metropolitan Cities, Special Self-Governing Province, Dos, or Special Self-Governing Province (hereinafter referred to as "City/ Do") every five years: <Amended by Act No. 12703, May 28, 2014>
- 1.Matters concerning the current state of regional green buildings and prospect thereof;
- 2.Matters concerning the basic direction-setting of development of green buildings and objectives to be attained;
- 3.Matters concerning the development of green buildings and support therefor;
- 4.Matters concerning measures to raise capital necessary for the promotion of a plan to develop green buildings and the implementation, management, operation, etc. of project expenses that have been raised;
- 5.Matters concerning building materials for the development of green buildings and construction thereof;
- 6.Other matters prescribed by City or Do Ordinances to support the development of green buildings.
- (2)If a Mayor/Do Governor intends to formulate a development plan, he/she shall have the plan deliberated by a local committee on green growth under Article 20 of the Framework Act on Low Carbon, Green Growth or by a local building committee under Article 4 of the Building Act.
- (3)When a Mayor/Do Governor formulates a development plan, he/she shall report the details to the Minister of Land, Infrastructure and Transport and notify the heads of Sis/Guns/Gus in his/her jurisdiction thereof so that the general public may inspect the details. <Amended by Act No. 11690, Mar. 23, 2013>
- (4)A Mayor/Do Governor shall endeavor to include project expenses necessary for implementing a development plan in the expenditure budget of each year. <Newly Inserted by Act No. 12703, May 28, 2014>
- (5)Other matters necessary for formulating, implementing, modifying, etc. a development plan shall be prescribed by Presidential Decree.

Article 8 (Relationship with Other Plans, etc.)

- (1)Pursuant to relevant statutes, where the State and local governments formulate plans, grant permission, etc. regarding green buildings, they shall consider the details of a master plan and a development plan.

- (2) A master plan and a development plan shall harmonize with the master plan for architectural policy and the master plan for provincial architecture under the Framework Act on Building.

Article 9 (Condition Inspection)

- (1) To secure basic data necessary for the development of green buildings, the Minister of Land, Infrastructure and Transport may conduct a condition inspection relating to the development of green buildings: Provided, That where the head of a relevant central administrative agency makes a request, the Minister of Land, Infrastructure and Transport may conduct a condition inspection jointly with the head of the relevant central administrative agency. <Amended by Act No. 11690, Mar. 23, 2013>
- (2) The Minister of Land, Infrastructure and Transport may request the heads of organizations or institutions relating to the development of green buildings to submit data necessary for the condition inspection under paragraph (1), and the heads of organizations or institutions in receipt of such request shall comply with it unless there is a compelling reason not to do so. <Amended by Act No. 11690, Mar. 23, 2013>
- (3) Matter necessary for the frequency, methods, objects, etc. of a condition inspection under paragraph (1) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

CHAPTER III MEASURES TO MANAGE BUILDING ENERGY AND GREENHOUSE GASES

Article 10 (Construction, etc. of Information System on Building Energy and Greenhouse Gases)

- (1) To develop, verify, and manage information and statistics relating to the volume of greenhouse gas emissions from buildings and the volume of energy use in buildings (hereinafter referred to as “information on building energy and greenhouse gases”), the Minister of Land, Infrastructure and Transport shall construct an information system on building energy and greenhouse gases. <Amended by Act No. 11690, Mar. 23, 2013>
- (2) When the Minister of Land, Infrastructure and Transport constructs an information system on building energy and greenhouse gases under paragraph (1), he/she shall make it coincide with the integrated information management system for greenhouse gases under Article 45 of the Framework Act on Low Carbon, Green Growth. <Amended by Act No. 11690, Mar. 23, 2013>
- (3) The following energy suppliers or management institutions shall submit information on building energy and greenhouse gases to the Minister of Land, Infrastructure and Transport: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12703, May 28, 2014; Act No. 13474, Aug. 11, 2015>
1. The Korea Electric Power Corporation under the Korea Electric Power Corporation Act;
 2. The Korea Gas Corporation under the Korea Gas Corporation Act;
 3. Urban gas business entities under subparagraph 2 of Article 2 of the Urban Gas Business Act;
 4. Business entities under subparagraph 3 of Article 2 of the Integrated Energy Supply Act and the Korea District Heating Corporation under Article 29 of the said Act;
 5. Waterworks business operators under subparagraph 21 of Article 3 of the Water Supply and Waterworks Installation Act;

6. Collective suppliers of liquefied petroleum gas under subparagraph 7 of Article 2 of the Safety Control and Business of Liquefied Petroleum Gas Act;
 7. Management entities under Article 2 (1) 10 of the Multi-Family Housing Management Act;
 8. Managing bodies or organizations entrusted with the management of buildings from managing bodies under Article 23 (1) of the Act on Ownership and Management of Condominium Buildings;
 9. Other energy suppliers or management institutions prescribed by Presidential Decree.
- (4) The Minister of Land, Infrastructure and Transport may request the energy suppliers or management institutions under paragraph (3) to submit information on building energy and greenhouse gases by an electronic method or in real time using the information system on building energy and greenhouse gases. In such cases, the suppliers or institutions in receipt of such request shall comply with it unless there is a compelling reason not to do so. <Newly Inserted by Act No. 12703, May 28, 2014>
- (5) To reduce the volume of energy use in buildings and to encourage reduction in greenhouse gas emissions from buildings, the Minister of Land, Infrastructure and Transport may disclose information on building energy and greenhouse gases by any of the following methods: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12703, May 28, 2014>
1. On the information system on building energy and greenhouse gases constructed pursuant to paragraph (1);
 2. On the website operated by an institution or organization designated by a provider of information and communications services under Article 2 (1) 3 of the Act on Promotion of Information and Communications Network Utilization and Information Protection, Etc. (hereinafter referred to as “provider of information and communications services”) or by the Minister of Land, Infrastructure and Transport.
- (6) To facilitate conducting of the duties of construction, operation, etc. of an information system on building energy and greenhouse gases, the Minister of Land, Infrastructure and Transport may request persons who hold or manage the following information to provide the information, such as data on the year of birth and biological sex from electronic information on resident registration under Article 30 (1) of the Resident Registration Act and management expenses and volume of use for multi-family housing under the subparagraphs of Article 23 (4) of the Multi-Family Housing Management Act. In such cases, the persons in receipt of such request shall comply with it unless there is a compelling reason not to do so, such as personal information protection and information security. <Newly Inserted by Act No. 12703, May 28, 2014; Act No. 13474, Aug. 11, 2015>
- (7) Matters necessary for the methods of submission and forms under paragraphs (3) and (4), methods of disclosure and procedures therefor under paragraph (5), procedures for request, methods thereof under paragraph (6), etc. shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12703, May 28, 2014>
- (8) The Ministry of Land, Infrastructure and Transport may entrust institutions or organizations prescribed by Presidential Decree with the operation of an information system on building energy and greenhouse gases under paragraph (1). <Amended by Act No. 11690, Mar. 23, 2013>

