

HOUSING ACT

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to contribute to the people's residential stabilization and the elevation of residential standards by prescribing matters necessary to construct, supply and manage the housing required for pleasant residential life, and to raise and manage the funds, etc. to that end.

Article 2 (Definitions)

The definitions of terms used in this Act shall be as follows: <Amended by Act No. 9511, Mar. 20, 2009; Act No. 10237, Apr. 5, 2010; Act No. 10505, Mar. 30, 2011; Act No. 11061, Sep. 16, 2011; Act No. 11243, Jan. 26, 2012; Act No. 11690, Mar. 23, 2013; Act No. 11871, Jun. 4, 2013; Act No. 12022, Aug. 6, 2013; Act No. 12115, Dec. 24, 2013; Act No. 12251, Jan. 14, 2014>

1. The term "housing" means all or part of a building with a self-contained structure wherein household members may reside independently long-term as well as the land attached thereto; this shall be classified into detached housing and collective housing;
- 1- The term "quasi-housing" means buildings, other than housing, and appurtenant land, being facilities, etc. which can be used as residential facilities, and its scope and kinds shall be prescribed by Presidential Decree;
2. The term "collective housing" means housing with a structure wherein each household jointly uses all or part of the walls, hallways, stairs, and other facilities, etc. of a building, may reside independently respectively within one building, and its kind and scope shall be prescribed by Presidential Decree;
- 2- The term "collective housing unit with separate living quarters for each household" means a housing unit built to meet the construction standards, area standards, etc., prescribed by Presidential Decree, which provides separate living quarters for multiple households by dividing any portion of the internal space of the unit for each household, but subdivided ownership of which is not allowed;
3. The term "national housing" means housing constructed or renovated with funds subsidized from the National Housing Fund referred to in Article 60 and the area of which used exclusively for residential purposes (hereinafter referred to as "exclusive residential area") is not more than 85 square meters per family or household (referring to housing with an exclusive residential area not exceeding 100 square meters per family or household in the non-urban part of an Eup area or Myeon, with the exception of the Seoul Metropolitan area provided in subparagraph 1 of Article 2 of the Seoul Metropolitan Area Readjustment Planning Act; hereinafter referred to as "scale of the

national housing"). In such cases, methods of calculating the exclusive residential area shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport;

- 3- The term "national housing, etc." means housing, the exclusive residential area of which does not exceed 85 square meters, among the national housing referred to in subparagraph 3, housing constructed by the State, a local government, the Korea Land and Housing Corporation established under the Korea Land and Housing Corporation Act (hereinafter referred to as the "Korea Land and Housing Corporation") or a local government-invested public corporation established for the purposes of housing projects under Article 49 of the Local Public Enterprises Act, and constructed rental housing as defined in subparagraph 2 of Article 2 of the Rental Housing Act that is constructed and rented upon obtaining approval of its project plan pursuant to Article 16 on the public site referred to in subparagraph 5;
- 3- The term "privately-constructed, medium-sized national housing" means housing constructed by a project undertaker, other than the State, a local government, the Korea Land and Housing Corporation, or a local government-invested public corporation, and the exclusive residential area of which is larger than 60 square meters but not more than 85 square meters, among the national housing;
- 3- The term "private housing" means housing, other than the national housing, etc;
4. The term "urban residential housing" means housing prescribed by Presidential Decree, consisting of less than 300 households of the scale of the national housing;
5. The term "public site" means a site developed and leveled through any of the following public projects for the purpose of constructing the collective housing:
 - (a) National housing construction projects or site leveling projects provided for in Article 18 (2);
 - (b) Housing site development projects provided for in the Housing Site Development Promotion Act: Provided, That the same shall not apply to any housing site used by a project operator pursuant to Article 12 (5) of the same Act, for the purpose of constructing housing, etc. referred to in Article 7 (1) 4 of the same Act;
 - (c) Industrial complex development projects under the Industrial Sites and Development Act; implementation of a project for the development of a public housing zone;
 - (d) Projects for the development of a public housing zone under the Special Act on the Construction, etc. of Public Housing;
 - (e) Urban development projects provided for in the Urban Development Act (limited to any project to which an operator referred to in Article 11 (1) 1 through 4 of the said Act applies the method of expropriation or use, and any project which an operator executes in a zone where

- methods of expropriation or use among methods of combining both methods are applied, under Article 21 of the said Act);
- (f) Free economic zone development projects provided for in the Special Act on Designation and Management of Free Economic Zones (limited to any project to which methods of expropriation or use apply, and any project operated in a zone to which methods of expropriation or use among methods of combining both methods are applied);
 - (g) Innovation city development projects under the Special Act on the Construction and Support of Innovation Cities Following Relocation of Public Agencies;
 - (h) Multifunctional administrative city construction projects under the Special Act on the Construction of Multifunctional Administrative City in Yeongi-Gongju Area for Follow-up Measures for New Administrative Capital;
 - (i) Public works prescribed by Presidential Decree under Article 4 of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects;
6. The term "housing complex" means a group of land to be used in constructing housing and facilities incidental thereto and welfare facilities, or in preparing housing sites, upon obtaining approval of housing construction project plans or housing site preparation project plans under Article 16: Provided, That land separated by any of the following facilities shall be deemed a distinct housing complex, respectively:
- (a) Railway, express highway, or exclusive road for automobiles;
 - (b) General roads of at least 20 meters wide;
 - (c) Roads of at least 8 meters wide, scheduled for urban planning;
 - (d) Those corresponding to facilities under items (a) through (c), which are prescribed by Presidential Decree;
- 6- The term "combined housing complex" means a housing complex where
2. collective housing for sale and rental housing as defined in subparagraph 1 of Article 2 of the Rental Housing Act coexist;
7. The term "project operator" means any of the following entities who has obtained an approval of housing construction project plans or housing site preparation project plans under Article 16, and undertakes the said projects:
- (a) The State or local governments;
 - (b) The Korea Land and Housing Corporation;
 - (c) Housing builders or housing site developers registered under Article 9;
 - (d) Other entities who undertake housing construction projects or housing site preparation projects under this Act;
8. The term "incidental facilities" means any of the following facilities or equipment incidental to the housing:
- (a) Parking lots, management offices, fences, and roads within a housing complex;

- (b) Building equipment under Article 2 (1) 4 of the Building Act;
 - (c) Facilities or equipment prescribed by Presidential Decree, which correspond to facilities or equipments under items (a) and (b);
9. The term "welfare facilities" means any of the following common facilities, which are for the well-being of occupants, etc. within a housing complex:
- (a) Children's playgrounds, neighboring living facilities, kindergartens, residents' sports facilities, and halls for the aged;
 - (b) Other common facilities prescribed by Presidential Decree for the well-being of occupants, etc.;
10. The term "arterial facilities" means facilities which link the key facilities within a housing complex (where at least two housing complexes are simultaneously developed, it means a respective housing complex), such as roads, water supply and drainage, electric facilities, gas facilities, communications facilities, and district heating facilities, etc., to key facilities of the same kind located outside the relevant housing complex: Provided, That in cases of gas facilities, communications facilities and district heating facilities, the key facilities located within a housing complex shall be included;
11. The term "housing association" means any of the following associations established by many constituent members for the purpose of acquiring or remodelling the housing:
- (a) District housing association: An association established by residents who reside in the following regions:
 - (i) Seoul Metropolitan City, Incheon Metropolitan City and Gyeonggi-do;
 - (ii) Daejeon Metropolitan City, Chungcheongnam-do and Sejong Special Self-Governing City;
 - (iii) Chungcheongbuk-do;
 - (iv) Gwangju Metropolitan City and Jeollanam-do;
 - (v) Jeollabuk-do;
 - (vi) Daegu Metropolitan City and Gyeongsangbuk-do;
 - (vii) Busan Metropolitan City, Ulsan Metropolitan City and Gyeongsangnam-do;
 - (viii) Gangwon-do;
 - (ix) Jeju Special Self-Governing Province;
 - (b) Workplace housing association: An association established by workers in the same workplace for the purpose of acquiring housing;
 - (c) Remodelling housing association: An association established by the owners of collective housing for the purpose of remodelling the relevant housing;
12. The term "occupants" means any of the following persons:
- (a) Persons supplied with housing, in cases falling under Articles 13, 38, 86, 89, and 98;
 - (b) Owners of housing, in cases falling under Articles 54 and 57;
 - (c) Owners of housing, or spouses and lineal ascendants or descendents

- representing the owners, in cases falling under Articles 42 through 45, 55 and 59;
13. The term "users" means persons, etc. who rent and use housing;
14. The term "managing body" means any of the following persons who manage the collective housing:
- (a) Head of the management office of collective housing, who is the representative of an autonomous management organization under Article 43 (4);
 - (b) Project undertakers before handing over management duties under Article 43 (6);
 - (c) Housing management operators under Article 53 (1);
 - (d) Rental business operators under subparagraph 4 of Article 2 of the Rental Housing Act;
15. The term "remodelling" means any of the following acts for preventing the deterioration of a building or for improving its function, etc. under Article 42 (2) and (3):
- (a) A large repair;
 - (b) Expanding a collective housing in whose case 15 years (referring to a period determined by ordinance of the Special Metropolitan City, Metropolitan City, Do or Special Self-Governing Province (hereinafter referred to as "City/Do") if a period of not less than 15 years but less than 20 years is determined by such ordinance) have lapsed since the date of usage inspection under Article 29 (referring to the date of temporary usage approval, if temporary usage approval is obtained for all collective housing within a housing complex) or the date of usage approval under Article 22 of the Building Act, within the scope of 3/10 of the exclusive residential area (referring to the area of exclusively occupied portion of a collective housing stipulated in the building register under Article 38 of the Building Act) of each household (within the scope of 4/10, if the exclusive residential area of a household is less than 85 square meters). In such cases, joint-used portions may also be expanded separately for improving functions of such collective housing;
 - (c) Expanding up to the aggregated total of areas of each household eligible for the expansion under item (b), whereby the number of households is increased by not more than 15/100 of the number of existing households (hereinafter referred to as "remodelling for increase of the number of households"): Provided, That vertical expansion (hereinafter referred to as "remodelling for vertical expansion") shall be limited to where all of the following requirements are met:
 - (i) Expanding by not more than three floors within the scope prescribed by Presidential Decree;
 - (ii) Meeting the requirements prescribed by Presidential Decree, such as the possession of structural drawings of the building subject to remodelling;
- 15- The term "master plan for remodelling" means a plan formulated for

2. the systematic management of an over-populated city, concentration of demand for transfer, etc. caused by remodelling for increase of the number of households;
16. The term "energy-wise eco-friendly house" means a house designed to reduce energy use or the emission of carbon dioxide, which is constructed with technologies prescribed by Presidential Decree, including the technology to construct energy-wise buildings, and the kind and scope thereof shall be prescribed by Presidential Decree;
- 16-The term "health-friendly house" means a house constructed in compliance with the standards prescribed by Presidential Decree to minimize indoor air pollutants, etc. for creation of healthy and pleasant indoor environment;
2. 17.The term "construction section" means a zone among at least two zones compartmentalized within a housing complex pursuant to the standards prescribed by Presidential Decree, for which a report on commencement of a project and usage inspection may be filed and conducted separately.
- 18.The term "housing rental management business" means business engaging in the following affairs:
 - (a) Maintenance, repair, improvement, etc. of facilities of housing (including quasi-housing; hereinafter the same shall apply) for rent;
 - (b) Collection of rent of rental housing and management of the lessees thereof (referring to the surrender and eviction of lessees, and excluding brokerage business as defined in subparagraph 3 of Article 2 of the Business Affairs of Licensed Real Estate Agents and Report of Real Estate Transactions Act; hereinafter the same shall apply);
 - (c) Other affairs prescribed by Presidential Decree as necessary for the residential convenience of lessees of housing for rent (including lessees of rental housing as defined in subparagraph 1 of Article 2 of the Rental Housing Act; hereafter the same shall apply in Articles 53-2 through 53-7).

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 3 (Obligation of State, etc.)

The State and local governments shall endeavor to achieve matters of the following subparagraphs in formulating or implementing the housing policy:

1. To make the pleasant and suitable residential life available for the people;
2. To seek a smooth display of housing market functions and a sound development of the housing industry;
3. To ensure a fair and efficient supply, and an agreeable and safe management, of the housing;
4. To ensure a preferential supply of the housing on the scale of national housing to the social strata, which are in need of supports on a level of residential welfare, such as the low-income persons or houseless persons, etc.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 4 (Consultation about Housing Policy)

(1) When the head of a central administrative agency, the Special Metropolitan City Mayor, the Metropolitan City Mayor, the Do Governor or the Governor of a Special Self-Governing Province (hereinafter referred to as the "Mayor/Do Governor") intends to take measures necessary for duties under his/her jurisdiction other than those referred to in this Act in connection with the following duties, he/she shall in advance consult with the Minister of Land, Infrastructure and Transport: <Amended by Act No. 11690, Mar. 23, 2013>

1. Construction, supply, and management of the housing;

2. Matters related to the raising or operation of the funds for duties under subparagraph 1.

(2) The agency subject to consultation, scope of consultation, and procedures therefor, etc. under paragraph (1) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 5 (Survey of Residential Realities)

(1) The Minister of Land, Infrastructure and Transport, the Special Metropolitan City Mayor, the Metropolitan City Mayor, the Governor of a Special Self-Governing Province or the head of a Si/Gun may conduct a survey of residential realities for matters prescribed by Presidential Decree concerning the following matters: <Amended by Act No. 10237, Apr. 5, 2010; Act No. 11690, Mar. 23, 2013>

1. Matters concerning residence and residential environment;

2. Matters concerning the characteristics of each household;

3. Other matters for understanding residential situations.

(2) The survey of residential situations implemented by the Minister of Land, Infrastructure and Transport under paragraph (1) shall be classified into a regular survey and an occasional survey, and the occasional survey may be implemented by specifying survey categories when the Minister of Land, Infrastructure and Transport especially deems it necessary to do so. <Amended by Act No. 10237, Apr. 5, 2010; Act No. 11690, Mar. 23, 2013>

(3) The Minister of Land, Infrastructure and Transport may conduct regular surveys of the following persons: <Newly Inserted by Act No. 11590, Dec. 18, 2012; Act No. 11690, Mar. 23, 2013>

1. Persons eligible for assistance and next needy classes as defined in Article 2 of the National Basic Living Security Act;

2. Newly married couples for whom two years have not passed since filing of a report of marriage under the Act on the Registration, etc. of Family Relationship;

3. Other persons prescribed by Presidential Decree.

(4) Paragraph (2) shall apply mutatis mutandis to the survey of residential realities which is implemented under paragraph (1) by the Special Metropolitan City Mayor, the Metropolitan City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun. <Amended by Act No. 11590, Dec. 18, 2012>

(5) The periodicity of, methods and procedures for surveys of residential situations under paragraph (1) and other relevant matters shall be prescribed by Presidential Decree. <Newly Inserted by Act No. 10237, Apr. 5, 2010; Act No. 11590, Dec. 18, 2012>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 5-2 (Establishment, etc. of Minimum Residential Standards)

(1) The Minister of Land, Infrastructure and Transport shall establish and publicly announce the minimum residential standards necessary for the people to live a pleasant and suitable residential life. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Where the Minister of Land, Infrastructure and Transport intends to establish and publicly announce the minimum residential standards pursuant to paragraph (1), he/she shall hold a prior consultation with the head of the related central administrative agency and undergo a deliberation by the Housing Policy Deliberative Committee under Article 84 (hereinafter, referred to as the "Housing Policy Deliberative Committee"). The same shall also apply where intending to alter the published minimum residential standards. <Amended by Act No. 11690, Mar. 23, 2013>

(3) The minimum residential standards shall contain matters prescribed by Presidential Decree, such as the residential area, number of rooms by usage, housing structure, facilities and functions, and environmental factors, etc., and their suitability shall be maintained in accordance with the fluctuations in social and economic conditions.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 5-3 (Preferential Support, etc. to Households Not Compliant with Minimum Residential Standards)

(1) The State or local governments may grant such benefits to the households not compliant with minimum residential standards, as preferentially providing the housing, or assisting with the National Housing Fund, etc.

(2) Where the State or local governments formulate and implement housing policies, or the project undertaker implements a housing construction project, they shall endeavor to decrease the households not compliant with minimum residential standards.

(3) When the Minister of Land, Infrastructure and Transport or the heads of

local governments grant authorization, permit, etc. concerning the housing construction, if the details of such construction project are not compliant with the minimum residential standards, they shall take necessary measures to enable them to satisfy the relevant standards, such as an instruction to supplement a written application for approval of project plan, etc.: Provided, That this shall not apply to the housing prescribed by Presidential Decree among the urban residential housing. <Amended by Act No. 10237, Apr. 5, 2010; Act No. 11690, Mar. 23, 2013>

- (4)The Minister of Land, Infrastructure and Transport or the heads of local governments may preferentially construct the rental housing for the areas in which the households not compliant with the minimum residential standards are concentrated, or take necessary measures to preferentially implement the dwelling-conditions consolidation project as stipulated by the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 5-4 (Subsidization of Housing Rents)

- (1) The State or a local government may fully or partially subsidize housing rents, within budgetary limits, for the households of houseless tenants having difficulties in maintaining residential life because of the excessive burden of housing rents, separately from the residential benefits under the Residential Benefit Act. <Amended by Act No. 12333, Jan. 24, 2014>

- (2)Matters necessary for the criteria for the households of homeless tenants eligible for a subsidy, the amount of the subsidy, procedures and methods for providing the subsidy, etc. shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 11243, Jan. 26, 2012]

Article 6 (Relations to other Acts)

- (1) This Act shall apply to matters which are not prescribed by the Rental Housing Act in respect of the construction, supply and management of rental housing.
- (2)This Act shall apply to matters which are not prescribed by the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents in respect of the maintenance and improvement of residential environments.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

CHAPTER II FORMULATION, ETC. OF COMPREHENSIVE HOUSING PLANS

Article 7 (Formulation of Comprehensive Housing Plans)

- (1) The Minister of Land, Infrastructure and Transport shall formulate and implement a comprehensive housing plan which includes the following matters, in order to ensure the elevation of the people's residential stability and residential level: <Amended by Act No. 11243, Jan. 26, 2012; Act No. 11690, Mar. 23, 2013>
1. Matters for basic objectives and basic directions of the housing policies;
 2. Matters for construction and supply of national housing or rental housing;
 3. Matters for demand, supply and management of the housing or sites;
 4. Matters for raising and operation of the housing capital;
 5. Matters for the subsidization of housing rents and housing support to the social strata in need of support on the level of residential welfare, such as the low-income persons or houseless persons, etc.;
 6. Matters for creation and consolidation of the sound and sustainable residential environments;
 7. Matters for remodelling of the housing.
- (2) The comprehensive housing plan shall be classified into yearly plans and ten-yearly plans; yearly plans shall be formulated by no later than the end of February of relevant year on the basis of a ten-year plan.
- (3) The comprehensive housing plan shall be compatible with the comprehensive plan for national land under the Framework Act on the National Land; the project undertaker, which is the State, a local government, the Korea Land and Housing Corporation or a local government-invested public corporation shall implement the housing construction project or the housing site preparation project as determined by the comprehensive housing plan. <Amended by Act No. 10237, Apr. 5, 2010>
- (4) When the Minister of Land, Infrastructure and Transport intends to formulate a comprehensive housing plan, he/she may first request the head of a related central administrative agency and the Mayor/Do Governor to submit the written plan for each jurisdiction for the policies and projects to be reflected in the comprehensive housing plan. In such cases, the head of a related central administrative agency and the Mayor/Do Governor shall comply therewith, except in extenuating circumstances. <Amended by Act No. 11690, Mar. 23, 2013>
- (5) The Minister of Land, Infrastructure and Transport shall prepare a draft of the comprehensive housing plan on the basis of a written plan for each jurisdiction submitted under paragraph (4), hold a consultation with the head of the related central administrative agency, and fix the said plan by undergoing a deliberation by the Housing Policy Deliberative Committee. In such cases, the Minister of Land, Infrastructure and Transport shall promptly notify the head of the related central administrative agency and the Mayor/Do Governor of the fixed

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

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 8 (Formulation of City/Do Comprehensive Housing Plans)

(1) The Mayor/Do Governor shall, as prescribed by Municipal Ordinance of relevant Special Metropolitan City, Metropolitan City, Do or Special Self-Governing Province (hereinafter referred to as "City/Do"), formulate an annual City/Do comprehensive housing plan, and a ten-year City/Do comprehensive housing plan pursuant to the comprehensive housing plan under Article 7 within the scope as prescribed by Presidential Decree. In such cases, the City/Do comprehensive housing plan shall be compatible with the comprehensive housing plan formulated under Article 7, and the said yearly plan shall be compatible with the ten-year City/Do comprehensive housing plan.

(2) When the Mayor/Do Governor has formulated a yearly City/Do comprehensive housing plan or a ten-year City/Do comprehensive housing plan formulated under paragraph (1), he/she shall promptly submit it to the Minister of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

(3) The Minister of Land, Infrastructure and Transport may determine the standards for formulation of the City/Do comprehensive housing plan. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

CHAPTER III CONSTRUCTION OF HOUSING, ETC.

SECTION 1 Housing Builders, etc.

Article 9 (Registration of Housing Construction Projects, etc.)

(1) Any person who intends to implement a housing construction project to build at least the number of houses prescribed by Presidential Decree during the course of a year, or who intends to implement a housing site preparation project to prepare at least the areas prescribed by Presidential Decree during the course of a year, shall make a registration therefor with the Minister of Land, Infrastructure and Transport: Provided, That the same shall not apply to any of the following project undertakers: <Amended by Act No. 10237, Apr. 5, 2010; Act No. 11690, Mar. 23, 2013>

1.State or local governments;

2. Korea Land and Housing Corporation;
 3. Local public corporations;
 4. Public-service corporations established for purposes of housing construction projects under Article 4 of the Act on the Establishment and Operation of Public-Service Corporations (hereinafter referred to as "public-service corporations");
 5. Housing associations established under Article 32 (limited to cases where a housing construction project is operated jointly with a registered business operator under Article 10 (2));
 6. Persons who employ workers (limited to cases where a housing construction project is operated jointly with a registered business operator under Article 10 (3); hereinafter referred to as "employers").
- (2) Matters necessary for standards, procedures, methods, etc. for registration relating to capital, technical human resources and area of office floor of a business operator subject to registration under paragraph (1) shall be prescribed by Presidential Decree.
- (3) With respect to any special-purpose corporation, etc. pursuant to Article 17 (1) 2 of the Rental Housing Act, the standards for registration of business operators under paragraph (2) concerning personal requirements may be applied leniently, as prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 10 (Joint Project Undertakers)

- (1) Where any landowner constructs the housing, he/she may implement a project jointly with a person registered under Article 9 (hereinafter referred to as "registered business operator"), as prescribed by Presidential Decree, notwithstanding the provisions of Article 9 (1). In such cases, the landowner and the registered business operator shall be deemed joint project undertakers.
- (2) Where any housing association established under Article 32 (excluding a remodelling housing association which does not increase number of households) constructs the housing of its constituent members, it may implement a project jointly with a registered business operator (including local governments, Korea Land and Housing Corporation and local government-invested public corporations), as prescribed by Presidential Decree. In such cases, the housing association and the registered business operator shall be deemed joint project undertakers. <Amended by Act No. 10237, Apr. 5, 2010; Act No. 11243, Jan. 26, 2012>
- (3) Where an employer constructs his/her employees' housing, he/she shall implement a project jointly with a registered business operator, as prescribed by Presidential Decree. In such cases, the employer and the registered business operator shall be deemed joint project undertakers.
- (4) Allotment of definite duties, expenses, responsibilities, etc. between

joint project undertakers under paragraphs (1) through (3) shall be determined by agreements between the parties within the scope prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 11 (Disqualifications for Registered Business Operators)

A person falling under any of the following subparagraphs shall be prohibited from making the registration of housing construction business, etc. under Article 9:

1. A minor, incompetent, or quasi-incompetent;
2. A person who was declared bankrupt and has not yet reinstated;
3. A person for whom two years have not elapsed yet from the day on which his/her sentence execution was terminated (including cases where it is deemed to have been terminated) or exempted, after having been sentenced to an imprisonment without prison labor or a heavier punishment for violating the Illegal Check Control Act or this Act;
4. A person who is under a grace period after having been sentenced to a suspension of the execution of imprisonment without prison labor or a heavier punishment for violating the Illegal Check Control Act or this Act;
5. A person for whom two years have not elapsed yet after his/her registration was cancelled under Article 13;
6. A corporation wherein there exists among its executives any person falling under any of subparagraphs 1 through 5.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 12 (Construction by Registered Business Operators)

- (1) Where a registered business operator obtains an approval for a project plan under Article 16 (including a building permit for collective housing under the Building Act) and constructs the housing for purposes of parcelling-out or leasing, and where his/her technical ability, housing construction records and housing scale, etc. meet standards prescribed by Presidential Decree, he/she shall be deemed to be a constructor under Article 9 of the Framework Act on the Construction Industry, and he/she may execute the work of housing construction.
- (2) Where a registered business operator constructs housing under paragraph (1), the provisions of Articles 40, 44, 93, 94, and 98 through 101 of the Framework Act on the Construction Industry shall apply mutatis mutandis. In such cases, the "constructor" shall be considered as the "registered business operator".

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 13 (Deregistration of Housing

Construction Projects, etc.)

- (1) When a registered business operator falls under any of the following subparagraphs, the Minister of Land, Infrastructure and Transport may deregister him/her or order him/her to suspend his/her business by fixing a period not exceeding one year: Provided, That where he/she falls under subparagraph 1 or 5, he/she shall deregister him/her: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 11794, May 22, 2013; Act No. 12115, Dec. 24, 2013>
 1. When he/she is registered by fraudulent or other unlawful means;
 2. When he/she fails to meet any of the standards for registration referred to in Article 9 (2): Provided, That this shall not apply where a court orders him/her to commence rehabilitation proceedings and the proceedings are pending, or cases prescribed by Presidential Decree, such as where he/she temporarily falls short of the registration standards;
 3. When he/she has performed substandard construction works intentionally or by negligence and has inflicted any injury on the public or incurred any property loss to the occupants;
 4. When he/she falls under any of subparagraphs 1 through 4 or subparagraph 6 of Article 11: Provided, That this shall not apply where any person falling under subparagraph 6 of Article 11 exists among the corporation's executives, if the said executive is replaced within six months;
 5. When he/she lends his/her registration certificate in violation of Article 88;
 6. When he/she falls under any of the following items:
 - (a) When he/she fails to implement the rectification order issued under Article 54 (1) or 80 of the Construction Technology Promotion Act;
 - (b) When he/she violates his/her duty to prepare shop drawings under Article 48 (4) of the Construction Technology Promotion Act, or undertakes the work without obtaining an inspection or confirmation of the construction engineer who performs construction project management or the construction supervisor;
 - (c) When he/she fails to implement any quality examination and inspections under Article 55 of the Construction Technology Promotion Act;
 - (d) When he/she fails to implement the safety inspections under Article 62 of the Construction Technology Promotion Act;
 7. When he/she resells a housing site, in violation of Article 19-2 (1) of the Housing Site Development Promotion Act;
 8. When he/she violates this Act or any order issued or dispositions made under this Act.
- (2) Standards for deregistration and a disposition of business suspension under paragraph (1) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 14 (Business Performance of Persons Subject to Obliteration of Registration, etc.)

A registered business operator who has been subject to a disposition of obliteration of his/her registration or of a suspension of his/her business under Article 13, may continue to perform the business for which an approval for project plan under Article 16 was obtained before the said disposition: Provided, That the same shall not apply to the cases where a registered business operator, who has been subject to a disposition of the obliteration of his/her registration, has the grave and evident causes whereby he/she is unable to continue to perform the said business.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 15 (Submission of Business Records, etc.)

(1) A registered business operator shall submit to the Minister of Land, Infrastructure and Transport each year his/her business records (where a business operator who is an individual has established a corporation by investing in the relevant business the property in kind, used for at least one year, it refers to the actual records including the business records of the business operator who is the said individual; and where newly registered after his/her deregistration, it refers to the actual records after a new registration has been made), his/her business plan and his/her current status of technical human resource holdings, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

(2) A registered business operator shall submit to the Minister of Land, Infrastructure and Transport, a plan for parcelling-out housing and the actual monthly record of parcelling-out, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

SECTION 2 Implementation of Housing Construction Projects

Article 16 (Approval of Project Plans)

(1) A person who intends to implement a housing construction project for building at least the number of houses prescribed by Presidential Decree or who intends to implement a housing site preparation project for preparing at least an area prescribed by Presidential Decree, shall submit to any of the following authority for granting approval for project plans (hereinafter referred to as "authority for granting approval for project plans" and referring to the Minister of Land,

Infrastructure and Transport where the State or the Korea Land and Housing Corporation is a project undertaker, and in cases prescribed by Presidential Decree; hereafter the same shall apply in this Article and Articles 16-2 and 17) a written application for approval of project plans along with documents prescribed by Presidential Decree, such as a plot plan for housing, incidental facilities and welfare facilities and a written design for site preparation works, and obtain approval of the relevant project plans: Provided, That the same shall not apply to cases prescribed by Presidential Decree, such as where facilities, other than housing, and the housing are built in the form of the same building: <Amended by Act No. 9602, Apr. 1, 2009; Act No. 10237, Apr. 5, 2010; Act No. 11243, Jan. 26, 2012; Act No. 11690, Mar. 23, 2013; Act No. 11871, Jun. 4, 2013>

1. In cases of a housing construction project or housing site preparation project where relevant housing site area is at least 100,000m²: the Mayor/Do Governor or the mayor of a large city, except for the Seoul Special Metropolitan City and the Metropolitan Cities, the population of which is at least 500,000 under Article 175 of the Local Autonomy Act (hereinafter referred to as "large city");
2. In cases of a housing construction project or housing site preparation project where relevant housing site area is less than 100,000m²: the Special Metropolitan City Mayor, a Metropolitan City Mayor, the Governor of a Special Self-Governing Province or the head of a Si/Gun.
 - (2) A person who intends to implement a housing construction project may construct and supply the housing by compartmentalizing the relevant housing complex by sections. In such cases, standards for the number of houses, area of site, etc. of the housing complex eligible therefor shall be prescribed by Presidential Decree. <Newly Inserted by Act No. 11243, Jan. 26, 2012>
 - (3) Each person who intends to implement a housing construction project by compartmentalization under paragraph (2), shall submit to the authority for granting approval for project plans, a written application for a project plan, along with documents prescribed in paragraph (1) and each of the following documents and obtain approval of the relevant project plan: <Newly Inserted by Act No. 11243, Jan. 26, 2012>
 1. Project plan for each construction section;
 2. Plan for attracting occupants;
 3. Usage inspection plan.
 - (4) Anyone who intends to obtain approval of his/her housing construction project plan pursuant to paragraph (1) or (3) shall secure ownership in the relevant housing construction site: Provided, That the same shall not apply in any of the following cases: <Amended by Act No. 10237, Apr. 5, 2010; Act No. 11243, Jan. 26, 2012; Act No. 12022, Aug. 6, 2013>

1. Where a title [in cases of a housing association (excluding a remodelling housing association) undertaking a project jointly with a registered business operator under Article 10 (2), referring to ownership of 95/100 of the relevant site area; hereafter the same shall apply in Article 18-2 and Article 18-3] is secured (where any State-owned land or public land is included, it shall be deemed secured if a document verifying that the relevant land is sold or transferred to the project undertaker by the management agency of the relevant land) to use at least 80/100 of the relevant site area for a housing construction project requiring a determination [including where such determination is deemed pursuant to Article 17 (1) 5] of district unit planning (hereinafter referred to as "district unit planning") provided for in Article 49 of the National Land Planning and Utilization Act, and the site which such person seeking approval of his/her housing construction project plan has failed to secure is subject to a claim for sale under Articles 18-2 and 18-3;
2. Where a project undertaker secures the right to use the relevant site although he/she fails to secure the ownership in the housing construction site;
3. Where the State, a local government, the Korea Land and Housing Corporation or a local corporation undertakes a housing construction project.
- (5) When intending to alter a project plan for which approval has been obtained under paragraph (1) or (3), approval for such alteration shall be obtained: Provided, That the same shall not apply to revision of minor matters stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11243, Jan. 26, 2012; Act No. 11690, Mar. 23, 2013>
- (6) A project plan formulated under paragraph (1) or (3) shall be prepared to be suitable for living a pleasant and cultural residential life, and the said project plan shall contain plans, etc. for installing incidental facilities and welfare facilities. <Amended by Act No. 11243, Jan. 26, 2012>
- (7) In granting approval of a project plan under paragraph (1) or (3), no authority for granting approval for project plans shall require a project undertaker to include a plan for the contribution acceptance of sites for public buildings, etc. or the installation of arterial facilities, etc., which are not directly related to the relevant housing construction project or housing site preparation project, in the project plan submitted by the said project undertaker. <Amended by Act No. 11243, Jan. 26, 2012>
- (8) When the authority for granting approval for project plans has granted approval for a project plan under paragraph (1) or (3), it shall announce matters related thereto. In such cases, the Minister of Land, Infrastructure and Transport or the Mayor/Do Governor shall promptly forward a copy of the written approval for project plans and of the related documents to the head of the competent Si/Gun/Gu (referring to the head of an autonomous Gu; hereinafter the same shall

apply). <Amended by Act No. 11243, Jan. 26, 2012; Act No. 11690, Mar. 23, 2013>

- (9) A project undertaker who has obtained approval for a project plan under paragraph (1) or (3) shall implement the relevant project in accordance with the approved project plan and shall commence construction works as classified below: Provided, That where an authority for granting approval for project plans acknowledges that a justifiable ground prescribed by Presidential Decree exists, it may, on an application of the project undertaker, extend the period for commencing such works under subparagraph 1 or 2 (a) within one year from the date the said ground ceases to exist: <Amended by Act No. 11243, Jan. 26, 2012; Act No. 11871, Jun. 4, 2013>
1. Where the approval is obtained pursuant to paragraph (1): Within three years from the date of obtaining such approval;
 2. Where the approval is obtained pursuant to paragraph (3):
 - (a) The section where the first construction works are to be undertaken: Within three years from the date of obtaining the approval;
 - (b) Other sections than the one where the first construction works are to be undertaken: Within two years from the date of the first reporting on the commencement of project within the relevant housing complex.
- (10) When a project undertaker who has obtained approval for a project plan under paragraph (1) or (3) intends to undertake construction works, he/she shall report thereon with the authority for granting approval for project plans, as stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11243, Jan. 26, 2012; Act No. 11690, Mar. 23, 2013>
- (11) Where a project undertaker intends to commence construction works after filing a report thereon under paragraph (10), if any site subject to a claim for sale under Article 18-2 or 18-3 is included in the housing construction site for which the approval of project plan has been obtained, he/she may commence the construction works on the relevant site subject to the claim only after its owner agrees to sell the site or after receiving a favorable court judgment (without requiring the final and conclusive judgment) on the claim for the sale thereof. <Newly Inserted by Act No. 11871, Jun. 4, 2013>
- (12) In any of the following cases, the authority for granting approval for project plans may revoke its approval for the relevant project plan (in cases falling under subparagraph 2 or 3, a project for which guarantees for the parcelling-out of the housing is provided under Article 77 (1) of this Act shall be excluded): <Amended by Act No. 11871, Jun. 4, 2013>
1. Where the project undertaker fails to commence the construction works, in violation of paragraph (9) (excluding subparagraph 2 (b));
 2. Where the project undertaker loses the ownership of the site due to an auction, public sale, etc.;

3. Where it is impracticable to complete the construction works due to bankruptcy, insolvency, etc. of the project undertaker.

(13) Where the authority for granting approval for project plans intends to revoke the approval of a project plan on grounds prescribed in paragraph (12) 2 or 3, it shall determine whether to revoke the approval after evaluating the feasibility of the project normalization plan submitted by the project undertaker which includes matters prescribed by Presidential Decree, such as plans for project implementation and funding for costs incurred in running the project. <Newly Inserted by Act No. 11871, Jun. 4, 2013>

(14) Where a project executor, etc. files a request for approval to alter the relevant project plan under paragraph (5) after obtaining ownership, etc. of the relevant housing construction site under paragraph (4) to replace the project undertaker, the authority for granting approval for project plans may approve such alteration, notwithstanding paragraph (12). <Newly Inserted by Act No. 11871, Jun. 4, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 16-2 (Consolidated Deliberation, etc. of Project Plans)

(1) An authority for granting approval for project plans may, if deemed necessary, review and deliberate on the following matters related to an approval for project plan, including urban planning, building and transport by consolidating them (hereinafter referred to as "consolidated deliberation"):

1. Deliberations on construction under the Building Act;
2. Matters concerning the urban/Gun management plans and development activities under the National Land Planning and Utilization Act;
3. Measures for improvement of the metropolitan transport under the Special Act on the Management of Metropolitan Transport in Metropolitan Areas;
4. Traffic impact analysis and improvement plan under the Urban Traffic Improvement Promotion Act;
5. Other matters that the authority for granting approval for project plans deems necessary, which are referred to the consolidated deliberation.