Article 11 (Management of Regional Total Energy Use in Buildings)

- (1) Mayors/Do Governors may set and manage the volume of total energy use in buildings in their jurisdiction as prescribed by Presidential Decree.
- (2) If Mayors/Do Governors intend to set a cap on total energy use in buildings in their jurisdiction pursuant to paragraph (1), they shall hear opinions of residents and local council of relevant area as prescribed by Presidential Decree.
- (3) Mayors/Do Governors may formulate a plan to consume the volume of total energy in buildings in their jurisdiction and enter into an agreement with the Minister of Land, Infrastructure and Transport. In such cases, the Minister of Land, Infrastructure and Transport may provide the heads of local governments with whom the agreement is entered, with administrative and financial support that is necessary to implement the agreement. <Amended by Act No. 11690, Mar. 23, 2013>
- (4) Matters necessary for concluding, implementing, etc. an agreement under paragraph (3) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

Article 12 (Limit on Total Energy Use in Individual Buildings)

- (1) To reach the greenhouse gas emission targets for buildings for medium and long-term periods and by phase under Article 42 of the Framework Act on Low Carbon, Green Growth, the Minister of Land, Infrastructure and Transport may limit the total energy use in new buildings and in existing buildings. <Amended by Act No. 11690, Mar. 23, 2013>
- (2) The Minister of Land, Infrastructure and Transport shall annually propose the acceptable energy use standards by use of buildings. <Amended by Act No. 11690, Mar. 23, 2013>
- (3) A building owner who intends to construct a building shall design the total energy use of the building below the acceptable standards under paragraph (2) and shall submit evidentiary documents when he/she files for permission for construction.
- (4) The management of total energy use in an existing building shall follow the management of targets for greenhouse gases and energy under Article 42 of the Framework Act on Low Carbon, Green Growth.
- (5) Matters necessary for the limit on the total energy use in new buildings and for the management of targets for greenhouse gases and energy in existing buildings shall be prescribed by Presidential Decree.

Article 13 (Standards for Improvement of Energy Performance in Existing Buildings)

- (1) Where an existing building is converted to a green building to raise energy efficiency in the building, it shall comply with the standards publicly notified by the Minister of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>
- (2) The types of existing buildings under paragraph (1) and the scope of construction work shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

Article 13-2 (Disclosure, etc. of Volume of Energy Use in Public Buildings)

- (1) For energy saving and reduction of greenhouse gas emissions in public buildings, the users or managers of

buildings prescribed by Presidential Decree (hereinafter referred to as “public building”) shall report quarterly the volume of energy use in the relevant buildings to the Minister of Land, Infrastructure and Transport.

- (2) The Minister of Land, Infrastructure and Transport shall disclose the volume of energy use in public buildings reported pursuant to paragraph (1).
- (3) The Minister of Land, Infrastructure and Transport may request the improvement of energy efficiency and the improvement of performance of buildings energy efficiency of which is low upon examination of the volume of energy use reported pursuant to paragraph (1).
- (4) Necessary matters, such as report on the volume of energy use, disclosure, methods of indication, and methods of examining the appropriateness of volume of energy use under paragraphs (1) through (3), shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

[This Article Newly Inserted by Act No. 12703, May 28, 2014]

Article 14 (Submission of Energy Saving Plans)

- (1) Where a building owner prescribed by Presidential Decree applies for any of the following, he/she shall submit an energy saving plan as prescribed by Presidential Decree: <Amended by Act No. 13790, Jan. 19, 2016>
 - 1. Permission for construction under Article 11 of the Building Act (excluding substantial repair);
 - 2. Permission for change of use or report thereon under Article 19 (2) of the Building Act;
 - 3. Alteration of entries in the building register under Article 19 (3) of the Building Act.
- (2) The head of an administrative agency in receipt of a request for permission, etc. under paragraph (1) shall examine the appropriateness of the energy saving plan. In such cases, the building owner may be made to have the energy saving plan deliberated and supplemented by an energy-related specialized institution prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12703, May 28, 2014>
- (3) Where an energy saving plan which is verified beforehand is submitted as publicly notified by the Minister of Land, Infrastructure and Transport, the head of an administrative agency need not examine the appropriateness of the energy saving plan, notwithstanding paragraph (2). <Newly Inserted by Act No. 13790, Jan. 19, 2016>
- (4) To swiftly operate the duties of examining energy saving plans under paragraph (2), the Minister of Land, Infrastructure and Transport may designate an operating body among energy-related specialized institutions prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport and may delegate duties related to operations to the institution. <Newly Inserted by Act No. 13790, Jan. 19, 2016>
- (5) The procedures for examining energy saving plans under paragraph (2), standards and procedures for designating an operating body under paragraph (4), and other matters necessary for operating examining duties shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Newly Inserted by Act No. 13790, Jan. 19, 2016>
- (6) Where an energy-related institution examines and supplements an energy saving plan pursuant to paragraph (2), it may collect fees from the building owner according to the rate and procedures prescribed by Ordinance of the Ministry of

Land, Infrastructure and Transport. <Newly Inserted by Act No. 12703, May 28, 2014; Act No. 13790, Jan. 19, 2016>

Article 14-2 (Installation of Awnings, etc. to Save Energy in Buildings)

- (1) Where a building prescribed by Presidential Decree is constructed or is remodeled and where windows are installed on the outer walls of the building or the outer walls are of materials prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, such as glass, the building owner shall install a solar radiation control device to raise energy efficiency, such as an awning to block solar radiation, according to the standards publicly notified by the Minister of Land, Infrastructure and Transport.
- (2) A building owner who intends to construct or remodel a building prescribed by Presidential Decree shall install construction equipment, such as insulators and damp proofing layers that prevent energy loss, intelligent meters, highly efficient cooling and heating equipment, and illuminating apparatuses, for reduced energy use and for efficient management. In such cases, the types, standards for installation, etc. of construction equipment shall be publicly notified by the Minister of Land, Infrastructure and Transport.

[This Article Newly Inserted by Act No. 12703, May 28, 2014]

CHAPTER IV IMPLEMENTATION OF GREEN BUILDINGS RATING SYSTEM

Article 15 (Efficient Energy Management of Buildings and Acceleration of Development of Green Buildings)

- (1) For efficient energy management of buildings and acceleration of development of green buildings, the Minister of Land, Infrastructure and Transport may determine standards necessary for design, construction, supervision, maintenance, and management. <Amended by Act No. 11690, Mar. 23, 2013>
- (2) To accelerate the development of green buildings, a permitting authority under Article 5 (1) of the Building Act (hereinafter referred to as “permitting authority”) need not apply Article 14 (1) or 14-2 to buildings complying with the standards prescribed by Presidential Decree or may apply relaxed standards to such buildings within the following scopes: <Amended by Act No. 12703, May 28, 2014>
 1. Floor area ratio of buildings under Article 56 of the Building Act: Not exceeding 115/100;
 2. Height of buildings under Articles 60 and 61 of the Building Act: Not exceeding 115/100.
- (3) Local governments may prescribe by Ordinance the relaxed standards for construction and financial support within the scope of public notice under paragraph (1).

Article 15-2 (Maintenance and Management of Green Buildings)

The owner or manager of a green building shall maintain and manage the green building in accordance with Articles 12, 14, 14-2, 15, 16, and 17; and the Minister of Land, Infrastructure and Transport, Mayors/Do Governors, or the heads of Sis/Guns/Gus may examine whether maintenance and management is appropriate or may conduct a condition inspection as prescribed by Presidential Decree: Provided, That Articles 16 and 17 shall be limited to cases in which certification is obtained.

[This Article Newly Inserted by Act No. 12703, May 28, 2014]

Article 16 (Certification of Green Buildings)

- (1) To realize sustainable development and to induce the construction of resource saving and eco-friendly buildings, the Minister of Land, Infrastructure and Transport shall implement a green building certification system. <Amended by Act No. 11690, Mar. 23, 2013>
- (2) To implement a green building certification system under paragraph (1), the Minister of Land, Infrastructure and Transport may designate an operating body and certification bodies and delegate the duties of certification to them. <Amended by Act No. 11690, Mar. 23, 2013>
- (3) A person who intends to obtain certification of green buildings shall apply for certification to a certification body under paragraph (2).
- (4) With regard to the operation of the green building certification system under paragraph (1), the following matters shall be prescribed by Joint Ordinance of the Ministry of Land, Infrastructure and Transport and the Ministry of Environment: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12703, May 28, 2014>
1. Types of buildings subject to certification;
 2. Certification criteria and certification procedures;
 3. Term of validity of certification;
 4. Fees;
 5. Standards for designating certification bodies and an operating body, procedures for designation, and scope of duties;
 6. Examination or condition inspection of certified buildings;
 7. Methods of indicating the result of certification.
- (5) A building owner who constructs or remodels a building prescribed by Presidential Decree shall obtain certification of green buildings for the building, indicate the result, and attach relevant documents when he/she applies for approval for use under Article 22 of the Building Act. In such cases, the permitting authority who approves use of the building shall enter relevant matters in the building register under Article 38 of the Building Act without delay. <Newly Inserted by Act No. 12703, May 28, 2014; Act No. 13790, Jan. 19, 2016>
- Article 17 (Certification of Building Energy Efficiency Rating and Certification of Zero Energy Buildings)
- (1) To increase the number of buildings with high energy performance and to manage building energy effectively, the Minister of Land, Infrastructure and Transport shall implement a building energy efficiency rating certification system and a zero energy building certification system. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13790, Jan. 19, 2016>
- (2) To implement a building energy efficiency rating certification system and a zero energy building certification system under paragraph (1), the Minister of Land, Infrastructure and Transport may designate an operating body and certification bodies and delegate to them the duties of certifying building energy efficiency rating and zero energy buildings. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13790, Jan. 19, 2016>
- (3) A person who intends to obtain certification of building energy efficiency rating shall apply for certification to a certification body under paragraph (2) according to the use and size of the building, and the duties of assessing the certification shall be implemented by a building energy assessor who is affiliated with or is registered at a certification body. <Amended by Act No. 12703, May 28, 2014>

(4) A person who intends to obtain certification of zero energy buildings for a building for which the result of assessing certification under paragraph (3) is the same as or above the standards prescribed by Joint Ordinance of the Ministry of Land, Infrastructure and Transport and the Ministry of Trade, Industry and Energy, shall file an application with a certification body under paragraph (2). <Newly Inserted by Act No. 13790, Jan. 19, 2016>

(5) With regard to the building energy efficiency rating certification system and zero energy building certification system under paragraph (1), the following matters shall be prescribed by Joint Ordinance of the Ministry of Land, Infrastructure and Transport and the Ministry of Trade, Industry and Energy: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12703, May 28, 2014; Act No. 13790, Jan. 19, 2016>

1. Types of buildings subject to certification;
2. Criteria and procedures for certification;
3. Term of validity of certification;
4. Fees;
5. Standards and procedures for designating certification bodies and an operating body, and scope of duties;
6. Examination or condition inspection of certified buildings;
7. Methods of indicating the result of certification;
8. Scope of duties of building energy assessor regarding the assessment of certification.