(2) Where a person who intends to obtain approval for a project plan files an application for a consolidated deliberation under Article 16 (1) or (3), documents related to each subparagraph of paragraph (1) shall be appended thereto. In such cases, an authority for granting approval for project plans may, if necessary for the efficient processing of a consolidated deliberation, have him/her submit such documents upon fixing a deadline.

(3) When an authority for granting approval for project plans conducts a consolidated deliberation by a joint committee consisting of the members of any of the following committees, each of whom is

recommended by the chairperson of the relevant committee, and the public officials of the local government to which an authority for granting approval for project plans belongs shall be constituted for the consolidated deliberation. In such cases, matters concerning the constitution of the joint committee, methods and procedures for conducting the consolidated deliberation shall be prescribed by Presidential Decree:

1. The Central Building Committee or a local building committee under the Building Act;
 2. A local urban planning committee established at the City/Do where the relevant housing complex is located under the National Land Planning and Utilization Act;
 3. The National Transportation Committee authorized to deliberate on the measures for the improvement of metropolitan transport under the Special Act on the Management of Metropolitan Transport in Metropolitan Areas;
 4. The traffic impact analysis and improvement plan deliberation committee under the Urban Traffic Improvement Promotion Act.
- (4) Where a consolidated deliberation is conducted, the authority for granting approval for project plans shall approve the project plan reflecting the outcomes of such deliberation, except in extenuating circumstances.
- (5) A case which has undergone a consolidated deliberation shall be deemed to have undergone the review, deliberation, examination, consultation, mediation or ruling concerning matters prescribed in each subparagraph of paragraph (1).

[This Article Newly Inserted by Act No. 11243, Jan. 26, 2012]

Article 17 (Deemed Authorization, Permits, etc.
under other Acts)

- (1) As for matters on which the authority for granting approval for project plans has held, in granting approval for project plans under Article 16, a consultation with the head of the related administrative agency under paragraph (3) in regard of any of the following permits, authorization, decision, approval, reports, etc. (hereinafter referred to as "authorization, permit, etc."), it shall be deemed that the relevant authorization, permit, etc. has been obtained; and when there has been a public notice of approval for a project plan, it shall be deemed that a public announcement has been made pursuant to the related Acts listed in the following subparagraphs: <Amended by Act No. 9552, Mar. 25, 2009; Act No. 9758 & 9763, Jun. 9, 2009; Act No. 9774, Jun. 9, 2009; Act No. 9982, Jan. 27, 2010; Act No. 10272, Apr. 15, 2010; Act No. 10331,

May 31, 2010; Act No. 10599, Apr. 14, 2011; Act No. 12248, Jan. 14, 2014; Act No. 12738, Jun. 3, 2014>

1. Building permit granted under Article 11 of the Building Act, reports on building projects under Article 14 of the same Act, and permit to construct a temporary building or report thereon under Article 20 of the same Act;
2. Permit to occupy or use under Article 8 of the Public Waters Management and Reclamation Act, consultation or approval under Article 10 of the same Act, approval of, or reporting on an implementation plan to occupy or use under Article 17 of the same Act, a license to reclaim public waters under Article 28 of the same Act, consultation or approval of reclamation implemented by the State, etc. under Article 35 of the same Act, and approval of an implementation plan for reclamation of public waters under Article 38 of the same Act;
3. Deleted; <by Act No. 10272, Apr. 15, 2010>
4. Authorization for a digging plan under Article 42 of the Mining Industry Act;
5. Decision on an urban/Gun management plan under Article 30 of the National Land Planning and Utilization Act (limited to district unit planning zones and district unit plans under paragraph (1) of Article 51 of the same Act among plans under subparagraph 4 (c) and (e) of Article 2 of the same Act), permit to engage in development activity under Article 56 of the same Act, designation of an implementer of an urban/Gun planning facility project under Article 86 of the same Act, authorization for an implementation plan under Article 88 of the same Act, permission for a land transaction contract under Article 118 of the same Act, and permit to gain access to a third person's land under Article 130 (2) of the same Act;
6. Approval to use beyond purposes of agricultural production infrastructure under Article 23 of the Rearrangement of Agricultural and Fishing Villages Act;
7. Permit or consultation to divert farmland under Article 34 of the Farmland Act;
8. Permit to execute road works under Article 36 of the Road Act, and permit for occupancy and use of roads under Article 61 of the same Act;
9. Designation of urban development zones under Article 3 of the Urban Development Act, designation of an implementer under Article 11 of the same Act, authorization to implement plans under Article 17 of the same Act and permission to gain access to a third person's land under Article 64 (2) of the same Act;
10. Permit to open a private road under Article 4 of the Private Road Act;
11. Permit to alter form and quality of land, etc. under Article 14 of the Work against Land Erosion or Collapse Act, and revocation of designation of erosion control areas under Article 20 of the same Act;
12. Permit for mountainous district conversion and reporting thereon

under Articles 14 and 15 of the Management of Mountainous Districts Act, permit for temporary use of mountainous district and reporting thereon under Article 15-2 of the same Act, permit for and reporting on felling standing timber, etc. under Article 36 (1) and (4) of the Forest Resources Creation and Management Act, and permit for and reporting on activities in forest protection districts under Article 9 (1) and (2) 1 and 2 of the Forest Protection Act: Provided, That a forest for seed collection and an experimental forest under the Forest Resources Creation and Management Act and a forest designated for protection of forest hereditary resources under the Forest Protection Act shall be excluded herefrom;

13. Permit to implement small river construction works under Article 10 of the Small River Maintenance Act, and permit to occupy, etc. small river or report thereon under Article 14 of the same Act;
 14. Authorization for waterworks business under Article 17 or 49 of the Water Supply and Waterworks Installation Act, and authorization for installation of an private-use waterworks under Article 52 of the same Act;
 15. Approval for an implementation plan for a coast maintenance project under Article 25 of the Coast Management Act;
 16. Reporting on installation of a private sewage treatment facility under Article 34 (2) of the Sewerage Act;
 17. Registration of superstores under Article 8 of the Distribution Industry Development Act;
 18. Permit to open abandoned graves under Article 27 (1) of the Act on Funeral Services, etc.;
 19. Permit to develop or utilize the groundwater or report thereon under Article 7 or 8 of the Groundwater Act;
 20. Permit for grassland conversion under Article 23 of the Grassland Act;
 21. Examination on publication of maps, etc. under Article 15 (3) of the Act on Buildup, Management, etc. of Spatial Data;
 22. Permit to engage in activities under Article 6 of the Housing Site Development Promotion Act;
 23. Permit to implement the public sewage works under Article 16 of the Sewerage Act;
 24. Permit to perform river works and authorization of implementation plans for river works under Article 30 of the River Act, permit to occupy rivers under Article 33 of the same Act and permit to use river water under Article 50 of the same Act.
- (2) Any person who intends to obtain deemed authorization, permits, etc. shall concurrently submit related documents stipulated by relevant Acts, when he/she applies for an approval for a project plan under Article 16 (1) or (3). <Amended by Act No. 11243, Jan. 26, 2012>
- (3) Where the authority for granting approval for project plans intends to approve a project plan under Article 16, if said project plan contains

matters falling under any subparagraph of paragraph (1), it shall submit in advance related documents stipulated by the relevant Acts to the head of a related administrative agency, and hold a consultation. In such cases, the head of a related administrative agency, in receipt of a request for consultation, shall present his/her opinion within 20 days after receipt of such request for consultation from the authority for granting approval for project plans; and if such opinion is not submitted within a said period, the consultation shall be deemed completed. <Amended by Act No. 11871, Jun. 4, 2013>

(4)The head of a related administrative agency, in receipt of a request for consultation from the authority for granting approval for project plans under paragraph (3), shall not enter into consultation in violation of the standards for granting authorization, permit, etc. set by the relevant Acts. <Newly Inserted by Act No. 11871, Jun. 4, 2013>

(5)Where a project undertaker, who constructs the national housing beyond the ratio prescribed by Presidential Decree, is deemed to have obtained the authorization, permit, etc. under other Acts pursuant to paragraph (1), the service fees, etc. to be imposed under related Acts shall be exempted. <Amended by Act No. 11871, Jun. 4, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 18 (Access to Land, etc.)

(1) Where a project undertaker, who is the State, a local government, the Korea Land and Housing Corporation or a local public corporation, intends to conduct an investigation or survey for formulating a project plan, and where it is deemed necessary to implement a national housing project, the said undertaker may do any of the following acts: <Amended by Act No. 10237, Apr. 5, 2010>

1. Gain access to any third person's land;
2. Make a temporary use of any third person's land not being used for any special use as the materials storage or temporary roads;
3. Alter or remove bamboo or trees, earth or rocks, and other obstacles, when specially required.

(2)Where a project undertaker under paragraph (1) constructs national housing or prepares a housing site to build the national housing, he/she may expropriate or use the land or fixture thereon, as well as other rights than ownerships to the said land or fixtures (hereinafter referred to as "land, etc.").

(3)Articles 130 (2) through (9) and 144 (1) 2 and 3 of the National Land Planning and Utilization Act shall apply mutatis mutandis to cases falling under paragraph (1). In such cases, the "implementer of an urban/Gun planning facilities project" shall be read as the "project undertaker", and "Article 130 (1)" as "Article 18 (1) of this Act". <Amended by Act No. 10599, Apr. 14, 2011>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 18-2 (Claim for Sale, etc.)

(1) Any project undertaker who has obtained approval for his/her project plan pursuant to Article 16 (4) 1 may file a claim with the owner of a site for which he/she has failed to secure a title to use (including buildings thereon; hereafter the same shall apply in this Article and Article 18-3) among sites for the relevant housing construction to sell the site at the market price in accordance with the following subparagraphs. In such cases, he/she shall negotiate with the owner of the site subject to such claim for sale in advance for a period of up to three months:
<Amended by Act No. 11243, Jan. 26, 2012>

1. Where a title to use has been secured for not more than 95/100 among sites for housing construction: Possible to file a claim for sale with every owner of sites for which such project undertaker has failed to secure a title to use;

2. Cases other than those falling under subparagraph 1: Possible to file a claim for sale with any owner among the owners of sites for which such project undertaker has failed to secure a title to use, excluding those who acquired and have continued to hold the ownership in the relevant site for ten years prior to the date district unit planning areas are determined and published (when calculating the period for holding the site, if the owner of the site has acquired the ownership by inheritance from his/her lineal descendant or ascendant or his/her spouse, the period for holding the site by the inheritee shall be added up).

(2) Any remodelling housing association established after obtaining authorization pursuant to Article 32 (1) may file a claim with anyone who is against a remodelling resolution for selling his/her house and land to it.

(3) Article 48 of the Act on the Ownership and Management of Condominium Buildings shall apply mutatis mutandis to the sale claim referred to in paragraphs (1) and (2). In such cases, the partitioned ownership and the title to use sites shall be deemed the ownership of buildings and land subject to the sale claim for a housing construction project or a remodelling project and other rights.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 18-3 (Measures concerning Sites, etc. for which Ownership Confirmation is Impracticable)

(1) When it is obviously impractical for a project undertaker who obtains approval for his/her project plan pursuant to Article 16 (4) 1 to find out the whereabouts of an owner of a site, for which the former has yet to secure the right to use, among sites for the relevant housing construction, he/she shall publish the relevant

fact at least twice in two or more daily newspapers with nationwide circulation, and if thirty or more days pass from the date the publication is made, the site in question shall be deemed the one subject to the claim for sale under Article 18-2. <Amended by Act No. 11243, Jan. 26, 2012>

(2) A project undertaker may implement the relevant housing construction project after depositing in a court an amount equivalent to an appraised value of a site subject to the claim for sale under paragraph (1).

(3) With respect to the appraised value of a housing site under paragraph (2), such appraised value shall be the arithmetic mean of the values appraised by two or more appraisal business operators under the Public Notice of Values and Appraisal of Real Estate Act recommended by the authority for granting approval for project plans.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 19 (Compensation for Losses Incurred by Access to Land, etc.)

(1) When there exists any person who has suffered losses due to the acts under Article 18 (1), a project undertaker who has committed such acts shall make a compensation for the said losses.

(2) In respect to the compensation for losses under paragraph (1), the person liable for a compensation for such losses and the person suffered them shall hold a consultation thereabout.

(3) When the person liable for a compensation for losses and the person suffered them fail to reach agreement under paragraph (2), or are unable to hold a consultation, they may file an application for adjudication with the competent land expropriation committee under the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects.

(4) The provisions of Articles 83 through 87 of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects shall apply mutatis mutandis to the adjudication by the competent land expropriation committee under paragraph (3).

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 20 (Restrictions, etc. on Implementation of Housing Construction Works)

(1) Construction works of the housing which has obtained an approval for project plan under Article 16 shall not be implemented by any person, unless he/she is one of those prescribed by Presidential Decree from among the construction business operators under Article 9 of the Framework Act

on the Construction Industry, or a registered business operator who is regarded as a housing builder pursuant to Article 12.

- (2) Works of the waterproof, sanitation, and air-conditioning or heating of the collective housing shall not be implemented by any person, unless he/she is one of those prescribed by Presidential Decree (referring to the implementer under the Energy Use Rationalization Act in cases of installation or implementation of the specific heat-applying equipments and materials) from among the construction business operators under Article 9 of the Framework Act on the Construction Industry.
- (3) A project undertaker that is the State or a local government shall place an order by separating a design and implementation of housing construction works which have obtained an approval for project plan under Article 16: Provided, That a large-scale work prescribed by Presidential Decree among the housing construction works, for which it is impossible to place an order by separating a design and implementation in the light of its technology management, may be implemented through a bidding method prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 21 (Housing Construction Standards, etc.)

- (1) Standards for construction, etc. of housing built and supplied by a project undertaker, which fall under any of the following subparagraphs (hereinafter referred to as "housing construction standards, etc."), shall be prescribed by Presidential Decree: <Amended by Act No. 10505, Mar. 30, 2011; Act No. 11871, Jun. 4, 2013>
1. Housing construction standards for the housing allotment, boundary walls between households, structure cancelling out floor impact sounds, and structural proof-stress, etc.;
 2. Standards for installation of incidental facilities;
 3. Standards for installation of welfare facilities;
 4. Scale of the housing, and construction ratio by scales;
 5. Standards for preparation of the housing sites;
 6. Standards for construction of collective housing units with separate living quarters for each household, energy-wise eco-friendly houses, and health-friendly houses.
- (2) Local governments may set the definite standards by their Municipal Ordinances within the limit of housing construction standards, etc., by taking account of the peculiarities of relevant areas and the scale of housing, etc.
- (3) A project undertaker shall implement a housing construction project or a housing site preparation project pursuant to the housing construction standards, etc. under paragraph (1) and the standards under paragraph

(2).

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 21-2 (Indication, etc. of Performance Ratings of Collective Housing)

When any project undertaker intends to supply collective housing in excess of the number of units prescribed by Presidential Decree, he/she shall obtain the following collective housing performance ratings as prescribed by the Green Buildings Construction Support Act and indicate such ratings in the advertisements for attracting occupants in the manner prescribed by the Ordinance of the Ministry of Land, Infrastructure and Transport to make prospective occupants aware of the performance and quality of the relevant housing:

- 1.Noise-related rating, such as lightweight impulse noise, heavyweight impulse noise, toilet noise, and alarm noise, etc.;
- 2.Structure-related rating, such as the variability prepared for remodelling and the simplicity of repairs, etc.;
- 3.Environment-related rating, such as landscape, minimum daylight hours, quality of indoor air, energy conservation, etc.;
- 4.Living environment-related rating, such as community facilities, consideration of the socially vulnerable, home network, crime prevention and safety;
- 5.Fire and fire fighting-related rating, such as safety from fire, fire-fighting capacity, and refuge safety.

[This Article Newly Inserted by Act No. 12115, Dec. 24, 2013]

Article 21-3 (Installation of Ventilation Facilities, etc.)

Every project undertaker shall install ventilation facilities in the collective housing in order to ensure the smooth ventilation of indoor air according to the standards set by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 21-4 (Recognition, etc. of Performance Rating for Cancelling out Floor Impact Sound)

- (1) The Minister of Land, Infrastructure and Transport may designate institutions for recognizing performance rating of structure cancelling out floor impact sounds for collective housing in accordance with standards prescribed by Presidential Decree (hereinafter referred to as "institutions for recognition of performance rating for cancelling out floor impact sound"), among the housing construction standards under Article 21 (1) 1. <Amended by Act No. 11690, Mar. 23, 2013>
- (2)An institution for recognition of performance rating for cancelling out floor impact sound may revoke the relevant recognition where a product

recognized for its performance rating (hereinafter referred to as "recognized product") falls under any of the following subparagraphs: Provided, That in cases falling under subparagraph 1, the relevant recognition shall be revoked: <Amended by Act No. 11871, Jun. 4, 2013>

1. Where such product has attained recognition by fraud or other unlawful means;
 2. Where such product was sold or constructed by misrepresentation;
 3. Where such product has failed to observe standards for quality control prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport;
 4. Where test results for extending the term of validity of recognition has not been submitted.
- (3) Matters necessary for recognizing performance rating of structure cancelling out floor impact sound, including the period of validity of recognition of performance rating of structure cancelling out floor impact sounds referred to in paragraph (1) and performance rating recognition fees, shall be prescribed by Presidential Decree. <Newly Inserted by Act No. 11871, Jun. 4, 2013>
- (4) Requirements for designation, procedures therefor, etc. institutions for recognition of performance rating for cancelling out floor impact sound shall be prescribed by Presidential Decree. <Amended by Act No. 11871, Jun. 4, 2013>
- (5) Where an institution for recognizing performance rating of structure cancelling out floor impact sound falls under any of the following cases, the Minister of Land, Infrastructure and Transport may revoke its designation: Provided, That in cases falling under subparagraph 1, its designation shall be revoked: <Newly Inserted by Act No. 11871, Jun. 4, 2013>
1. Where it has been designated as an institution for recognition by fraudulent or other unlawful means;
 2. Where it has performed any of its duties in violation of the standards for recognition of performance rating of structure cancelling out floor impact sound referred to in paragraph (1);
 3. Where it fails to meet any of the requirements for designation of institutions for recognition referred to in paragraph (4);
 4. Where it has not performed recognition-related duties for at least two consecutive years without justifiable grounds.
- (6) The Minister of Land, Infrastructure and Transport may require any institution for recognizing performance rating of structure cancelling out floor impact sound to submit data relating to relevant business, including current status of recognition of performance rating, or direct public officials under his/her jurisdiction to inspect relevant documents, etc. <Newly Inserted by Act No. 11871, Jun. 4, 2013>
- (7) Public officials conducting inspections under paragraph (6) shall

produce certificates attesting to their authority, to the relevant person. <Newly Inserted by Act No. 11871, Jun. 4, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 21-5 (Establishment of Measures for Prevention of Noise)

- (1) The authority for granting approval for project plans shall ensure a project undertaker who intends to execute a housing construction project establishes noise prevention measures as prescribed by Presidential Decree to prevent potential damage due to housing construction and to preserve the quality of life for residents living in the housing construction area.
- (2) If the housing construction area prescribed by Presidential Decree is adjacent to a road, the authority for granting approval for project plans shall pre-consult with the relevant road management agency for noise prevention measures. In such cases, the relevant road management agency may present necessary opinions within the extent of noise criteria prescribed by noise-related laws.