(6) A building owner who intends to construct or remodel a building shall obtain certification of energy efficiency rating for the building and indicate the result and shall attach relevant documents when he/she files an application for use of the building pursuant to Article 22 of the Building Act. In such cases, the permitting authority who approves use of the building shall enter such matters in the building register under Article 38 of the Building Act without delay. <Newly Inserted by Act No. 12703, May 28, 2014>

Article 18 (Disclosure and Utilization of Information on Building Energy)

(1) The Minister of Land, Infrastructure and Transport shall disclose a building energy assessment report by a method under Article 10 (5), in which the volume of annual energy use and greenhouse gas emissions from buildings prescribed by Presidential Decree or energy efficiency rating of the buildings certified pursuant to Article 17, etc. are recorded. <Amended by Act No. 12703, May 28, 2014; Act No. 13790, Jan. 19, 2016>

(2) When a licensed real estate agent under the Licensed Real Estate Agents Act brokers a conveyance of a building falling under paragraph (1), he/she may guide the purchaser or lessee to confirm the energy assessment report of the building subject to the conveyance. <Amended by Act No. 12703, May 28, 2014; Act No. 15728, Aug. 14, 2018>

(3) Detailed matters concerning the disclosure of information on building energy performance and utilization, such as details of building energy assessment report, standards and procedures for disclosure, measures for utilization, and an operating body, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 13790, Jan. 19, 2016>

Article 19 (Revocation of Designation as Certification Bodies)

Where a certification body designated pursuant to Articles 16 (2) and 17 (2) falls under any of the following, the Minister of Land, Infrastructure and Transport may revoke the designation or order the certification body to fully or partially suspend duties for a specified period of up to one year after consultation with the Minister of Environment or the Minister of Trade, Industry and Energy: Provided, That where it falls under subparagraph 1, the Minister of Land, Infrastructure and Transport shall revoke the designation: <Amended by Act No. 11690, Mar. 23, 2013>

1. Where it obtains designation by fraud or other improper means;
2. Where it fails to continuously perform duties for at least two years from the date of designation without good cause;
3. Where it performs the duties of certification in violation of the criteria and procedures for certification;
4. Where it refuses to examine certification without good cause;
5. Where it is unable to perform the duties of a certification body.

Article 20 (Revocation of Certification)

(1) Where a certified building falls under any of the following, the head of the relevant certification body designated pursuant to Articles 16 (2) and 17 (2) may revoke the certification:

1. Where major facts on which certification is based or prerequisites for certification are changed;
2. Where important information or documents received in the course of application for certification or examination are found to be false;
3. Where the owner, etc. of the certified building return the certificate to the certification body;
4. Where permission for construction of the certified building is revoked.

(2) Where the head of a certification body revokes certification pursuant to paragraph (1), he/she shall report the details to the Minister of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

CHAPTER V REALIZATION OF DEVELOPMENT OF GREEN BUILDINGS AND SUPPORT THEREFOR

Article 21 (Training of Specialists in Green Buildings and Support Therefor)

- (1) To train specialists in green buildings and to promote their employment, the Minister of Land, Infrastructure and Transport shall prepare measures. <Amended by Act No. 11690, Mar. 23, 2013>
- (2) The Minister of Land, Infrastructure and Transport may fully or partially subsidize the project expenses necessary to educate and train specialists in green buildings within the budget. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13790, Jan. 19, 2016>
- (3) The Minister of Land, Infrastructure and Transport may recommend the implementers of projects related to the development of green buildings to increase employment of specialists in green buildings. <Amended by Act No. 11690, Mar. 23, 2013>

Article 22 (Research, Development, etc. of Technologies for Development of Green Buildings)

- (1) To promote the research and development, commercialization, etc. of green technologies for the development of green buildings (hereinafter referred to as "technologies for development of green buildings"), the Minister of Land, Infrastructure and Transport may formulate and implement policies including the

following: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12703, May 28, 2014>

1. Collection, analysis, and provision of information related to green buildings;
 2. Development and dissemination of technologies for assessing green buildings;
 3. Financial support for the promotion of research and development of technologies for the development of green buildings, commercialization, etc.;
 4. Development of green building materials and development of construction technologies.
- (2) Where the Minister of Land, Infrastructure and Transport promotes the measures under Article 26 of the Framework Act on Low Carbon, Green Growth, he/she shall preferentially consider matters concerning the development of green buildings based upon the urgency and effect of the implementation of policies. <Amended by Act No. 11690, Mar. 23, 2013>
- (3) Where the Minister of Land, Infrastructure and Transport deems it necessary for the promotion of the use and dissemination of results of research developed pursuant to paragraph (1) and for the promotion of connection with related industries, he/she may implement a demonstration project related to the use, dissemination, etc. of technologies for developing green buildings. <Amended by Act No. 11690, Mar. 23, 2013>
- (4) Matters necessary for support, etc. under paragraphs (1) through (3) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

Article 23 (Designation, etc. of Green Building Centers)

- (1) To efficiently promote the research, development, dissemination, etc. of technologies for the development of green buildings, the Minister of Land, Infrastructure and Transport may designate specialized institutions prescribed by Presidential Decree as a green building center. <Amended by Act No. 11690, Mar. 23, 2013>
- (2) Green building centers under paragraph (1) shall perform the following duties: <Amended by Act No. 13790, Jan. 19, 2016>
1. Operation of an information system on building energy and greenhouse gases under Article 10 (1);
 2. Certification of green buildings;
 3. Certification of building energy efficiency rating;
 4. Training and education of specialists in green buildings;
 5. Operation of a demonstration project of zero energy building and duties of certification;
 6. Other projects necessary for promoting development of green buildings.
- (3) The Minister of Land, Infrastructure and Transport may designate green building centers as a green building support center, a green building business center, or a zero energy building support center by classifying the green building centers under paragraph (1) according to their duties and functions. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 13790, Jan. 19, 2016>
- (4) The Minister of Land, Infrastructure and Transport may contribute or support part of the expenses necessary for green building centers under paragraph (1) in implementing duties under the subparagraphs of paragraph (2) within the budget. <Amended by Act No. 11690, Mar. 23, 2013>

(5)Matters necessary for designation as green building centers, standards for revocation of designation, procedures, etc. under paragraph (1) shall be prescribed by Presidential Decree.

Article 24 (Implementation of Demonstration Projects for Development of Green Buildings)

(1)To raise people's awareness and to promote the development of green buildings, the heads of central administrative agencies and the heads of local governments may designate the following projects as a demonstration project: <Amended by Act No. 13790, Jan. 19, 2016>

1. Projects implemented by public institutions;
2. Projects of converting existing housing into a green building;
3. Projects of newly developing green buildings;
4. Projects of converting buildings other than existing housing into a green building, which are prescribed by Presidential Decree.

(2)The heads of central administrative agencies and the heads of local governments may support the demonstration project under paragraph (1) with a financial aid, etc.

(3)Matters necessary for the procedures for designating demonstration projects for the development of green buildings, application of standards for development of green buildings, financial aid, etc. under paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

Article 25 (Support for Projects for Development of Green Buildings, Exceptions Thereto, etc.)

(1)The State and local governments may provide necessary support to projects, etc., such as paying subsidies, for developing green buildings.

(2)The Credit Guarantee Fund established under the Credit Guarantee Fund Act and the Korea Technology Finance Corporation established under the Korea Technology Finance Corporation Act shall preferentially extend credit guarantee or give preferential treatment in conditions for guarantee, etc. to projects of developing green buildings. <Amended by Act No. 14122, Mar. 29, 2016>

(3)To support enterprises relating to the projects of developing green buildings, the State and local governments may grant exemptions from or reduction in income tax, corporate tax, acquisition tax, property tax, registration tax, etc. as prescribed by the Restriction of Special Taxation Act and the Restriction of Special Local Taxation Act. <Amended by Act No. 13790, Jan. 19, 2016>

(4)Where an enterprise relating to projects of developing green buildings invites foreign investment under Article 2 (1) 4 of the Foreign Investment Promotion Act, the State and local governments shall earnestly endeavor to support it.

Article 26 (Financial Support and Acceleration)

To promote the development of green buildings, the government shall formulate and implement financial policies including the following:

1. Funding and financial support to help, etc. the development of green buildings;
2. Development of new financial products that support the development of green buildings;
3. Acceleration of private investment in the projects to construct infrastructure for the development of green buildings.

CHAPTER VI ACCELERATION OF GREEN REMODELING

Article 27 (Support for Green Remodeling)

The government and local governments may give necessary support for remodeling for improving energy performance, improving energy efficiency, etc. (hereinafter referred to as “green remodeling”), such as paying them subsidies. In such cases, the Minister of Land, Infrastructure and Transport shall publicly notify the detailed objects, scope, standards, etc. of green remodeling eligible for support.

[This Article Newly Inserted by Act No. 12703, May 28, 2014]

Article 28 (Establishment, etc. of Green Remodeling Funds)

- (1) Mayors/Do Governors shall establish a green remodeling fund (hereinafter referred to as “Fund”) to efficiently implement green remodeling, and the heads of Sis (excluding the head of administrative Sis under Article 11 (2) of the Special Act on the Establishment of Jeju Special Self-Governing Province and the Development of Free International City), Guns, and Gus may establish a Fund as prescribed by Ordinance. <Amended by Act No. 15316, Dec. 26, 2017>
- (2) The Fund shall be established from the following sources: <Amended by Act No. 15316, Dec. 26, 2017>
 1. Contributions and donations from persons (including public enterprises under Article 5 (3) 1 of the Act on the Management of Public Institutions) other than the government;
 2. Transfer from the general account or other funds;
 3. Earnings from operating the Fund;
 4. Transfer from the charges for compelling compliance under Article 80 of the Building Act;
 5. Other earnings prescribed by Ordinance of the relevant local government.
- (3) Matters necessary for operating and managing the Fund shall be prescribed by Ordinance of the relevant local government. <Amended by Act No. 15316, Dec. 26, 2017>

[This Article Newly Inserted by Act No. 12703, May 28, 2014]

Article 29 (Establishment of Green Remodeling Center)

- (1) To support and manage buildings for green remodeling, the Minister of Land, Infrastructure and Transport may establish a green remodeling center or designate a public institution specialized in performing the duties of green remodeling as a green remodeling center: Provided, That where the Minister of Land, Infrastructure and Transport intends to establish a green remodeling center, he/she shall have a prior consultation with the Minister of Strategy and Finance.
- (2) Where necessary for the efficient operation of a green remodeling center, the green remodeling center may request central administrative agencies, local governments, public institutions prescribed by Presidential Decree, or relevant private institutions, organizations, research institutions, or enterprises to dispatch public officials, executive officers, employees, etc. affiliated therewith or may request them to work concurrently at the green remodeling center in addition to performing their original work.
- (3) A green remodeling center shall perform the following projects: <Amended by Act No. 13790, Jan. 19, 2016>