[This Article Newly Inserted by Act No. 11590, Dec. 18, 2012]

Article 21-6 (Construction Standards, Certification System, etc. of Long-Life Houses)

- (1) The Minister of Land, Infrastructure and Transport may determine and publicly announce the standards for construction of houses with structural durability for long maintenance, substantial adjustability for easy change of internal structure to meet the needs of occupants, easiness of repair, and the like (hereinafter referred to as "long-life houses").
- (2) The Minister of Land, Infrastructure and Transport may, in order to encourage active supply of long-life houses, implement the long-life house certification system in accordance with the construction standards referred to in paragraph (1).
- (3) When a project undertaker intends to supply housing units in excess of the number prescribed by Presidential Decree, he/she shall acquire credit recognition not lower than the minimum required grade prescribed by Presidential Decree pursuant to the certification system of paragraph (2).
- (4) The State, local governments and the heads of public institutions may provide project undertakers who supply long-life houses and acquirors of long-life houses with administrative support and tax benefits as prescribed by applicable laws, etc.
- (5) The Minister of Land, Infrastructure and Transport may accredit a certification agency and entrust it with the relevant affairs to implement

the certification system prescribed in paragraph (2).

(6) In connection with the operation of the certification system prescribed in paragraph (2), certification criteria, procedures, fees, etc. shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(7) Where credit recognition not lower than the minimum required grade prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport is granted under the certification system prescribed in paragraph (2), building-to-land ratio, ratio of volume, height restrictions may be mitigated within the extent prescribed by Presidential Decree, notwithstanding the National Land Planning and Utilization Act.

[This Article Newly Inserted by Act No. 12115, Dec. 24, 2013]

Article 22 (Design and Work Execution of Housing)

(1) A person who designs the housing to be built after obtaining an approval for project plan under Article 16 (including the incidental facilities and welfare facilities; hereinafter the same shall apply in this Article and Articles 29, 38, 40 and 77), shall draw up a design in conformity with the criteria for preparation of the design documents prescribed by Presidential Decree.

(2) A person who executes the works of housing under paragraph (1) (hereinafter referred to as "work executor") and a project undertaker shall execute the works in conformity with the design documents.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 23 (Installation of Arterial Facilities, and Redemption of Costs)

(1) Where a project undertaker implements a housing construction project to build not less than the number of houses prescribed by Presidential Decree, or implements a housing site preparation project to prepare not less than an area prescribed by Presidential Decree, the following persons shall install their corresponding arterial facilities: Provided, That with respect to facilities falling under subparagraph 1 which the project undertaker intends to install by including them in a housing construction project plan or housing site preparation project plan under Article 16 (1) or (3), the same shall not apply: <Amended by Act No. 11243, Jan. 26, 2012>

1. A local government: Roads, waterworks and sewage systems;

2. A person who supplies electricity, communications, gas or heating to the relevant area: Electric facilities, communications facilities, gas facilities or local heating facilities;

3. The State: Mailboxes.

- (2) Installation of arterial facilities under each subparagraph of paragraph (1) shall be completed by no later than the date of usage inspection under Article 29 (1), except in extenuating circumstances.
- (3) Costs incurred in installing arterial facilities under paragraph (1) shall be borne by a person liable to install them. In such cases, costs incurred in installing arterial facilities under paragraph (1) 1 may be subsidized by the State within the limit of one half of the said costs.
- (4) Notwithstanding the provisions of paragraph (3), when electric arterial facilities referred to in paragraph (1) are installed in the earth, costs of installation shall be borne by an electricity supplier and a person requesting the installation of the facilities in the earth, respectively, in the proportion of fifty to a hundred: Provided, That with respect to electric arterial facilities installed between arterial facilities outside the project district and the boundary line of the nearest housing complex located within the project district (if there is only one housing complex within the project district, referring to the housing complex), the costs of installation shall be borne by the electricity supplier.
- (5) Where a project undertaker makes a request for installing at his/her own expenses the roads or waterworks and sewage systems (limited to those related directly to the relevant housing construction project or housing site preparation project) not falling under paragraph (1) 1, a local government may comply with it.
- (6) Scope of installations of arterial facilities by types under paragraph (1) shall be prescribed by Presidential Decree.
- (7) When any person liable to install arterial facilities has any special grounds on which he/she is unable to complete installation of arterial facilities within the period under paragraph (2), a project undertaker may install the relevant arterial facilities at his/her own expenses, and request the person liable to install the arterial facilities to redeem the relevant costs.
- (8) Matters necessary for the methods, procedures, etc. for redeeming the costs of installing arterial facilities under paragraph (7) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 24 (Supervision, etc. of Housing)

- (1) When the authority for granting approval for project plans has granted approval for a housing construction project plan under Article 16 (1) or (3) and when the head of a Si (in cases of a Special Self-Governing Province, referring to the Governor of a Special Self-Governing Province; hereinafter the same shall apply)/Gun/Gu has granted permission for remodelling under Article 42 (2) 2, the authority for granting approval for project plans shall designate a person qualified for supervision under

the Certified Architects Act or the Construction Technology Promotion Act as a person to supervise the relevant housing construction works, as prescribed by Presidential Decree: Provided, That the same shall not apply where a project undertaker is the State, a local government, the Korea Land and Housing Corporation, a local public corporation, or a person prescribed by Presidential Decree and to urban residential housing supervised under Article 25 of the Building Act. <Amended by Act No. 10237, Apr. 5, 2010; Act No. 11243, Jan. 26, 2012; Act No. 11794, May 22, 2013>

- (2) Any person designated to conduct supervision under paragraph (1) (hereinafter referred to as "supervisor") shall post any of his/her affiliates as a supervisory officer, as prescribed by Presidential Decree, and perform the following duties: <Amended by Act No. 11794, May 22, 2013>
1. Confirmation as to whether a work executor performs the works in conformity with design documents;
 2. Confirmation as to whether construction materials used by a work executor are those satisfying the criteria under related Acts and subordinate statutes;
 3. Confirmation as to whether a quality test on housing construction works has been conducted under Article 55 of the Construction Technology Promotion Act;
 4. Confirmation as to whether the finish materials and products used by a work executor are identical with those stated on the list of finish materials, pictures, etc. presented by a project undertaker to the head of a Si/Gun/Gu pursuant to Article 38 (3);
 5. Other matters prescribed by Presidential Decree with respect to work supervision of housing construction works.
- (3) A supervisor shall file a report on the situation of performing duties under each subparagraph of paragraph (2) with the authority for granting approval for project plans and a project undertaker, as stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>
- (4) When a supervisor has found any violation in the course of performing his/her duties under paragraph (2), he/she shall promptly notify the work executor and the project undertaker to rectify the violation, and file within seven days a report on the said details with the authority for granting approval for project plans.
- (5) A work executor and the project undertaker in receipt of a rectification notice under paragraph (4) shall promptly suspend the relevant works and rectify the violation, and thereafter obtain a confirmation from the supervisor. In such cases, if they are dissatisfied with a rectification notice issued by the supervisor, they may promptly suspend the relevant

works and raise a written objection to the authority for granting approval for project plans.

- (6) A project undertaker shall pay to a supervisor the expenses for his/her supervision of the works pursuant to the procedures, etc. stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>
- (7) Where a supervisor falls under grounds prescribed by Presidential Decree, such as submitting fraudulent or unlawful documents for designating a supervisor, or conniving at violations while performing his/her duties, etc., the authority for granting approval for project plans may replace him/her, and impose a restriction of up to one year upon the designation of supervisory duties in respect to the relevant supervisor.
- (8) Except as expressly prescribed in this Act, the details and scope of responsibilities between a project undertaker and a supervisor shall be determined by a contract between the parties.
- (9) The Minister of Land, Infrastructure and Transport may formulate and disseminate a standard contract form of supervisory services in order to ensure that, in concluding a contract under paragraph (8), it must be fairly concluded between a project undertaker and a supervisor. <Amended by Act No. 11690, Mar. 23, 2013>
- (10) Matters necessary for methods and procedures for supervisors conducting supervision under paragraph (1) and for dealing with an objection raised under paragraph (5), shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 24-2 (Cooperation of Supervisors in Performing Their Work)

- (1) Every supervisor shall cooperate with anyone who performs the supervisory work (hereinafter referred to as a "supervisor provided for in other Acts") pursuant to Article 14-2 of the Electric Technology Management Act, Article 8 of the Information and Communication Works Business Act and Article 17 of the Fire-Fighting System Installation Business Act when he/she performs his/her supervisory work.
- (2) Any supervisor provided for in other Acts shall submit material that is prescribed by Presidential Decree, including the supervision program by the work progress, etc., to the supervisor, and the supervisor shall develop a supervision program for the entire housing construction work based on the material submitted while consulting thereabout with the supervisor provided for in other Acts.
- (3) The supervisor may ask the supervisor provided for in other Acts to report the work progress and make any correction in order to ensure the quality, the safety control and the smooth progress of the housing construction work, and the supervisor provided for in other Acts shall

comply with such request.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 24-3 (Cooperation with Professional Architectural Structural Engineers)

- (1) A supervisor of remodelling for vertical expansion (including remodelling without increasing the number of households; hereinafter the same shall apply) shall, where any of the following matters is confirmed in the course of performing supervisory work, receive cooperation from the professional architectural structural engineer under the National Technical Qualifications Act (referring to a person in charge of the structural design for remodelling of the relevant building; hereinafter referred to as "professional structural engineer"): Provided, That where the supervisor is unable to obtain such cooperation because of the reasons prescribed by Presidential Decree, such as the death of the professional structural engineer in charge of the relevant structural design, he/she shall obtain cooperation from a professional structural engineer prescribed by Presidential Decree:
1. Where it is intended to execute the work differently from the structural drawing or structural bill submitted as at the time remodelling for vertical expansion was permitted;
 2. Where it is necessary to prepare more detailed drawings of major structures of the building, including bearing walls, columns, floors, and beams, than those submitted as at the time remodelling for vertical expansion was permitted;
 3. Where the work is executed to remove or reinforce bearing walls, columns, floors and beams, or other major structures of the building, which is prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport;
 4. Other matters affecting the building structure, which are prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
- (2) A professional structural engineer who has provided cooperation to a supervisor under paragraph (1) shall affix his/her signature and seal to the quarterly supervision reports and final supervision report together with the supervisor.
- (3) A professional structural engineer requested to provide cooperation under paragraph (1) shall faithfully perform his/her duties in an independent and impartial manner.
- (4) A person who intends to conduct remodelling for vertical expansion shall pay a fair price to the professional structural engineer who has cooperated as requested by the supervisor under paragraph (1).

[This Article Newly Inserted by Act No. 12115, Dec. 24, 2013]

Article 24-4 (Measures against Unfaithful Supervisors, etc.)

Where any supervisor or any supervisory member designated and posted under Article 24 (including any supervisor provided for in other Act or subordinate statute and any supervisory member belonging to the former) unfaithfully performs any supervisory duty deliberately or by gross negligence, or supervises in violation of the relevant Acts or subordinate statute causing damage to the relevant project undertaker, occupants, etc. by making the relevant housing construction work defective, the authority for granting approval for project plans may request the head of the relevant administrative agency that granted the relevant supervisor registration or the relevant supervisory member a license and recognized other qualifications, etc. to cancel registration, revoke licenses, suspend qualifications or business and to take other necessary measures.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 25 (Preferential Sale or Rent of State and Public Land, etc.)

(1) When the State or local governments sell or lease land owned by them, if there exists any person who wants to purchase or rent the relevant land for the purpose falling under any of the following subparagraphs, they may preferentially sell or lease the relevant land to him/her:

1. Construction of the housing on a scale of national housing to be built beyond the ratio prescribed by Presidential Decree;
2. Construction of the housing to be built by a housing association established under Article 32 (hereinafter referred to as "association housing");
3. Creation of the sites for constructing the housing under subparagraph 1 or 2.

(2) When any person who has purchased or rented the land from the State or local governments under paragraph (1) fails to build the housing on a scale of national housing or the association housing, or fails to implement a housing site preparation project for constructing the said housing, within two years from the date of the said purchase or rent, the State or local governments may buy back the land or cancel the rental contract.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 26 (Utilization of Housing Sites Created through Urban Development Projects by Means of Land Substitution)

(1) When a project undertaker has requested an implementer of an urban development project (referring to an implementer of an urban development project, who implements the project by means of land substitution under the Urban Development Act; hereinafter the same

shall apply in this Article), to sell the land as recompense for development outlay, for the purpose of using it as the site for national housing, the said implementer of an urban development project may preferentially sell it to the project undertaker, as prescribed by Presidential Decree, and within one half of the total area of the land secured for the recompense of development outlay.

(2) When a project undertaker has made, in cases under paragraph (1), a request for sale of land secured for the recompense of development outlay before the formulation of a land substitution plan under Article 28 of the Urban Development Act, the undertaker of an urban development project shall fix the land secured for the recompense of development outlay to be sold to a project undertaker, as a single complex in the said land substitution plan.

(3) Transfer price of the land secured for the recompense of development outlay under paragraph (1) shall be based upon the appraised price, which has been appraised and evaluated by an appraisal and valuation businessperson under the Public Notice of Values and Appraisal of Real Estate Act, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That where it is stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport, such as where building the rental housing, it may be based upon such costs of preparation stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 27 (Mutatis Mutandis Application of Act on Acquisition of and Compensation for Land, etc. for Public Works Projects)

(1) Except as prescribed in this Act, the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects shall apply mutatis mutandis to cases where the land, etc. is expropriated or used under Article 18 (2).

(2) Where the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects is applied mutatis mutandis pursuant to paragraph (1), an "authorization for project under Article 20 (1) of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects" shall be considered as an "approval for project plan under Article 16": Provided, That an application for adjudication may be filed within the period of housing construction project for which an approval for project has been obtained, notwithstanding Articles 23 (1) and 28 (1) of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 28 (Entrustment of Land Purchase Affairs, etc.)

- (1) A project undertaker that is the State or the Korea Land and Housing Corporation may entrust affairs of purchasing land and of compensating for losses for a housing construction project or a housing site preparation project to the head of the competent local government, as prescribed by Presidential Decree. <Amended by Act No. 10237, Apr. 5, 2010>
- (2) When a project undertaker entrusts affairs of purchasing land and of compensating for losses under paragraph (1), he/she shall pay to the relevant local government the entrustment fees at the rate prescribed by Presidential Decree, within the limit of 2/100 of the value of the land purchase amounts and of the compensation for losses.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 29 (Usage Inspection, etc.)

- (1) Where a project undertaker has completed a housing construction project or a housing site preparation project implemented upon obtaining approval for a project plan under Article 16, he/she shall undergo a usage inspection of housing or site conducted by the head of a Gu (referring to the Minister of Land, Infrastructure and Transport if the State or the Korea Land and Housing Corporation is a project undertaker, and where prescribed by Presidential Decree; hereafter the same shall apply in this Article), as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That if approval for a project plan is obtained under Article 16 (3), he/she may undergo a usage inspection of completed housing for each construction section (hereinafter referred to as "usage inspection by compartmentalization"), and where any reason prescribed by Presidential Decree, such as unfulfillment of any conditions for approval of project plan, exists, he/she may undergo a usage inspection of completed housing by buildings (hereinafter referred to as "usage inspection by buildings). <Amended by Act No. 10237, Apr. 5, 2010; Act No. 11243, Jan. 26, 2012; Act No. 11690, Mar. 23, 2013>
- (2) When a project undertaker has undergone a usage inspection under paragraph (1), he/she shall be deemed to have obtained the usage approval, work completion inspection, work completion authorization, etc. for the relevant project pursuant to the constructive authorization, permit, etc. under Article 17 (1). In such cases, the head of a Si/Gun/Gu conducting a usage inspection under paragraph (1) (hereinafter referred to as "authority for usage inspection") shall hold a pre-consultation with the head of a related administrative agency.
- (3) Notwithstanding paragraph (1), a person who has guaranteed the construction of relevant housing, the work executor, or a person

scheduled to occupy it may undergo a usage inspection, as prescribed by Presidential Decree according to the following categories: <Amended by Act No. 11061, Sep. 16, 2011>

- 1.If a project undertaker is unable to undergo a usage inspection due to bankruptcy, etc., the person who has guaranteed the construction of the relevant housing or a person scheduled to occupy it;
 - 2.If a project undertaker fails to comply with procedures for undergoing a usage inspection without just grounds, a person who has guaranteed the construction of relevant housing, the work executor of the relevant housing or a person scheduled to occupy it. In such cases, no authority for usage inspection shall reject or delay the usage inspection unless the project undertaker clearly indicates the just ground for not undergoing the usage inspection.
- (4)A project undertaker or person scheduled to occupy housing shall be prohibited from making the housing or sites available for use, or from using them, unless subsequent to undergoing a usage inspection under paragraph (1): Provided, That the same shall not apply in cases prescribed by Presidential Decree where approval for provisional use has been obtained from the authority for usage inspection.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 30 (Reversion of Public Facilities,
etc.)

- (1) Where a project undertaker newly installs public facilities, or installs the public facilities replacing the existing public facilities on land within the project district, for which an approval for project plan has been obtained under Article 16 (1) or (3), Articles 65 and 99 of the National Land Planning and Utilization Act shall apply mutatis mutandis to a reversion of the said public facilities. In such cases, "person having received a permit for development acts" shall be read as "project undertaker", "permit for development acts" as "approval for project plan", and "implementer that is an administrative agency" as "Korea Land and Housing Corporation, or a local government-invested public corporation", respectively. <Amended by Act No. 10237, Apr. 5, 2010; Act No. 11243, Jan. 26, 2012>

- (2)Neither Korea Land and Housing Corporation nor local government-invested public corporation, which is deemed an implementer that is an administrative agency under the latter part of paragraph (1), shall use or dispose of the public facilities to be reverted thereto for purposes other than implementation of the relevant national housing project. <Amended by Act No. 10237, Apr. 5, 2010>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 31 (Perusal of Documents)

Where it is necessary for a project undertaker, who builds and supplies the national housing, to implement a housing construction project or a housing site preparation project, he/she may request the head of a registry office and the heads of other related administrative agencies to allow gratuitously a perusal or reproduction of the necessary documents, or to deliver gratuitously a certified copy or abridged copy thereof.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

SECTION 3 Housing Association

Article 32 (Establishment, etc. of Housing Association)

- (1) Where several constituent members intend to establish a housing association in order to construct or remodel housing (referring to housing constructed with the approval of a project plan under Article 16) (excluding workplace housing associations under paragraph (3)), they shall obtain authorization from the head of the competent Si/Gun/Gu. The same shall also apply where they intend to alter the authorized contents or to dissolve the housing association. <Amended by Act No. 12646, May 21, 2014>
- (2) Where a housing association and a registered business operator execute the works while they jointly implement a project under Article 10 (2), the registered business operator shall be responsible for compensating any loss incurred to any association members due to his/her inability to promote the project or any delay thereto, which has been caused by not only his/her fault as an implementer but also any causes attributable to himself/herself.
- (3) Any person who intends to establish a workplace housing association in order to acquire supply of national housing shall file a report thereon with the head of the competent Si/Gun/Gu. The same shall also apply where he/she intends to alter the reported details or to dissolve the workplace housing association.
- (4) A housing association (excluding a housing remodelling association) may supply the housing built for its constituent members preferentially to the relevant association members, and as for the workplace housing association under paragraph (3), a project undertaker may supply the national housing preferentially to the relevant association members.
- (5) Matters necessary for the methods and procedures for establishing a housing association subject to authorization under paragraph (1), and for the qualification criteria for constituent members of a housing association and the operation, management, etc., thereof and matters necessary for the establishment requisites and reporting procedures, etc. for a workplace housing association under paragraph (3), shall be

prescribed by Presidential Decree: Provided, That where a local housing association, which has obtained authorization for establishment under paragraph (1) within a district of overheated speculation under Article 41 (1), selects its constituent members, it shall be prohibited from acknowledging any status of association members in the order their written applications are received.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 32-2 (Disclosure of Related Data)

If any of the following documents relating to the implementation of a project of the housing association and other related data are prepared or modified, executives of a housing association shall disclose them within 15 days via the Internet and other means of communication to notify the association members thereof:

1. Rules of the association;
2. Selection of a joint project undertaker, and the written agreement that the housing association has entered into with a registered business operator who is a joint project undertaker;
3. Contracts for appointing designers and other service companies;
4. Minutes of meetings of general assembly and board of directors of the association, meetings of representatives, etc.;
5. Project implementation plan;
6. Official documents concerning the relevant project of the housing association;
7. Financial audit report;
8. Other documents and related data prescribed by Presidential Decree concerning the implementation of the project of the housing association.

[This Article Newly Inserted by Act No. 12022, Aug. 6, 2013]

Article 33 Deleted. <by Act No. 7334, Jan. 8, 2005>

Article 34 (Supervision, etc. of Housing Association)

- (1) Where the Minister of Land, Infrastructure and Transport or the head of a Si/Gun/Gu deems it particularly necessary to maintain order in supply of housing, he/she may verify matters necessary for the qualifications, etc. of constituent members of a housing association, through the utilization of the administrative computer networks, etc. controlled by the State. <Amended by Act No. 11690, Mar. 23, 2013>
- (2) When a housing association or its constituent members have violated this Act or any order or dispositions under this Act, the head a Si/Gun/Gu may cancel authorization for establishment of a housing association.
- (3) A housing association shall undergo an audit as prescribed by Presidential Decree, and file a report on the findings of the said audit with the head of the competent Si/Gun/Gu, and make them available for perusal of the relevant association members, by reporting them via the Internet, etc.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

SECTION 4 Recognition, etc. of Industrialized Housing

Article 35 (Recognition, etc. of Industrialized Housing)

- (1) The Minister of Land, Infrastructure and Transport may recognize housing as industrialized housing, if all or any major structural portions of the housing are built by the industrialized construction methods, such as prefabricated methods, in accordance with the criteria for functions and production stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>
- (2) The Minister of Land, Infrastructure and Transport or the Mayor/Do Governor may allow a person who intends to build the housing pursuant to the following classifications, to build the said housing, as prescribed by Presidential Decree, notwithstanding the provisions of Article 9 (1) of the Framework Act on the Construction Industry: <Amended by Act No. 11061, Sep. 16, 2011; Act No. 11690, Mar. 23, 2013; Act No. 11794, May 22, 2013>
 1. The Minister of Land, Infrastructure and Transport: Housing built by applying a new construction technology published by the Minister of Land, Infrastructure and Transport under Article 14 of the Construction Technology Promotion Act;
 2. The Mayor/Do Governor: Industrialized housing under paragraph (1).
- (3) Matters necessary for recognizing industrialized housing shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 36 (Revocation of Recognition of Industrialized Housing)

When any person, who has obtained recognition of industrialized housing under Article 35 (1), commits any of the following acts, the Minister of Land, Infrastructure and Transport may revoke his/her recognition of industrialized housing: <Amended by Act No. 11690, Mar. 23, 2013>

1. When he/she has obtained recognition by fraudulent or other unlawful means;
2. When he/she has failed to undertake a construction of industrialized housing within one year from the date of obtaining a recognition;
3. When he/she has built the industrialized housing not in conformity with the recognized standards.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 37 (Promotion of Construction of Industrialized Housing)

- (1) The Minister of Land, Infrastructure and Transport, the Mayor/Do Governor, or the head of a Si/Gun may

recommend a project undertaker to build any housing to be built on his/her behalf, as industrialized housing. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 11871, Jun. 4, 2013>

(2) Articles 22 and 24 of this Act, and Article 4 of the Certified Architects Act, shall not apply where the industrialized housing is built by a person equipped with technical abilities which are stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport in connection with construction of industrialized housing and elevation of its quality. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

CHAPTER IV SUPPLY OF HOUSING

Article 38 (Supply of Housing)

- (1) Project undertakers (including building owners who build and supply facilities other than housing as well as the housing built in the form of the same building not less than the number of houses under Article 16 (1) after obtaining a building permit under Article 11 of the Building Act and persons who acquire en bloc the housings which have undergone the usage inspections under Article 29 from project undertakers; hereafter the same shall apply in this Chapter) shall build and supply housing, as prescribed by any of the following subparagraphs. In such cases, project undertakers may supply housing to persons of distinguished service to the State, disabled persons, owners of housing to be demolished, and others designated by Ordinance of the Ministry of Land, Infrastructure and Transport, under different occupants recruitment conditions prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: <Amended by Act No. 10237, Apr. 5, 2010; Act No. 11243, Jan. 26, 2012; Act No. 11690, Mar. 23, 2013; Act No. 12646, May 21, 2014>
1. Where project undertakers (excluding persons falling under the following items) intend to recruit occupants: They shall obtain approval from the head of the relevant Si/Gun/Gu (referring to a report on welfare facilities), as stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport:
 - (a) The State, a local government, the Korea Land and Housing Corporation, and a local government-invested public corporation;
 - (b) A real estate investment company in which any person falling under item (a) has invested, solely or jointly, more than 50 percent of the total equity thereof;
 2. Where project undertakers intend to supply the housing built thereby: They shall comply with conditions, methods and procedures for recruiting occupants, methods, period and procedures for payment for a housing unit (referring to the housing price to be paid by persons

scheduled to occupy housing to the project undertaker; hereinafter the same shall apply), and methods and procedures for concluding a housing supply contract, etc., which are stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport;

3. Where project undertakers intend to supply housing: They shall separately indicate the price of the housing, excluding the wallpaper, floor covering, kitchen utensils, lighting fixtures, etc., which shall remain at the occupants' discretion, as stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport.
- (2) A person who intends to be supplied with housing shall acquire said housing in conformity with the occupancy qualifications, restrictions on winning the lottery twice, and an order of supply, etc., as stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>
- (3) Where a project undertaker intends to obtain approval from the head of a Si/Gun/Gu under paragraph (1) 1 (if the project undertaker is the State, a local government, the Land and Housing Corporation, or a local government-invested public corporation, referring to cases where a model house is constructed), he/she shall make a list stating the dimensions, performance and quality of finishing materials (hereinafter referred to as "list of finishing materials") used in a model house built under Article 38-3, the pictures of the inside of each room in the model house, etc., and submit them to the approving authorities. <Amended by Act No. 10237, Apr. 5, 2010>
- (4) A project undertaker shall provide persons scheduled to occupy the housing with the following data or information when concluding a contract for supplying the housing: Provided, That the same shall not apply where the contents are included in the occupant recruitment publication (including cases of being published on the Internet): <Amended by Act No. 11871, Jun. 4, 2013>
 1. List of finishing materials used in a model house mentioned in paragraph (3);
 2. Where emergency exits have been installed on boundary walls between households on the balcony of collective housing or where boundary walls have been built with light-structures, information thereon.
- (5) The head of a Si/Gun/Gu shall keep the list of finishing materials, pictures, etc. submitted under paragraph (3) for at least two years from the date when a usage inspection is conducted pursuant to Article 29 (1), and offer them for the occupants' perusal at their request.
- (6) Where a project undertaker intends to use finishing materials different from those determined in a project plan approved under Article 16 or stated in the list of finishing materials under paragraph (3) in extenuating circumstances, such as a supply shortage of products due to the dishonor, etc. of the finishing materials manufacturing enterprise, he/she shall use the finishing materials of at least the same quality as the

original ones.

(7) Where a project undertaker intends to install finishing materials different from those stated in the list of finishing materials under paragraph (6), he/she shall notify persons scheduled to occupy the housing of the fact.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 38-2 (Restrictions on Selling Prices of Housing, etc.)

(1) The collective housing supplied to the general public by any project undertaker pursuant to Article 38 shall be supplied at prices not exceeding selling prices computed according to standards stipulated in this Article (the housing supplied pursuant thereto shall be referred to as "housing subject to the upper limit system for selling prices"; hereinafter the same shall apply): Provided, That this shall not apply in any of the following cases: <Amended by Act No. 10237, Apr. 5, 2010>

1. Urban residential housing;

2. Collective housing constructed and supplied in a free economic zone designated and publicly announced under Article 4 of the Act on Designation and Management of Free Economic Zones in which case the Free Economic Zone Committee established under Article 25 of the same Act has deliberated and resolved not to impose restrictions on selling prices referred to in this Act, as the Free Economic Zone Committee deems it relevant to the promotion of the inducement of foreign capital;

3. Collective housing constructed and supplied in a special tourist zone designated under Article 70 (1) of the Tourism Promotion Act, the number of stories or height of which is either at least 50 stories or at least 150 meters.

(2) Selling prices provided for in paragraph (1) shall be incorporated into site costs and construction costs, and detailed breakdown, their calculation methods, methods for selection of appraisal and assessment agencies, and other relevant matters shall be determined by Ordinance of the Ministry of Land, Infrastructure and Transport. In such cases, the site costs shall be calculated as follows: <Amended by Act No. 10219, Mar. 31, 2010; Act No. 10237, Apr. 5, 2010; Act No. 11690, Mar. 23, 2013>

1. The site cost of the housing constructed on a public site shall be calculated by adding expenses incurred in relation to the site prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport to the supply price of the relevant site;

2. The site cost of the housing constructed on any site other than a public site shall be an amount calculated by adding expenses incurred in relation to the site prescribed by Ordinance of the Ministry of Land, Infrastructure

and Transport to the value of the relevant site appraised pursuant to the Public Notice of Values and Appraisal of Real Estate Act: Provided, That if the purchase price falls under any of the following items, the purchase price (within the limit set by Presidential Decree) plus related expenses prescribed by Ordinance of Ministry of Land, Infrastructure and Transport may be deemed the site cost. In such cases, the site cost shall be equally applied to the whole of the relevant housing site:

- (a) Contract price in the auction or public sale under the Civil Execution Act, the National Tax Collection Act or the Framework Act on Local Taxes;
 - (b) Price of purchase from the State, a local government, or any other public agency;
 - (c) Other cases prescribed by Presidential Decree where the actual sale price is verifiable.
- (3) Among constituent items of the selling prices provided for in paragraph (2), the construction cost shall be an amount calculated by adding the amount prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport and Transportation to the construction cost determined and publicly announced by the Minister of Land, Infrastructure and Transport (hereinafter referred to as "basic construction cost"). In such cases, the basic construction cost may be separately determined and publicly announced by the head of a Si/Gun/Gu within the limit set by Ordinance of the Ministry of Land, Infrastructure and Transport in consideration of the characteristics of the relevant region. <Amended by Act No. 10237, Apr. 5, 2010; Act No. 11690, Mar. 23, 2013>
- (4) Every project undertaker shall, when he/she obtains approval to attract occupants for the housing subject to the upper limit system for selling prices which is constructed on a public site, publicly announce the selling prices with respect to the following matters (including detailed classification determined by Ordinance of the Ministry of Land, Infrastructure and Transport) in the occupant recruitment publication: <Amended by Act No. 11690, Mar. 23, 2013>
1. Site cost;
 2. Work cost;
 3. Indirect cost;
 4. Other costs prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
- (5) Where the head of a Si/Gun/Gu grants approval for recruiting occupants for the housing subject to the upper limit system for selling prices, which is constructed on any site other than a public site pursuant to Article 38 (limited to the housing supplied within the Seoul Metropolitan area, etc. under subparagraph 1 of Article 2 of the Seoul Metropolitan Area Readjustment Planning Act, which is likely to show a rise in the selling prices and meets standards prescribed by Presidential Decree), he/she shall publicly announce the selling price according to

the following classifications. In such cases, the amount provided for in each of subparagraphs 2 through 6 shall be the value of the basic construction cost [where there is any separate basic construction cost determined by a Si (in cases of a Special Governing Province, referring to a Special Governing Province)/Gun/Gu, the basic construction cost by a Si/Gun/Gu] by each item: <Amended by Act No. 11243, Jan. 26, 2012; Act No. 11690, Mar. 23, 2013>

- 1.Site cost;
- 2.Direct cost of works;
- 3.Indirect cost of works;
- 4.Design cost;
- 5.Supervision cost;
- 6.Incidental cost;
7. Other costs prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(6)In making a public announcement under paragraphs (4) and (5), with respect to the public announcement of costs added to the site cost and construction cost prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, the details of examination by the Parcelling-Out Price Examination Committee referred to in Article 38-4 and the basis for calculation of the relevant costs shall be included. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 38-3 (Standards for Building Model Houses)

- (1) Where a project undertaker intends to build a model house to facilitate the sale of housing, he/she shall use the same finishing materials as those determined in the project plan approved under Article 16, in finishing and furnishing the interior of the model house.
- (2)Where a project undertaker intends to use in the interior of the model house finishing materials different from those determined in the project plan approved under Article 16 or stated in the list of finishing materials under Article 38 (3), which falls under any of the following subparagraphs, he/she shall indicate the supply price thereof to make the relevant matters known to the general public, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: <Amended by Act No. 11690, Mar. 23, 2013>
 1. Where the items not covered by the selling prices of housing are displayed at the model house;
 2. Where any inevitable ground exists, such as a supply shortage of products due to dishonor, etc. of the finishing materials manufacturing enterprise.
- (3)The list of finishing materials and the ground plan and specifications attached to the written application for approval for a project plan

under Article 16 shall be kept in the model house, and the arrangements in and the structure, upkeep, etc. of the model house shall meet the standards stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 38-4 (Operation, etc. of Parcelling-Out Price Examination Committee)

- (1) The head of a Si/Gun/Gu shall establish and operate a Parcelling-Out Price Examination Committee to deliberate on the matters provided for in Article 38-2.
- (2) The head of a Si/Gun/Gu shall decide on whether or not to grant the approval for recruiting occupants pursuant to Article 38 (1) 1 in compliance with the results of examination by the Parcelling-Out Price Examination Committee.
- (3) The Parcelling-Out Price Examination Committee shall be comprised of ten or less members specialized in relevant fields, including professors in housing-related field, technical experts in the field of housing building or housing management, relevant public officials, attorneys-at-law, certified public accountants, certified public appraisers, and the matters relating to the procedures for organization and the operation thereof shall be determined by Presidential Decree. <Amended by Act No. 10237, Apr. 5, 2010>
- (4) In handling the business affairs in accordance with paragraphs (1) through (3), the members of the Parcelling-Out Price Examination Committee shall conduct the examination fairly in good faith.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 38-5 Deleted. <by Act No. 9633, Apr. 22, 2009>

Article 38-6 (Construction, etc. of Rental Housing under Housing Construction Projects, etc.)

- (1) Where a project undertaker (excluding a person who conducts remodelling) submits a written application for approval of project plans (including an application for a permit under Article 11 (3) of the Building Act; hereafter the same shall apply in this Article) including each of the following subparagraphs, the authority for granting approval for project plans (including construction permission authority) may apply a relaxed floor area ratio pursuant to standards stipulated by Municipal Ordinance of the Special Metropolitan City, Metropolitan City, a Special Self-Governing Province, or a Si/Gun within the limit of the floor area ratio for each specific-use area under Article 78 of the National Land Planning and Utilization Act: <Amended by Act No. 11243, Jan. 26, 2012>
 1. Plan to construct housing of at least the number under Article 16 (1) and facilities other than housing as one building;

2. Matters concerning construction and supply of rental housing.

- (2) Where a relaxed floor area ratio is applied under paragraph (1), a project undertaker shall supply the percentage prescribed by Presidential Decree or more of the area for rental housing within 60 percent of the relaxed floor area ratio. In such cases, a project undertaker shall supply rental housing to the Minister of Land, Infrastructure and Transport, the Mayor/Do Governor, the Korea Land and Housing Corporation, or local public corporations (hereinafter referred to as "successor"), and the Mayor/Do Governor may preferentially acquire the rental housing: Provided, That in cases where the Mayor/Do Governor does not acquire the rental housing, the head of a Si/Gun/Gu shall notify the Mayor/Do Governor of the application for approval of project plans (including a building permit under Article 11 of the Building Act; hereafter the same shall apply in this Article) under paragraph (1) and submit a request to the Ministry of Land, Infrastructure and Transport for designation as a successor. <Amended by Act No. 10237, Apr. 5, 2010; Act No. 11690, Mar. 23, 2013>
- (3) The selling price of the rental housing supplied under Article 2 shall be the price for conversion for sale in lots of constructed public rental housing, applied when rental housing is sold under Article 16 (3) of the Rental Housing Act, plus the construction cost determined by the standards for calculation, and the appurtenant land shall be deemed contributed to and accepted by the successor.
- (4) A project undertaker shall hold a pre-consultation with a successor concerning the size, etc. of the rental housing to be constructed with a relaxed floor area ratio before applying for approval for project plans under Article 16 and reflect it in the application for approval of project plans.
- (5) A project undertaker shall select rental housing to be supplied to a successor by methods of public lottery for all of the supplied housing (in cases where a housing association is established under Article 32, referring to the housing remaining after supplying to the association members) and shall notify the successor of the lottery results without delay.
- (6) A project undertaker shall entrust a successor with, or apply for, registration without delay after obtaining a completion certification (including approval to use under Article 22 of the Building Act) of rental housing. In such cases, where a project undertaker rejects or delays registration, the successor may entrust, or apply for, registration.