- 1.Improvement of building energy performance or improvement of building energy efficiency and projects to reduce greenhouse gas emissions thereby;
 - 2.Research, development, introduction, guidance, and dissemination of green remodeling technologies;
 - 3.Formulating and planning green remodeling projects, analyzing the feasibility of such projects, and managing them;
 - 4.Matters concerning evaluation of building energy performance and improvement thereof;
 - 5.Inspection, research, education, and publicity concerning improvement of energy performance and improvement of energy efficiency;
 - 6.Support and money management for the improvement of energy performance and the improvement of energy efficiency in the existing buildings;
 - 7.Training and education of specialists in green remodeling;
 - 8.Performance of duties and support for duties, such as laying an order for a green remodeling project performed by the State or local governments, selection of a business entity, performance, and management;
 9. Projects related to the projects under subparagraphs 1 through 8.
- (4)To cover expenses necessary for the projects and operation of a green remodeling center, the government may pay contributions within the budget or give administrative and financial support.
- (5)A green remodeling center shall submit a business plan, etc. to the Minister of Land, Infrastructure and Transport by the following deadline as prescribed by Presidential Decree:
1. Business plan and budget bill: By the commencement date of each business year;
 2. Closing statement of a business year: By March 31 of the following business year.
- (6)Other matters necessary for establishing, designating, operating, etc. a green remodeling center shall be prescribed by Presidential Decree.
- [This Article Newly Inserted by Act No. 12703, May 28, 2014]

Article 30 (Registration of Green Remodeling Business)

- (1) The Minister of Land, Infrastructure and Transport may give necessary support to persons (hereinafter referred to as “green remodeling business entity”) who intend to perform a project prescribed by Presidential Decree among the projects under the subparagraphs of Article 29 (3) after being entrusted therewith from a third party.
- (2)A person who intends to apply for registration as a green remodeling business entity under paragraph (1) shall have equipment, asset, technical personnel, etc. as prescribed by Presidential Decree and file an application with the Minister of Land, Infrastructure and Transport. In such cases, the Minister of Land, Infrastructure and Transport may entrust a green remodeling center with the duties of registration of green remodeling business entities and management thereof.
- (3)Where a person registered as a green remodeling business entity pursuant to paragraph (2) falls under any of the following, the Minister of Land, Infrastructure and Transport may revoke the registration or order him/her to fully or partially suspend duties for a specified period of up to one year: Provided, That where the business entity falls under subparagraph 1, the Minister of Land, Infrastructure and Transport shall revoke the registration:
- 1.Where he/she makes registration by fraud or other improper means;

2. Where he/she fails to continuously perform duties for at least two years from the date of registration without good cause;
3. Where he/she performs duties in violation of the registration standards and procedures;
4. Where he/she refuses to perform duties without good cause;
5. Where he/she becomes unable to perform the duties of a green remodeling business entity.

[This Article Newly Inserted by Act No. 12703, May 28, 2014]

CHAPTER VII BUILDING ENERGY ASSESSORS

Article 31 (Building Energy Assessor License Examination)

- (1) A person who intends to be a building energy assessor shall pass a license examination conducted by the Minister of Land, Infrastructure and Transport. In such cases, the Minister of Land, Infrastructure and Transport shall issue a certificate to persons who pass the license examination.
- (2) Any of the following persons shall be disqualified from becoming a building energy assessor: <Amended by Act No. 15673, Jun. 12, 2018>
 1. A person under adult guardianship or a minor;
 2. Deleted; <by Act No. 15673, Jun. 12, 2018>
 3. A person who had been sentenced to imprisonment with labor or heavier punishment for violating this Act, the Energy Use Rationalization Act or the Act on the Promotion of the Development, Use and Diffusion of New and Renewable Energy, and for whom two years have not passed since such punishment was complete (including where the execution thereof is deemed complete) or the non-execution thereof became final;
 4. A person who is under suspension of the execution of his/her imprisonment with labor or heavier punishment declared by a court for his/her violation of this Act, the Energy Use Rationalization Act or the Act on the Promotion of the Development, Use and Diffusion of New and Renewable Energy;
 5. A person for whom three years have not passed since his/her building energy assessor license was revoked under Article 33 (excluding revocation of license under subparagraph 1 of this paragraph).
- (3) If a person who passes a building energy assessor license examination intends to perform the duties of assessing certification of building energy efficiency rating under Article 17, he/she shall complete the education and training course conducted by the Minister of Land, Infrastructure and Transport.
- (4) No person, other than a building energy assessor, shall use the title of a building energy assessor or any similar title.
- (5) Necessary matters, such as grade classification of building energy assessor license examination, qualification for taking the examination, methods of examination, exemption from part of examination subjects, management of license, examination procedures, examination fees, career management, methods of education and training, and standards for designating institutions conducting license examinations, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
- (6) To conduct a building energy assessor license examination under paragraph (1) and related duties, the Minister of Land, Infrastructure and Transport shall designate a specialized institution as prescribed by Ordinance of the Ministry of

Land, Infrastructure and Transport and shall entrust the following duties to the institution:

1. Duties concerning building energy assessor license examination;
2. Duties concerning education and training of building energy assessors;
3. Duties concerning career management of building energy assessors and support therefor;
4. Other duties prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

[This Article Newly Inserted by Act No. 12703, May 28, 2014]

Article 32 (Matters to Be Observed by Building Energy Assessors)

- (1) A building energy assessor shall perform duties impartially according to relevant regulations.
- (2) A building energy assessor shall neither lend his/her building energy assessor license issued by the Minister of Land, Infrastructure and Transport to another person nor allow another person to perform the duties of building energy assessor in his/her name.

[This Article Newly Inserted by Act No. 12703, May 28, 2014]

Article 33 (Revocation, etc. of Building Energy Assessor License)

- (1) Where a building energy assessor falls under any of the following, the Minister of Land, Infrastructure and Transport may revoke the license or suspend the license for a specified period of up to three years: Provided, That where he/she falls under subparagraph 1, 2, or 4, the Minister of Land, Infrastructure and Transport shall revoke the license:
 1. Where he/she obtains a building energy assessor license by fraud or other improper means;
 2. Where he/she again commits an act equivalent to suspension of license after his/her license having been suspended two times within the recent one year;
 3. Where he/she performs the duties of building energy assessment in a fraudulent or unreliable manner with intention or by gross mistake;
 4. Where he/she falls under any of the subparagraphs of Article 31 (2);
 5. Where he/she lends his/her license to another person or allows another person to perform the duties of building energy assessment in his/her name, in violation of Article 32(2);
 6. Where he/she perform the duties of building energy assessment while his/her license is suspended.
- (2) The standards for revocation and suspension of building energy assessor license under paragraph (1) shall be prescribed by Presidential Decree in consideration of the reasons, degree of violations, etc.