[This Article Newly Inserted by Act No. 9405, Feb. 3, 2009]

Article 38-7 (Requests for Provision of Data)

- (1) In order to verify occupancy qualifications of persons who intend to be supplied with housing under Article 38 (2), the Minister of Land, Infrastructure and Transport may request the heads of related agencies to provide computerized

information on resident registration (including personally identifiable information such as the resident registration number or alien registration number) of the principal, the spouse, or household members who are residing with the principal or the spouse, registered matters concerning family relations, national taxes, local taxes, finance, land, building (including building register and building ledger), motor vehicle, health insurance, national pension, employment insurance, industrial accident compensation insurance, etc. In such cases, the heads of the related agencies shall comply with such request, except in extenuating circumstances.

(2) Notwithstanding Article 4 (1) of the Act on Real Name Financial Transactions and Confidentiality and Article 32 (2) of the Act on Use and Protection of Credit Information, the Minister of Land, Infrastructure and Transport may, in order to verify the occupancy qualifications of persons who intend to be supplied with housing under Article 38 (2), request the heads of financial institutions, etc. (referring to financial institutions as defined in subparagraph 1 of Article 2 of the Act on Real Name Financial Transactions and Confidentiality and credit information collection agencies under Article 25 of the Use and Protection of Credit Information Act; hereinafter the same shall apply) to provide the following data or information, by means of an electronic document converted from the written document submitted by the principal, spouse, or a member who is residing with the principal or spouse:

1. Average deposit balance, of the data or information on the details of financial assets and financial transactions as defined in subparagraphs 2 and 3 of Article 2 of the Act on Real Name Financial Transactions and Confidentiality, and other data or information prescribed by the Minister of Land, Infrastructure and Transport (hereinafter referred to as "financial information");
 2. Amount of debt, of credit information as defined in subparagraph 1 of Article 2 of the Use and Protection of Credit Information Act, and other data or information prescribed by the Minister of Land, Infrastructure and Transport (hereinafter referred to as "credit information");
 3. Insurance premiums paid after purchasing insurance referred to in any subparagraph of Article 4 (1) of the Insurance Business Act and other data or information prescribed by the Minister of Land, Infrastructure and Transport (hereinafter referred to as "insurance information").
- (3) When the Minister of Land, Infrastructure and Transport requests the provision of financial information, credit information, or insurance information (hereinafter referred to as "financial information, etc.") under paragraph (2), he/she shall also submit written consent provided

by the title holder of the relevant financial information, etc. In such cases, the head of the financial institution that has provided financial information, etc. may opt not to notify the title holder of the fact that he/she has provided such financial information, etc., notwithstanding Article 4-2 (1) of the Act on Real Name Financial Transactions and Confidentiality and Article 35 of the Use and Protection of Credit Information Act.

- (4) In order to verify the data referred to in paragraphs (1) and (2), the Minister of Land, Infrastructure and Transport and a project undertaker (limited to the State, a local government, the Korea Land and Housing Corporation, or a local government-invested public corporation) may jointly use the information system established under Article 6-2 (2) of the Social Welfare Services Act.
- (5) Current or former public officials affiliated with the Ministry of Land, Infrastructure and Transport, and executives and employees affiliated with a project undertaker referred to in paragraph (4) shall not use the information and data acquired under paragraphs (1) and (2) for purposes other than those prescribed in this Act or provide or divulge them to any other person or institution.

[This Article Newly Inserted by Act No. 11871, Jun. 4, 2013]

Article 39 (Prohibition against Disruption of Supply Order)

- (1) No person shall transfer or acquire (including all acts accompanying the sale, donation and other changes in rights, but excluding inheritance or mortgage; hereafter the same shall apply in this Article) any of the following deeds or statuses to acquire a supply of housing built and supplied under this Act, or mediate them or run an advertisement (including acts done through various publications, printed materials, telephone, Internet or any other media) for the purpose of transfer, acquisition, or mediation, and no person shall acquire a supply of deed, status, or housing built and supplied under this Act, or have others acquire it, by fraudulent or other unlawful means: <Amended by Act No. 11061, Sep. 16, 2011>

1. Entitlement to acquire a supply of housing under Article 32;
2. Redeemable housing bonds under Article 69;
3. Certificate of the occupants' savings under Article 75;
4. Other deed or status capable of acquiring a supply of housing, which is prescribed by Presidential Decree.

- (2) The Minister of Land, Infrastructure and Transport or a project undertaker may invalidate the status capable of requesting for a supply of housing, or revoke a housing supply contract which has been already concluded for any of the following persons: <Amended by Act No.

11690, Mar. 23, 2013>

1. Persons who transfer or acquire the deed or status in violation of paragraph (1);
2. Persons who have acquired a supply of the deed, status or housing by fraudulent or other unlawful means, in violation of paragraph (1).
- (3) When a project undertaker has paid an amount corresponding to a housing price computed, as prescribed by Presidential Decree, to a person who has violated paragraph (1), he/she shall be deemed to have acquired the relevant housing on the date of such payment.
- (4) In cases falling under paragraph (3), where it falls under the grounds prescribed by Presidential Decree, such as cases where a project undertaker pays a housing price to a purchaser, or he/she is unable to notify a receipt of housing price since the purchaser is unknown, and thus he/she has deposited the housing price in the competent court, the court may order the occupant of the relevant housing to leave it, by fixing the period therefor.
- (5) The Minister of Land, Infrastructure and Transport may restrict the qualifications for occupants in violation of paragraph (1) for a period not exceeding ten years, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Newly Inserted by Act No. 11061, Sep. 16, 2011; Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 40 (Limitations on Establishment of Mortgage, etc.)

- (1) Against the housing and housing site constructed by a housing construction project implemented, no project undertaker shall engage in any of the following conduct without the consent of persons scheduled to occupy the housing, for a period from the date of applying for approval of public notice of the recruitment of occupants (in cases of a housing association, referring to the date of applying for approval of the project plan), to 60 days after the date persons scheduled to occupy the housing may apply for the registration of the transfer of ownerships of relevant housing and housing sites: Provided, That the same shall not apply to cases prescribed by Presidential Decree for promoting the construction of relevant housing: <Amended by Act No. 11243, Jan. 26, 2012; Act No. 12646, May 21, 2014>
 1. Creating the real rights granted by way of security, such as mortgages or provisionally-registered security rights on the relevant housing or housing site;
 2. Creating a right to lease on a deposit basis, superficies, or other registerable rights to lease the immovables on the relevant housing and

- housing site;
3. Disposing of the relevant housing or housing site by means of sale or donation, etc.
 - (2)"Date on which persons scheduled to occupy the housing may apply for the registration of the transfer of ownerships of relevant housing and housing site" in paragraph (1) means the date on which occupancy may be taken, which has been notified by a project undertaker to a person scheduled to occupy a housing.
 - (3)In imposing any restrictions, such as establishing the mortgages, under paragraph (1), a project undertaker shall file for registration of a lien over the title, barring transfer of the property without any consent of a person scheduled to occupy a housing, or to convert them into the objects for establishing a limited real right, or the seizure, provisional seizure, temporary disposition, etc.: Provided, That the same shall not apply to cases prescribed by Presidential Decree, including cases where a project undertaker is a public institution, such as the State, a local government, the Korea Land and Housing Corporation, or cases where the relevant housing site is not owned by a project undertaker, etc. <Amended by Act No. 10237, Apr. 5, 2010>
 - (4)A supplementary registration under paragraph (3) in respect of the housing construction sites shall be made concurrently with an application for approval of public notice for the recruitment of occupants (where a housing association has not obtained ownership to a part of a housing construction site until the date of application for approval of project plans, referring to ownership transfer registration for that part), and that in respect of the constructed housing shall be made concurrently with registration of ownership preservation. In such cases, matters necessary for the details of a supplementary registration and its deregistration shall be prescribed by Presidential Decree.
 - (5)Where a relevant site or housing is acquired after the date of a supplementary registration under paragraph (4), or where a limited real right is established, or where it has been converted into the subject matter for the seizure, provisional seizure, temporary disposition, etc., such effect shall be made invalid: Provided, That the same shall not apply to cases prescribed by Presidential Decree, such as cases where a person scheduled to occupy a housing acquires the relevant housing site, etc. due to an insolvent management of a project undertaker.
 - (6)Where the Korea Housing Guarantee Company established under Article 76 (hereinafter referred to as the "Korea Housing Guarantee Company") has left any housing construction site in trust with itself while it provides a parcelling-out guarantee as the said site falls under grounds prescribed by Presidential Decree, such as cases where financial circumstances and financial dealings of a project undertaker are extremely inferior, a project undertaker may leave the relevant housing site in trust, notwithstanding the provisions of

paragraphs (1) and (3).

(7)The Financial Investment Services and Capital Markets Act shall not apply to any underwriting of trust by the Korea Housing Guarantee Company under paragraph (6).

(8)Where a project undertaker leaves a housing site in trust pursuant to paragraph (6), the terms and conditions of a trust contract shall include the provisions that the seizure, provisional seizure, provisional disposition, etc. against the project undertaker's right of a claim for ownership transfer registration caused by the termination of the relevant trust during the period from the date of trust registration to the date on which 60 days lapse after the date on which a person scheduled to occupy the housing becomes eligible to file an application for the ownership transfer registration of relevant housing site shall become null and void. <Newly Inserted by Act No. 11061, Sep. 16, 2011>

(9)Where a project undertaker's claim for ownership transfer registration caused by the termination of the relevant trust becomes subjected to the seizure, provisional seizure, provisional disposition, etc. during the period from the date of trust registration under paragraph (6) to the date on which 60 days lapse after the date on which a person scheduled to occupy the housing becomes eligible to file an application for the ownership transfer registration of relevant housing site, it shall become null and void. <Newly Inserted by Act No. 11061, Sep. 16, 2011>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 41 (Designation and Cancellation of Designation of Overheated Speculation Districts)

(1) If it is necessary to stabilize the price of housing, the Minister of Land, Infrastructure and Transport or the Mayor/Do Governor may designate a specific area as an overheated speculation district by undergoing deliberations by the Housing Policy Deliberative Committee (referring to City/Do housing policy deliberative committees under Article 85 in cases of the Mayor/Do Governor; hereinafter the same shall apply in this Article), or revoke such designation. In such cases, the designation of an overheated speculation district shall be limited to the extent where the purpose of such designation is achieved. <Amended by Act No. 11690, Mar. 23, 2013>

(2)An overheated speculation district shall be a district which is a district showing a remarkably high rate of housing price rise of the relevant district than the rate of commodity prices rise and satisfying standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport from among districts where speculation in housing is prevalent or is feared to be prevalent when the rate of subscription

competition, housing prices, rate of housing supply, plans to supply housing, etc. of the relevant district and the conditions, etc. of housing market of the said district are taken into account. <Amended by Act No. 11690, Mar. 23, 2013>

- (3) Where the Minister of Land, Infrastructure and Transport or the Mayor/Do Governor designates an overheated speculation district under paragraph (1), he/she shall forthwith announce such designation and notify the head of the competent Si/Gun/Gu of the details of the announcement. In such cases, the head of the competent Si/Gun/Gu shall have the project undertaker publicly announce the fact that the relevant housing construction district has been included in overheated speculation districts as at the time of the announcement of recruitment of occupants. The same shall also apply to cases where the designation of an overheated speculation district is revoked. <Amended by Act No. 11690, Mar. 23, 2013>
- (4) Where the Minister of Land, Infrastructure and Transport or the Mayor/Do Governor deems that no grounds exist for designation under paragraph (2) for an overheated speculation district, he/she shall forthwith revoke the designation of such overheated speculation district. <Amended by Act No. 11690, Mar. 23, 2013>
- (5) Where the Minister of Land, Infrastructure and Transport designates or revokes an overheated speculation district under paragraph (1), he/she shall hear the opinions of the Mayor/Do Governor, and where the Mayor/Do Governor designates or revokes an overheated speculation district, he/she shall hold a consultation with the Minister of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>
- (6) The Minister of Land, Infrastructure and Transport shall convoke a meeting of the Housing Policy Deliberative Committee every one year to review the designation of an overheated speculation district in consideration of any change, etc. in necessary conditions for stabilization of the price of housing in the area designated as an overheated speculation district. Where it is deemed necessary to revoke the designation of the overheated speculation district, following such review, he/she shall forthwith revoke the designation of the overheated speculation district and publicly announce the fact. <Amended by Act No. 11690, Mar. 23, 2013>
- (7) The Mayor/Do Governor or the head of the competent Si/Gun/Gu may, where deemed that the cause of the designation ceases, such as the stabilization of the price of housing in the relevant area, after designation of the overheated speculation district, request the Minister of Land, Infrastructure and Transport or the Mayor/Do Governor to revoke the designation of the overheated speculation district. <Amended by Act No. 11690, Mar. 23, 2013>
- (8) The Minister of Land, Infrastructure and Transport or the

Mayor/Do Governor who is requested to revoke the designation of an overheated speculation district pursuant to paragraph (7) shall determine whether to revoke the designation of such overheated speculation district within 40 days via deliberations of the Housing Policy Deliberative Committee and notify the results of such deliberations to the head of the local government who has jurisdiction over the relevant overheated speculation district. <Amended by Act No. 11690, Mar. 23, 2013>

(9)When the Minister of Land, Infrastructure and Transport or the Mayor/Do Governor deems that no grounds for designation as an overheated speculation district exist, following deliberations pursuant to paragraph (8), he/she shall forthwith revoke the designation of such overheated speculation district and publicly announce the relevant revocation. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 41-2 (Restrictions, etc. on Act of Reselling Housing)

(1) Where the status (referring to the right, qualification, status, etc. of anyone who is selected as an occupant of the relevant house; hereinafter the same shall apply) of any person who is selected as the occupant of the house that is constructed and supplied by any project undertaker or a house falls under any of the following subparagraphs, the relevant person shall be prohibited from reselling his/her occupied house (including the act of selling and buying or donating the house and any other act resulting in a change in the right, but the case of inheriting the house shall be excluded; hereinafter the same shall apply) or performing the act of arranging the resale of the house prior to the lapse of the period of not more than ten years that is set by Presidential Decree. In such cases, the resale restriction period may be set by Presidential Decree on the district base taking into account the demand and supply of housing and the fear of speculation, etc.:

- 1.The status of anyone who is selected as an occupant of the house that is constructed and supplied in the overheated speculation district;
- 2.Houses subject to the application of upper limit system for selling prices and the status of a person selected as the occupant of the relevant house: Provided, That the same shall not apply to a house subject to the application of upper limit system for selling prices constructed on and supplied from a housing site other than a public housing site among districts other than the Seoul Metropolitan area under sub- paragraph 1 of Article 2 of the Seoul Metropolitan Area Readjustment Planning Act which have not been designated as overheated speculation districts or

- districts, designation of which has been canceled under Article 41, and the status of a person selected as the occupant of the relevant house;
3. The collective housing built and supplied by a public agency under Article 41-3 (2) without being subject to the restriction on selling price under Article 38-2 within the development district for public housing which is designated under Article 41-3, and the status selected as the occupant of relevant housing.
 - (2) Paragraph (1) shall not apply to the cases prescribed by Presidential Decree where it is deemed inevitable for anyone being selected as an occupant on the grounds that he/she falls under any subparagraph of paragraph (1) or anyone supplied with the house falling under paragraph (1) 2 or 3 to resell his/her house because of his/her business, etc.: Provided, That in cases where anyone who is supplied with the house falling under paragraph (1) 2 or 3 resells his/her house, the Korea Land and Housing Corporation (referring to the local corporation in cases where the project undertaker is such local corporation; hereinafter the same shall apply in this Article and Article 63) may preferentially purchase the relevant house. <Amended by Act No. 10237, Apr. 5, 2010>
 - (3) Where anyone who is selected as an occupant of the house resells such status in violation of paragraph (1), when the relevant project undertaker pays an amount obtained by adding up the average interest accruing from the one-year maturity time deposit in any bank provided for in the Banking Act to the paid amount for a housing unit (hereinafter referred to as "purchase cost"; hereinafter the same shall apply in this Article) to the purchaser, the project undertaker shall be deemed to acquire the status of the relevant occupant on the date on which the project undertaker pays such amount and this case shall apply mutatis mutandis to the purchase cost that is used by the Korea Land and Housing Corporation under the proviso to paragraph (2) to sell in advance the housing subject to the application of the upper limit system for selling prices. <Amended by Act No. 10237, Apr. 5, 2010; Act No. 10303, May 17, 2010>
 - (4) Where any project undertaker supplies any housing falling under paragraph (1) 2 or 3, he/she shall additionally register a prohibition on the transfer of the ownership of such house to any third party in the ownership register.
 - (5) The additional registration referred to in paragraph (4) and the ownership preservation registration of the house shall be made simultaneously and a phrases of "prohibition on performing any act of transferring the ownership of this house to any other person than the Korea Land and Housing Corporation (including anyone who is eligible for the supply of the house preferentially purchased by the Korea Land and Housing Corporation pursuant to the proviso of Article 41-2 (2)) prior to the expiration of the period as set in Article 41-2 (1) of the

Housing Act after the registration of transferring the ownership of such house is first effected" shall be explicitly indicated in the additional registration. <Amended by Act No. 10237, Apr. 5, 2010>

(6) Paragraph (4) shall apply mutatis mutandis to cases where the Korea Land and Housing Corporation supplies the house that it has preferentially purchased pursuant to the provisions of the proviso to paragraph (2). <Amended by Act No. 10237, Apr. 5, 2010>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 41-3 (Designation of Development Districts for Public Housing)

(1) The Minister of Land, Infrastructure and Transport may designate the development district for public housing by undergoing a deliberation on each of the following matters at the Housing Policy Deliberative Committee in cases where concerns exist over prevailing of the speculation in houses or where necessary for strengthening the public nature of housing supply within public sites to be created at the overheated speculation district under Article 41. In such cases, the scale, type, etc. of collective housing to be built and supplied by the public agencies after obtaining a transfer of sites may be separately determined in consideration of the speciality of regions and the situation of demand and supply of houses: <Amended by Act No. 11690, Mar. 23, 2013>

1. The district scale of the development districts for public housing;
2. The scale, type, etc. of housing subject to the public development in the relevant development district for public housing.

(2) The public sites to be supplied for building and providing the public housing in the development districts for public housing designated under paragraph (1) shall be transferred to any of the following public agencies (hereinafter referred to as "public agency"; hereinafter the same shall apply in this Article), and the public agency having obtained such transfer shall directly execute the housing construction business within the relevant sites: Provided, That the same shall not apply to cases prescribed by Presidential Decree for facilitating supply of and demand for the sites: <Amended by Act No. 10237, Apr. 5, 2010>

1. The State or local governments;
2. The Korea Land and Housing Corporation;
3. Local corporations.

(3) When the Minister of Land, Infrastructure and Transport designates the development district for public housing under paragraph (1), the matters falling under each subparagraph of paragraph (1) shall be announced publicly in the Official Gazette, and the competent Mayor/Do Governor

shall be notified thereof. <Amended by Act No. 11690, Mar. 23, 2013>
(4) Where it is acknowledged that grounds for designation cease to exist, such as the housing prices are stabilized, after a designation of the development district for public housing, the Minister of Land, Infrastructure and Transport may alter or revoke designation of a development district for public housing by going through a deliberation of the Housing Policy Deliberative Committee. In such cases, paragraph (3) shall apply mutatis mutandis. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

CHAPTER V MANAGEMENT OF HOUSING

SECTION 1 Management Methods, etc. of Housing

Article 42 (Management, etc. of Collective Housing)

- (1) A managing body shall manage the collective housing (including incidental facilities and welfare facilities; hereafter the same shall apply in this Article) pursuant to this Act or any orders issued under this Act.
- (2) Where occupants, users, or managing bodies of collective housing intend to engage in any of the following activities, they shall obtain a permit from the head of a Si/Gun/Gu or file a report thereon pursuant to standards, procedures, etc. prescribed by Presidential Decree with respect to area, number of households, or ratio of consent by occupants, etc. related to permission or reports: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12115, Dec. 24, 2013>
1. Using collective housing for other purposes than those under a project plan;
 2. Newly constructing, expanding, reconstructing, repairing in large scale, or remodelling collective housing;
 3. Demolishing or damaging a collective housing, or removing all or part of the relevant facilities (excluding minor activities stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport);
 4. Other activities prescribed by Presidential Decree which hamper the efficient management of collective housing.
- (3) Notwithstanding paragraph (2), in cases prescribed by Presidential Decree, the remodelling housing association or the council of occupants' representatives which has obtained the consents of all owners may conduct remodelling upon obtaining a permit from the head of a Si/Gun/Gu.
- (4) In conducting remodelling under paragraph (3), a constructor registered under Article 9 of the Framework Act on the Construction Industry or a registered business operator deemed a constructor under Article 12 (1) shall be selected as a work executor at a general meeting of the remodelling housing association which has obtained authorization for its

establishment under Article 32 (1) or at a meeting of the council of occupants' representatives which has obtained the consent of all owners.
<Newly Inserted by Act No. 11061, Sep. 16, 2011>

- (5) In cases falling under paragraph (4), a work executor shall be selected by competitive bidding determined by the Minister of Land, Infrastructure and Transport: Provided, That this shall not apply to cases prescribed by Presidential Decree, such as where it is deemed impractical to select a work executor by competitive bidding. <Newly Inserted by Act No. 11061, Sep. 16, 2011; Act No. 11690, Mar. 23, 2013>
- (6) As for matters permitted by or reported to the head of a Si/Gun/Gu after holding a consultation about activities under paragraph (2) or remodelling under paragraph (3) with the head of the relevant administrative agency, Article 17 shall apply mutatis mutandis, and they shall be deemed to have received reports under Article 19 of the Building Act. <Amended by Act No. 11061, Sep. 16, 2011>
- (7) Where the head of a Si/Gun/Gu intends to permit remodelling for increase of the number of households under paragraph (2) (limited to cases where the number of households is to be increased to at least the number of households prescribed by Presidential Decree; hereafter the same shall apply in this Article), such matters as its influence over the infrastructure, whether it conforms to the urban/Gun management plans, etc. shall undergo deliberation by the Si/Gun/Gu Urban Planning Committee established under Article 113 (2) of the National Land Planning and Utilization Act (hereinafter referred to as "Si/Gun/Gu Urban Planning Committee"). <Newly Inserted by Act No. 11243, Jan. 26, 2012; Act No. 12115, Dec. 24, 2013>
- (8) Where occupants, users, managing body, council of occupants' representatives, or the remodelling housing association of a collective housing have completed the relevant works upon obtaining a permit from the head of a Si/Gun/Gu or filing reports in respect of the activities under paragraph (2) or the remodelling under paragraph (3), they shall undergo a usage inspection conducted by the head of a Si/Gun/Gu, and Article 29 shall apply mutatis mutandis to the usage inspection. <Amended by Act No. 11061, Sep. 16, 2011; Act No. 11243, Jan. 26, 2012>
- (9) Where any person falling under paragraph (8) has obtained a permit or filed a report under paragraphs (2), (3) or (6) by fraudulent or other unlawful means, the head of a Si/Gun/Gu may revoke permission for activities. <Amended by Act No. 11061, Sep. 16, 2011; Act No. 11243, Jan. 26, 2012>
- (10) The head of a Si/Gun/Gu who intends to permit remodelling for increase of the number of households in an area subject to formulation of a master plan for remodelling under Article 42-6 shall permit such remodelling within the scope corresponding to the relevant master

plan. <Newly inserted by Act No. 12115, Dec. 24, 2013>
[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 42-2 (Formulation of Plans for Alteration of Rights)

In conducting remodelling whereby the number of households is to be increased, approval for project plans or a permit for such activities shall be obtained after formulating a plan for the alteration of rights for existing houses, sharing of the expenses, and other matters prescribed by Presidential Decree (hereinafter referred to as "plans for alteration of rights").

[This Article Newly Inserted by Act No. 11243, Jan. 26, 2012]

Article 42-3 (Safety Testing for Remodelling
for Expansion)

- (1) A person who intends to conduct remodelling for expansion under subparagraph 15 (b) or (c) of Article 2 (hereinafter referred to as "remodelling for expansion"), shall request the head of the relevant Si/Gun/Gu to conduct safety testing, and the head of the Si/Gun/Gu in receipt of such request shall conduct safety testing to ascertain the feasibility, etc. of expanding the relevant building.
- (2) Where the head of a Si/Gun/Gu conducts safety testing under paragraph (1), he/she shall commission an institution designated by Presidential Decree to conduct such testing, and the institution commissioned with safety testing shall conduct such testing together with the professional structural engineer (referring to the person who will be in charge of structural design of the relevant building) recommended by the person who intends to conduct the relevant remodelling.
- (3) No remodelling for expansion shall be conducted for a building that requires execution of a housing reconstruction project as defined in subparagraph 2 (c) of Article 2 of the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents given that the results of the safety testing conducted under paragraph (1) show danger in the relevant building structure.
- (4) The head of a Si/Gun/Gu shall conduct safety testing to ascertain the structural integrity, etc. of a building in detail after granting a permit for remodelling for vertical expansion under Article 42 (2). In such cases, the institution commissioned with safety testing shall conduct such testing together with the professional structural engineer referred to in paragraph (2), and the person who intends to conduct the relevant remodelling shall, where it is necessary to change, etc. the structural design of the building as a result of the safety testing, assign the professional structural engineer to supplement it.
- (5) An institution commissioned with safety testing under paragraph (2) or (4) shall conduct such testing in accordance with the standards

determined and publicly announced by the Minister of Land, Infrastructure and Transport; prepare a safety test report in accordance with the methods and procedures prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport; and submit it to the person who has commissioned the safety testing and the head of the relevant Si/Gun/Gu.

- (6)The head of a Si/Gun/Gu may apportion all or some of the expenses incurred in conducting safety testing under paragraph (1) or (4) to the person who intends to conduct remodelling.
- (7)Other matters necessary for safety testing shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 12115, Dec. 24, 2013]

Article 42-4 (Safety Inspections, etc. by Professional Institutions)

- (1) Where a person who intends to conduct remodelling for vertical expansion requests deliberation by the building committee established under the Building Act, the head of the relevant Si/Gun/Gu shall request a professional institution prescribed by Presidential Decree to conduct safety inspections relating to the appropriateness, etc. of the scope of the expansion intended by the structure plan.
- (2)Where a person who intends to conduct remodelling for vertical expansion under Article 42 (2) files an application for a permit to conduct such remodelling, or where safety testing conducted under Article 42-3 (4) finds any change in a design document prescribed and publicly announced by the Minister of Land, Infrastructure and Transport, the head of the relevant Si/Gun/Gu shall request the professional institution that has conducted the relevant safety testing under paragraph (1) to conduct inspections of the appropriateness, etc. of the structural integrity intended by the design document submitted.
- (3)A professional institution requested to conduct inspections under paragraph (1) or (2) shall submit the results of the inspections conducted in accordance with the inspection guidelines determined and publicly announced by the Minister of Land, Infrastructure and Transport to the head of the relevant Si/Gun/Gu within the period prescribed by Presidential Decree, and the head of the Si/Gun/Gu shall, except in extenuating circumstances, reflect the findings of the safety inspections received as at the time of deliberation by the committee or granting a permit under this Act or other applicable laws.
- (4)The head of a Si/Gun/Gu may apportion all or some of the expenses incurred in conducting safety inspections under paragraph (1) or (2) to a person who intends to conduct remodelling.
- (5)The Minister of Land, Infrastructure and Transport may request the head of a Si/Gun/Gu to submit data received under paragraph (3) and, if

necessary, undergo deliberation by the Central Building Committee established under the Building Act on the appropriateness of the findings of the safety inspections.

(6)The head of a Si/Gun/Gu shall reflect the results of deliberation under paragraph (5), except in extenuating circumstances.

(7)Other matters necessary for the safety inspections, etc. conducted by professional institutions shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 12115, Dec. 24, 2013]

Article 42-5 (Structural Standards for Remodelling for Vertical Expansion)
A designer for a project for remodelling for vertical expansion shall prepare structural drawings that meet the structure standards determined and publicly announced by the Minister of Land, Infrastructure and Transport.

[This Article Newly Inserted by Act No. 12115, Dec. 24, 2013]

Article 42-6 (Persons Authorized to Formulate Master Remodelling Plans and Areas subject to Formulation Thereof, etc.)

(1)The Special Metropolitan City Mayor, a Metropolitan City Mayor, or the mayor of a large city shall formulate, every 10 years, a master remodelling plan that includes each of the following for the areas under his/her jurisdiction: Provided, That he/she may not formulate such master remodelling plan where remodelling to increase the number of households is not likely to cause overpopulation of the city or in other similar cases prescribed by Presidential Decree:

- 1.Purposes and basic direction-setting for the plan;
- 2.Examination of related plans such as the urban master plan;
- 3.Current status of collective housing to be remodelled and the prediction of demand for remodelling for increase of the number of households;
- 4.Examination of the effect of increase of the number of households on infrastructure;
- 5.Execution plans for remodelling incrementally to prevent temporary concentration, etc.;
- 6.Other matters prescribed by Presidential Decree.

(2)The mayor of a city which is not a large city shall formulate a remodelling master plan, if the relevant Do Governor deems it necessary because of concern that remodelling to increase the number of households may cause the over-concentration, temporary concentration, etc., of the city.

(3)Standards, methods, etc. for the preparation of remodelling master plans shall be prescribed by the Minister of Land, Infrastructure and Transport.

[This Article Newly Inserted by Act No. 12115, Dec. 24, 2013]

Article 42-7 (Procedures for Formulation of Master Remodelling Plans)

(1) Where he/she intends to formulate or revise a master

remodelling plan, the Special Metropolitan City Mayor, a Metropolitan City Mayor, or the mayor of a large city (including the mayor of a city which is not a large city referred to in Article 42-6 (2); hereafter the same shall apply in this Article through Article 42-9) shall disclose it to the residents for inspection for at least 14 days and hear the opinion of the local council. In such cases, the local council shall present its opinion within 30 days from the date on which it receives the request for presentation of the opinion, and it shall be deemed to have no objection unless its opinion is presented within 30 days: Provided, That in cases of minor revisions prescribed by Presidential Decree, he/she may not take any procedure for residents' inspection and opinion-seeking from the local council.

- (2) The Special Metropolitan City Mayor, a Metropolitan City Mayor, or the mayor of a large city shall, where he/she intends to formulate or revise a master remodelling plan, consult with the heads of the relevant administrative agencies and refer the matter to the City/Do Urban Planning Committee established under Article 113 (1) of the National Land Planning and Utilization Act (hereinafter referred to as "City/Do Urban Planning Committee") or the Si/Gun/Gu Urban Planning Committee for deliberation.
- (3) The head of a relevant administrative agency in receipt of a request for consultation under paragraph (2) shall present his/her opinion within 30 days from the date on which he/she receives such request, except in extenuating circumstances.
- (4) The mayor of a large city shall, where he/she intends to formulate or revise a remodelling master plan, obtain approval from the Do Governor, and the Do Governor shall, if he/she intends to approve the master plan, refer the matter to the City/Do Urban Planning Committee for deliberation.

[This Article Newly Inserted by Act No. 12115, Dec. 24, 2013]

Article 42-8 (Public Announcement, etc. of Master Remodelling Plans)

- (1) The Special Metropolitan City Mayor, a Metropolitan City Mayor, or the mayor of a large city shall, where he/she formulates or revises a master remodelling plan, publicly announce it without delay in the official gazette of the relevant local government.
- (2) The Special Metropolitan City Mayor, a Metropolitan City Mayor, or the mayor of a large city shall examine the appropriateness of a master remodelling plan and reflect the results thereof in the master plan.

(3) Other matters necessary for the formulation of a master remodelling plan, including procedures for inspection by residents, shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 12115, Dec. 24, 2013]

Article 42-9 (Adjustment of Remodelling Time
Frames for Increase of Number of Households)

- (1) When execution of any remodelling project to increase the number of households is likely to cause significant shortage of houses, instability in the housing market in surrounding areas, etc., the Minister of Land, Infrastructure and Transport may request that the Special Metropolitan City Mayor, Metropolitan City Mayor, or the mayor of the large city revise the master remodelling plan, following the deliberation of the Housing Policy Deliberative Committee established under Article 84, or adjust the time frame for the approval of the project plan or granting a permit for remodelling for increase of the number of households, and the Special Metropolitan City Mayor, Metropolitan City Mayor, or the mayor of the large city in receipt of such request shall comply therewith except in extenuating circumstances.
- (2) When execution of any remodelling project to increase the number of households is likely to cause significant shortage of houses, instability in the housing market in surrounding areas, etc., the Mayor/Do Governor may request that the mayor of the relevant large city revise the master remodelling plan, following the deliberation of the City/Do Policy Deliberative Committee established under Article 85, or adjust the time frame for the approval of the project plan or granting a permit for remodelling for increase of the number of households, and the mayor of the large city or the head of the Si/Gun/Gu in receipt of such request shall comply therewith, except in extenuating circumstances.
- (3) Necessary matters concerning the methods, procedures, etc. for adjusting time frames under paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport or ordinance of a city/Do.

[This Article Newly Inserted by Act No. 12115, Dec. 24, 2013]

Article 42-10 (Establishment and Operation of
Remodelling Support Centers)

- (1) The head of a Si/Gun/Gu may establish and operate a remodelling support center to support the efficient execution of remodelling projects.

(2) A remodelling support center may perform the following duties:

1. Assistance in the affairs related to the establishment of a remodelling housing association;
2. Assistance for the selection, etc. of a designer or project undertaker;
3. Assistance for the establishment of a correction plan;
4. Other matters prescribed by ordinance of a local government.

(3) Matters necessary for the establishment and operation of a remodelling support center, including the organization, number of personnel, etc. thereof, shall be prescribed by ordinance of a local government.

[This Article Newly Inserted by Act No. 12115, Dec. 24, 2013]

Article 43 (Managing Bodies, etc.)

(1) A project undertaker who has built collective housing prescribed by Presidential Decree (including cases of constructing facilities other than housing units with a building permit under Article 11 of the Building Act and the housing units in the same building, and incidental facilities and welfare facilities, but excluding facilities to be parcelled out to the general public among welfare facilities; hereinafter the same shall apply) shall manage the relevant collective housing until a majority of the persons scheduled to occupy the housing occupy them; when the said majority of persons have occupied them, he/she shall notify the said fact to the occupants, and request them to manage the relevant housing pursuant to paragraph (2). <Amended by Act No. 12115, Dec. 24, 2013>

(2) Occupants shall autonomously manage collective housing falling under paragraph (1) in accordance with paragraph (4), or manage them by entrusting a housing management operator under Article 53 with its management.

(3) When occupants have received a request under paragraph (1), they shall organize the council of occupants' representatives within three months after receipt of the said request, and determine management methods for the relevant collective housing (when management methods by a housing management operator have been adopted, a selection of the said operator shall be included), and notify the project undertaker thereof, and file a report thereon to the head of the competent Si/Gun/Gu.

(4) When a council of occupants' representatives intends to manage collective housing autonomously, it shall appoint the head of a management office for the collective housing as the representative of an autonomous management organization within six months after receipt of a request under paragraph (1), and organize an autonomous management organization equipped with technical human resources and equipment prescribed by Presidential Decree: Provided, That while it has entrusted a housing management operator under Article 53 with such management, if it alters the management method into autonomous

management, it shall organize an autonomous management organization by the date of completing such entrusted management.

- (5) When a council of occupants' representatives fails to give notice under paragraph (3), or no autonomous management organization under paragraph (4) has been organized, the project undertaker shall select a housing management operator. In such cases, the said undertaker shall notify the occupants and the head of the competent Si/Gun/Gu of such fact. <Amended by Act No. 12115, Dec. 24, 2013>
- (6) In any of the following cases, a project undertaker shall transfer the management affairs of collective housing to the relevant managing body within the period prescribed by Presidential Decree, and the same shall also apply in cases of alteration of the managing body: Provided, That the management period of the managing body under paragraph (5) shall be prescribed by Presidential Decree: <Amended by Act No. 11061, Sep. 16, 2011>
1. Where the project undertaker is notified of the selection of a housing management operator under paragraph (3) from the council of occupants' representatives;
 2. Where an autonomous management organization is organized under paragraph (4);
 3. Where a housing management operator is selected under paragraph (5).
- (7) In selecting a housing management operator to whom management of collective housing is to be entrusted, the council of occupants' representatives shall comply with the following guidelines: <Newly Inserted by Act No. 12115, Dec. 24, 2013>
1. It shall be selected through an information processing system as defined in subparagraph 2 of Article 2 of the Framework Act on Electronic Documents and Transactions (hereinafter referred to as "electronic bidding method"): Provided, That it may not be selected through the information processing system if the Minister of Land, Infrastructure and Transport determines and publicly announces that such electronic bidding method is impracticable to apply to the method of selection, etc.;
 2. In addition, it shall use the methods prescribed by Presidential Decree such as methods of bidding.
- (8) Matters necessary for the following shall be prescribed by Presidential Decree: <Amended by Act No. 12115, Dec. 24, 2013>
1. Methods and procedures for giving notice or making a request under paragraph (1);
 2. Organization, operation and items for resolution of a council of occupants' representatives under paragraph (3);
 3. Affairs of a managing body;
 4. Modification of management methods;
 5. Organization, function, operation, etc. of a management organization of collective housing (including an autonomous management organization

under paragraph (4)).