[This Article Newly Inserted by Act No. 12703, May 28, 2014]

Article 34 (Building Energy Assessor License Screening Committee)

- (1) To deliberate on the following matters relating to the acquisition of building energy assessor license and operation of examination, a building energy assessor license screening committee may be established in the Ministry of Land, Infrastructure and Transport:

1. Matters concerning examination, such as qualification for taking an examination and examination subjects;
 2. Matters concerning determination of the number of persons to be selected in the examination;
 3. Matters concerning persons qualified for exemption from part of examination subjects;
 4. Other matters concerning acquisition of building energy assessor license.
- (2) Necessary matters, such as composition, function, and operation of the building energy assessor license screening committee under paragraph (1), shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
[This Article Newly Inserted by Act No. 12703, May 28, 2014]

CHAPTER VIII SUPPLEMENTARY PROVISIONS

Article 35 (Delegation, Entrustment, etc. of Authority)

- (1) The Minister of Land, Infrastructure and Transport may delegate part of his/her duties to Mayors/Do Governors as prescribed by Presidential Decree. <Amended by Act No. 11690, Mar. 23, 2013>
- (2) To efficiently promote the projects under the subparagraphs of Article 6-2, the Minister of Land, Infrastructure and Transport may entrust the projects to any of the following persons: <Newly Inserted by Act No. 12703, May 28, 2014; Act No. 14079, Mar. 22, 2016>
 1. Central administrative agencies, local governments, and public institutions;
 2. National and public research institutes;
 3. Specific research institutes under the Specific Research Institutes Support Act;
 4. Business-affiliated research institutes recognized pursuant to Article 14-2 (1) of the Basic Research Promotion and Technology Development Support Act;
 5. Industrial technology research cooperatives under the Industrial Technology Research Cooperatives Support Act;
 6. Universities, colleges, or junior colleges under the Higher Education Act;
 7. Green building centers under Article 23;
 8. Others deemed by the Minister of Land, Infrastructure and Transport to be appropriate for performance of duties.
- (3) The Minister of Land, Infrastructure and Transport may entrust institutions or organizations prescribed by Presidential Decree with the duties of energy use management in public buildings pursuant to Article 13-2. <Newly Inserted by Act No. 12703, May 28, 2014>
- (4) The Minister of Land, Infrastructure and Transport may make contributions or give support to institutions referred to in paragraphs (2) and (3) for part of the expenses needed in performing duties. <Newly Inserted by Act No. 12703, May 28, 2014>

Article 36 (Support for International Cooperation and Overseas Expansion)

- (1) To promote international cooperation and overseas expansion of the project of developing green buildings, the Minister of Land, Infrastructure and Transport may give support, such as provision of relevant information, advice and guidance on overseas expansion, international exchange in relevant technologies and personnel, participation in international events, and international projects of joint research and development, if necessary. <Amended by Act No. 11690, Mar. 23, 2013>

(2) To efficiently support the project under paragraph (1), the Minister of Land, Infrastructure and Transport may entrust relevant institutions or organizations prescribed by Presidential Decree with the project or have them perform the project on behalf of the Minister of Land, Infrastructure and Transport and may fully or partially subsidize the necessary expenses within the budget. <Amended by Act No. 11690, Mar. 23, 2013>

Article 37 (Report on Master Plans)

Where the Minister of Land, Infrastructure and Transport formulates a master plan or receives a report on development plan, he/she shall make a report thereon to the green growth committee under Article 14 of the Framework Act on Low Carbon, Green Growth and to the national construction policy committee under Article 13 of the Framework Act on Building. <Amended by Act No. 11690, Mar. 23, 2013>

Article 38 (Preparation of National Report)

(1) The Minister of Land, Infrastructure and Transport may prepare a national report as determined by the master plan and development plan. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Where necessary for preparing a national report under paragraph (1), the Minister of Land, Infrastructure and Transport may request the heads of relevant central administrative agencies, heads of local governments, and heads of public institutions to submit data. In such cases, those who are requested to submit data shall comply with such request unless there is a compelling reason not to do so. <Amended by Act No. 11690, Mar. 23, 2013>

Article 39 (Hearings)

Where the Minister of Land, Infrastructure and Transport intends to render any of the following dispositions, he/she shall hold a hearing:

1. Revocation of designation as a certification body under Article 19;
2. Revocation of certification under Article 20;
3. Revocation of designation as a green building center under Article 23;
4. Revocation of registration of a green remodeling business entity under Article 30;
5. Revocation or suspension of license of a building energy assessor under Article 33.

[This Article Newly Inserted by Act No. 12703, May 28, 2014]

Article 39-2 (Persons to Be Deemed Public Officials in Applying Penalty Provisions)
Executive officers and employees who are not public officials from among those entrusted with projects or duties pursuant to Article 35 (2) and (3) shall be deemed public officials when Articles 129 through 132 of the Criminal Act are applicable.

[This Article Newly Inserted by Act No. 15316, Dec. 26, 2017]

CHAPTER IX PENALTY PROVISIONS

Article 40 (Penalty Provisions)

Any person who lends a license to another person, or allows another person to perform duties of a building energy assessor in his/her name in violation of Article 32 (2) shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding ten million won.

[This Article Newly Inserted by Act No. 12703, May 28, 2014]

Article 41 (Administrative Fines)

(1) Any of the following persons shall be subject to an administrative fine not exceeding 20 million won: <Amended by Act No. 12703, May 28, 2014; Act No. 13790, Jan. 19, 2016>

1. A person who fails to submit information on building energy and greenhouse gases, in violation of Article 10 (3) and (4);
 2. A person who fails to submit evidentiary data or an energy saving plan to the permitting authority without good cause or submits evidentiary data or an energy saving plan by fraud or other improper means, in violation of Articles 12 (3) and 14 (1);
 3. A person who fails to install a solar radiation control device, such as an awning to block sunlight, in violation of Article 14-2 (1);
 4. A person who fails to install heat insulation materials or to install construction equipment, such as smart meters, in violation of Article 14-2 (2);
 5. An energy related specialized institution that examines an energy saving plan or performs advance verification under Article 14 by fraud or other improper means;
 6. An owner or manager of a building who violates Article 15-2, or a person who submits an application for certification under Articles 16 and 17 after fraudulently preparing it;
 7. A person who fails to indicate the result of green building certification, fails to attach relevant documents, or indicates such result or attaches such documents by fraud or other improper means when applying for approval for use of a building, in violation of Article 16 (5);
 8. A person who fails to indicate the result of energy efficiency rating certification, fails to attach relevant documents, indicates such result or attaches such documents by fraud or other improper means when applying for approval for use of a building, in violation of Article 17 (6);
 9. A person who uses the title of building energy assessor or any similar title, in violation of Article 31 (4).
- (2) The administrative fines under paragraph (1) shall be imposed and collected by the following persons as classified hereunder: <Newly Inserted by Act No. 13790, Jan. 19, 2016>
1. Administrative fines under paragraph (1) 1 and 9: The Minister of Land, Infrastructure and Transport;
 2. Administrative fines under paragraph (1) 2 through 5, 7, and 8: The permitting authority;
 3. Administrative fines under paragraph (1) 6: The Minister of Land, Infrastructure and Transport, Mayors/Do Governors, and the heads of Sis/Guns/Gus.

ADDENDA

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Green Building Certification)

- (1) A building that has been certified as an eco-friendly building pursuant to Article 65 of the previous Building Act and a building the housing performance rating of which has been recognized pursuant to Article 21-2 of the previous Housing Act before this Act enters into force shall be deemed to have been certified as a green building pursuant to Article 16 (1).
- (2) An application for certification of eco-friendly building pursuant to Article 65 of the previous Building Act and an application for recognition of housing performance rating pursuant to Article 21-2 of the previous Housing Act shall be deemed an application for certification of green buildings pursuant to Article 16 (3).
- (3) Where an application for main certification is filed for a building that has received preliminary certification as an eco-friendly building before this Act enters into force, the previous provisions shall apply to the criteria therefor: Provided, That

where the previous provisions are less favorable than the criteria under Article 16 (4), the criteria under Article 16 (4) may be applicable if a building owner, etc. make a request.

- (4) A body designated as a certification body pursuant to Article 65 of the previous Building Act and a body designated as a certification body pursuant to Article 21-2 of the previous Housing Act shall be deemed to have been designated as a certification body pursuant to Article 16 (2).

Article 3 (Transitional Measures concerning Certification of Building Energy Performance Rating)

- (1) A building that has received accreditation of building energy performance rating pursuant to Article 66-2 of the previous Building Act as at the time this Act enters into force shall be deemed to have received certification of building energy performance rating pursuant to Article 17 (1).
- (2) An application for accreditation of building energy performance rating filed pursuant to Article 66-2 of the previous Building Act shall be deemed an application for certification under Article 17 (3).
- (3) Where an application for main accreditation is filed for a building that has received preliminary accreditation for building energy performance rating before this Act enters into force, the standards under the previous provisions shall be applicable: Provided, That where the standards under the previous provisions are less favorable than the standards under Article 17 (4), the standards under Article 17 (4) may be applicable if a building owner, etc. make a request.
- (4) An institution designated as an operating and accrediting institution pursuant to Article 66-2 of the previous Building Act shall be deemed to have been designated as an operating and certification body pursuant to Article 17 (2).

Article 4 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. 12703, May 28, 2014>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation: Provided, That the amended provision of Article 14 (3) shall enter into force six months after the date of its promulgation.

Article 2 (Applicability concerning Installation, etc. of Awnings, etc. to Reduce Use of Building Energy)

The amended provisions of Articles 14-2, 15 (2), 16 (5), and 17 (5) shall begin to apply from the first application for permission for construction or for report on construction after this Act enters into force.

Article 3 (Applicability concerning Verification of Building Energy Use)

The amended provision of Article 18 shall begin to apply from the first sale, purchase, or lease of a building after this Act enters into force.

Article 4 (Exceptions to Building Energy Assessor License Examination Conducted by the Korea Energy Agency)

- (1) The Minister of Land, Infrastructure and Transport may issue a license under the amended provision of Article 31 (1) to persons who passed a building energy assessor license examination conducted by the Korea Energy Agency under Article 45 of the Energy Use Rationalization Act before June 30, 2014, through

procedures determined and publicly notified by the Minister of Land, Infrastructure and Transport, such as examination and education, notwithstanding the amended provision of Article 31 (1).

- (2) The Minister of Land, Infrastructure and Transport may prescribe Ordinance of the Ministry of Land, Infrastructure and Transport according to the amended provision of Article 31 (5) by which exemption from part of examination subjects is granted to persons who passed the building energy assessor license preliminary examination conducted by the Korea Energy Agency under Article 45 of the Energy Use Rationalization Act before June 30, 2014.

ADDENDA <Act No. 13426, Jul. 24, 2015>

Article 1 (Enforcement Date)

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

Articles 2 through 39 Omitted.

ADDENDA <Act No. 13474, Aug. 11, 2015>

Article 1 (Enforcement Date)

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

Articles 2 through 36 Omitted.

ADDENDUM <Act No. 13790, Jan. 19, 2016>

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

ADDENDA <Act No. 14079, Mar. 22, 2016>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Act No. 14122, Mar. 29, 2016>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDUM <Act No. 15316, Dec. 26, 2017>

This Act shall enter into force on January 1, 2018: Provided, That the amended provision of Article 39-2 shall enter into force on the date of its promulgation.

ADDENDUM <Act No. 15673, Jun. 12, 2018>

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

ADDENDUM <Act No. 15728, Aug. 14, 2018>

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