- (9)The head of a local government may, as stipulated by ordinance of the relevant local government, partially subsidize expenses incurred in performing the management affairs of collective housing, which are performed by a managing body under paragraph (8). <Amended by Act No. 12115, Dec. 24, 2013>
- (10)The council of occupants' representatives and rental business operators as defined in subparagraph 4 of Article 2 of the Rental Housing Act shall jointly determine matters concerning the management of the combined residential complex. In such cases, if a council of lessees' representatives is organized in a combined residential housing complex under Article 29 of the Rental Housing Act, rental business operators shall pre-consult with the council of lessees' representatives on the matters described in the subparagraphs of the Article 29 (3) of the same Act. <Newly Inserted by Act No. 12115, Dec. 24, 2013>
- (11)Necessary matters concerning the management and the methods, procedures, etc. of joint decisions under paragraph (10) shall be prescribed by Presidential Decree. <Newly Inserted by Act No. 12115, Dec. 24, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 43-2 (Operational Education of Council of Occupants' Representatives)

- (1) The head of a Si/Gun/Gu shall provide necessary education for members of a council of occupants' representatives in relation to the operation of such council of occupants' representatives, as prescribed by Presidential Decree. In such cases, the members of the council of occupants' representatives shall faithfully undergo the education. <Amended by Act No. 12115, Dec. 24, 2013>
- (2)Education provided under paragraph (1) shall include the following content: <Amended by Act No. 12115, Dec. 24, 2013>
1. Matters concerning Acts and subordinate statutes related to the management of collective housing and the general standard for rules of collective housing management under Article 44 (1);
 - 2.How to calculate management expenses, service fees, long-term repair appropriations, etc.;
 - 3.How to publically announce the current status of management, and computerization of management duties;
 - 4.How to vitalize the community of a collective housing complex;
 - 5.Matters concerning the duties, etiquette, and ethics of the members of a council of occupants' representatives;
 6. Other matters necessary for the operation of a council of occupants' representatives.
- (3)The time frames for and method of providing education under paragraph

(1), apportionment of expenses, and other necessary matters shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 43-3 (Safety Control of Small Collective Housing)

The head of a local government may perform the following affairs for the management and the prevention of safety accidents of the collective housing that does not fall under Article 43 (1):

1. Establishment and implementation of a safety control plan for facilities under Article 49;
2. Safety inspections on the collective housing under Article 50;
3. Other matters set forth by municipal ordinance of the competent local government.

[This Article Newly Inserted by Act No. 10237, Apr. 5, 2010]

Article 43-4 (Prohibition of Misconduct)

(1) None of the following persons shall wrongfully acquire or offer property or proprietary interests in connection with the management of collective housing. <Amended by Act No. 12115, Dec. 24, 2013>

1. An occupant or a user;
2. A managing body;
3. A council of occupants' representatives and its members;
4. An organization of the electoral body for formation of a council of occupants' representatives, and its members;
5. A remodelling housing association.

(2) No council of occupants' representatives or managing body shall use long-term repair appropriations for purposes other than those prescribed in this Act.

[This Article Newly Inserted by Act No. 11871, Jun. 4, 2013]

Article 43-5 (Decision-making by Residents, etc. by Electronic Means)

In any of the following cases, the occupants or users of collective housing may make their decisions by electronic means (referring to means that use an information processing system as defined in subparagraph 2 of Article 2 of the Framework Act on Electronic Documents and Transactions or using any other information and communication technology) as prescribed by Presidential Decree or any other means that use information and communications technology:

1. Where they elect members or executives of the council of occupants' representatives;
2. Where they determine or change management methods for the collective housing under Article 43 (3);
3. Where they intend to enact or amend the rules for collective housing management under Article 44 (2);
4. Other cases where they intend to make a decision relating to the management of the collective housing.

[This Article Newly Inserted by Act No. 12115, Dec. 24, 2013]

Article 44 (Rules for Collective Housing Management)

- (1) The Mayor/Do Governor shall, as prescribed by Presidential Decree, and in order to protect the occupants and users of collective housing and to maintain order in their residential life, set a criterion for the rules for collective housing management (hereinafter referred to as "by-laws"), which is to become an authority for the management and use of collective housing.
- (2)The occupants and users shall set by-laws in consideration of the criterion for the by-laws under paragraph (1).
- (3)The management rules shall also be binding on any person who succeeds to a status of occupant.
- (4)In cases of a housing complex where collective housing constructed for the purpose of parcelling-out and rental housing as defined in subparagraph 1 of Article 2 of the Rental Housing Act exist together, its occupants and users and the relevant rental business operator as defined in subparagraph 4 of Article 2 of the Rental Housing Act (hereafter referred to as "rental business operator" in this Article) may prescribe by-laws commonly applicable to the relevant housing complex. In such cases, rental business operators shall pre-consult with the council of occupants' representatives in accordance with Article 29 (3) of the Rental Housing Act. <Newly Inserted by Act No. 11871, Jun. 4, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 44-2 (Prevention, etc. of Inter-Floor Noise)

- (1) The occupants or users of collective housing shall endeavor not to incur inconvenience for other occupants or users caused by noise triggered by running or walking in collective housing or any other noise (including noise travelling between adjacent dwelling units; hereinafter referred to as "inter-floor noise") prescribed by Presidential Decree.
- (2)An occupant or user who has suffered inconvenience from between floors may inform the managing body of the noise occurring between floors and request that the managing body recommend the relevant occupant or user who has caused such noise damage to cease generating such noise between floors or to take measures for sound insulation. In such cases, the managing body may conduct an investigation necessary to ascertain the facts.
- (3)An occupant or user who has caused inconvenience from noise between floors shall cooperate to cease generating the noise between floors as

recommended by the managing body under paragraph (2).

- (4) Where inter-floor noise continues to occur notwithstanding the measures taken by a managing body under paragraph (2), the occupant or user who has suffered inconvenience between floors may apply for the mediation of the Collective Housing Management Disputes Mediation Committee established under Article 52 or the central environmental dispute adjustment committee established under Article 4 of the Environmental Dispute Adjustment Act.
- (5) The scope of and the criteria for inter-floor noise shall be prescribed by joint Ordinance of the Ministry of Land, Infrastructure and Transport and the Ministry of Environment.
- (6) A managing body may provide education for the occupants or users on the prevention of noise between floors, mediation of disputes, etc., if necessary.
- (7) Where necessary, occupants or users may organize and operate an autonomous organization for the prevention of disputes, mediation, education, etc. pertaining to inter-floor noise.

[This Article Newly Inserted by Act No. 12115, Dec. 24, 2013]

Article 45 (Payment, Disclosure, etc. of Management Expenses)

- (1) The occupants and users of collective housing (hereinafter referred to as "collective housing subject to obligatory management") who fall under Article 43 (1) shall pay to the managing body management expenses incurred in maintaining and managing the said collective housing. <Amended by Act No. 12115, Dec. 24, 2013>
- (2) Matters necessary for the particulars, etc. of management expenses under paragraph (1) shall be prescribed by Presidential Decree.
- (3) The managing body of collective housing under paragraph (1) may pay fees, etc. prescribed by Presidential Decree to be collected from the occupants and users of the collective housing to a person entitled to receive such fees, etc. on behalf of such occupants and users. <Newly Inserted by Act No. 10237, Apr. 5, 2010>
- (4) The managing body of collective housing under paragraph (1) shall disclose the following particulars (referring to the calculation itemization, but excluding particulars on imposition by households) on the official website of the relevant collective housing complex (if there is no such website, referring to the management office or bulletin board of the relevant collective housing; hereinafter the same shall apply) and through the collective housing management information system established under Article 45-7 (1), as prescribed by Presidential Decree: Provided, That it may be disclosed only on the official website of the relevant collective housing complex if it is prescribed by Presidential Decree as impracticable to be disclosed through the

collective housing management system. <Amended by Act No. 10237, Apr. 5, 2010; Act No. 12115, Dec. 24, 2013>

1. Management expenses under paragraph (2);
 2. Fees, etc. under paragraph (3);
 3. Long-term repair appropriations under Article 51 (1) and their reserve;
 4. Other matters prescribed by Presidential Decree.
- (5) In selecting a business operator to expend money falling under any of paragraph (4) 1 through 3, the security deposit for repairing defects or any other money pertaining to all the revenues generated in the relevant collective housing complex (hereinafter referred to as "management expenses, etc."), the managing body or council of occupants' representatives shall comply with the following guidelines: <Newly Inserted by Act No. 12115, Dec. 24, 2013>
1. It shall be selected through an electronic bidding system: Provided, That it might not be selected through the electronic bidding system if it is determined and publicly announced by the Minister of Land, Infrastructure and Transport where such system is impracticable to be used due to the characteristics of the selection method, etc.;
 2. It shall comply with methods prescribed by Presidential Decree, such as bidding methods.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 45-2 (Deposit for Management Expenses)

- (1) A managing body may collect money required for the maintenance, operation, etc. of joint-use portion of the relevant collective housing (hereinafter referred to as "deposit for management expenses") from the owners of the collective housing units.
- (2) Where the owner of a collective housing unit relinquishes his/her ownership, the managing body shall refund the deposit for management expenses collected: Provided, That where the owner has failed to pay any management expenses, services fees, long-term repair appropriations, etc., the remaining balance after settling the amount from the deposit for management expenses may be refunded.
- (3) Matters necessary for the collection, management, operation, etc. of deposit for management expenses shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 11871, Jun. 4, 2013]

Article 45-3 (Audit of Managing Body)

- (1) A managing body of collective housing composed of at least 300 households shall undergo an audit by an auditor under Article 3 (1) of the Act on External Audit of Stock Companies (hereafter referred to as "auditor" in this Article) at least once a year as prescribed by Presidential

Decree: Provided, That it need not undergo an audit for the years in which at least two thirds of the occupants and users of the relevant collective housing have agreed in writing not to undergo an audit.

- (2) A managing body of collective housing subject to obligatory management composed of less than 300 households shall undergo an audit by an auditor in either of the following cases:
1. Where at least 1/10 of the occupants and users request it under joint signature;
 2. Where the council of occupants' representatives requests it by resolution.
- (3) Where a managing body underwent an audit under paragraph (1) or (2), it shall report the results thereof, including audit report, to the council of occupants' representatives and disclose them on the official website of the relevant collective housing complex and through the management information system of the collective housing complex referred to in Article 45-7 (1), within one month from the date it receives the audit results.
- (4) An auditor who conducts an audit under paragraph (1) or (2) shall be selected by the council of occupants' representatives. In such cases, the council of occupants' representatives may request the head of the relevant Si/Gun/Gu or the Korean Institute of Certified Public Accountants established under Article 41 of the Certified Public Accountant Act to recommend an auditor.
- (5) No managing body that undergoes an audit under paragraph (1) or (2) shall engage in any of the following acts:
1. Rejecting, interfering with, or evading inspections, printing, request for submission of data, or investigations by an auditor, without justifiable grounds;
 2. Interfering with the audit by submitting false data or by any other fraudulent means.

[This Article Newly Inserted by Act No. 12115, Dec. 24, 2013]

Article 45-4 (Preparation and Keeping of Accounting Documents)

- (1) A managing body of collective housing subject to obligatory management shall prepare books for all transactions, including collection, keeping, deposits, and execution of management expenses, etc., for each month and keep them for five years from the end of the relevant fiscal year, together with the evidentiary documents. In such cases, the managing body may prepare or keep the books and evidentiary documents through an information processing system as defined in subparagraph 2 of Article 2 of the Framework Act on Electronic Documents and Transactions.
- (2) Where any occupant or user requests to inspect books or evidentiary

documents referred to in paragraph (1) or any information prescribed by Presidential Decree or to make copies thereof at his/her own expense, the managing body of the collective housing under paragraph (1) shall comply therewith as prescribed by the rules for collective housing management: Provided, That the following information shall be excluded from such inspection or copying:

1. Information likely to encroach on the confidentiality or freedom of private life of an individual, such as personally identifiable information under Article 24 of the Personal Information Protection Act;
2. Matters under the process of decision-making or internal examination, etc., which are likely to cause significant inconvenience to fair performance of duties when disclosed.

[This Article Newly Inserted by Act No. 12115, Dec. 24, 2013]

Article 45-5 (Disclosure of Contracts)

A managing body or a council of occupants' representatives of collective housing subject to obligatory management shall, where it enters into a contract with a housing management operator or business operator selected under Article 43 (7) or 45 (5), disclose the relevant contract on the official website of the relevant collective housing complex within one month from the date of signing the contract. In such cases, matters likely to encroach on the confidentiality or freedom of private life of an individual, such as personally identifiable information under Article 24 of the Personal Information Protection Act, shall be excluded from the disclosure.

[This Article Newly Inserted by Act No. 12115, Dec. 24, 2013]

Article 45-6 (Counselling, etc. on Appropriateness of Work and Services)

(1) A managing body or council of occupants' representatives may seek advice from an institution, organization, etc. under paragraph (2) to ascertain the appropriateness of the work, services, etc. to be executed in the relevant collective housing complex.

(2) The Minister of Land, Infrastructure and Transport may designate and publicly announce institutions or organizations capable of providing advice on the appropriateness of the work, services, etc. provided under paragraph (1). In such cases, the relevant institution or organization that provides advice may receive fees necessary for providing advice in response to the requests from the managing body or council of occupants' representatives.

[This Article Newly Inserted by Act No. 12115, Dec. 24, 2013]

Article 45-7 (Collective Housing Management Information System)

(1) The Minister of Land, Infrastructure and Transport shall establish and operate a collective housing

management information system to improve the transparency of the management of collective housing.

(2)The Minister of Land, Infrastructure and Transport may entrust an institution or organization designated by the Minister of Land, Infrastructure and Transport with the operation of a collective housing management information system.

[This Article Newly Inserted by Act No. 12115, Dec. 24, 2013]

Article 46 (Liability Indemnification, Repairing Defects, etc.)

(1) A project undertaker (including any building owner who has built collective housing for parceling-out after obtaining a building permit under Article 11 of the Building Act, and any work executor who has committed acts under Article 42 (2) 2; hereafter the same shall apply in this Article and Articles 46-2 through 46-7) shall repair the relevant defects at the request of any of the following persons related to the relevant collective housing (hereafter referred to as "council, etc. of occupants' representatives" in this Article and Articles 46-2 through 46-7), when defects prescribed by Presidential Decree, such as cracking, subsidence or damage, occur due to defective works within the period of liability indemnification prescribed by Presidential Decree and within the limit of ten years by proof-stress structure and by the facility work of collective housing, in cases of exclusively-owned portions, from the date on which they are transferred to the occupants and, in cases of joint-use portions, from the date of usage inspection of collective housing (where obtaining temporary use approval for all collective housing within a housing complex, referring to the date of the relevant temporary use approval; and where undergoing a usage inspection by compartmentalization or a usage inspection by buildings under the proviso to Article 29 (1), referring to the date of usage inspection by compartmentalization or the date of usage inspection by buildings) or from the date of use approval of collective housing under Article 22 of the Building Act, with respect to the liability indemnification following the parcelling-out of buildings. <Amended by Act No. 9405, Feb. 3, 2009; Act No. 10237, Apr. 5, 2010; Act No. 11243, Jan. 26, 2012; Act No. 11555, Dec. 18, 2012>

1. An occupant;
 2. A council of occupants' representatives;
 3. A managing body (referring to the managing body acting for occupants or the council of occupants' representatives in connection with a claim, etc. for the repair of defects);
 4. A managing group under the Act on the Ownership and Management of Aggregate Buildings.
- (2) A project undertaker under paragraph (1) (if any person is separately responsible for the warranty against defects under Article 28 of the Framework Act on the Construction Industry, who has implemented construction works after obtaining a blanket contract for the said works from a project undertaker, referring to the said person) shall make a security deposit for repairing defects, as prescribed by Presidential Decree: Provided, That the same shall not apply to a project undertaker, who is the State, a local government, the Korea Land and Housing Corporation, or a local public corporation. <Amended by Act No. 9405, Feb. 3, 2009; Act No. 10237, Apr. 5, 2010>.
- (3) A project undertaker shall indemnify for damage due to defects when any serious defects have occurred in the portions of proof-stress structures of collective housing within the period of security responsibility under paragraph (1). <Amended by Act No. 9405, Feb. 3, 2009>
- (4) Where the head of a Si/Gun/Gu admits that serious defects have occurred in the structural safety of a collective housing within the period falling under paragraph (1), he/she may conduct a safety diagnosis by entrusting a safety diagnosis agency therewith. In such cases, matters necessary for subject matter of and procedures for conducting safety diagnosis, and for apportioning the expenses, and the scope, etc. of the agencies conducting safety diagnosis, shall be prescribed by Presidential Decree. <Amended by Act No. 9405, Feb. 3, 2009>
- (5) Deleted. <by Act No. 11590, Dec. 18, 2012>
- (6) In any of the following cases, an application for examination of defects or dispute mediation may be filed with the Council on Examination of Defects and Mediation of Disputes established under Article 46-2: <Amended by Act No. 11590, Dec. 18, 2012>
1. Where any dispute arises with respect to the scope of responsibility for defects which have occurred during the period of security responsibility under paragraph (1) between the council of occupants' representatives, etc. and the project undertaker (including any institution issuing written guarantees for security deposit for repairing defects under paragraph (2); hereafter the same shall apply in this Article and Articles 46-2 through 46-10);
 2. Where any dispute arises with respect to the scope of liability for defects among the project undertaker, designer and supervisor.
- (7) A council of occupants' representatives, etc. shall appropriate the

security deposit for repairing defects under paragraph (2) only for the purposes prescribed by Presidential Decree, such as for the repair of defects determined by the Council on Examination of Defects and Mediation of Disputes established under Article 46-2 and shall, in cases of collective housing subject to obligatory management, report the details of expenditure to the head of the relevant Si/Gun/Gu within 30 days after making the expenditure, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Newly Inserted by Act No. 11871, Jun. 4, 2013; Act No. 12115, Dec. 24, 2013>

- (8) Necessary matters concerning the methods and standards for examination of defects, method of calculation of expenses for repairing defects, etc. under paragraph (1), shall be prescribed by Presidential Decree. <Newly Inserted by Act No. 11871, Jun. 4, 2013>

Article 46-2 (Establishment of Council on Examination of Defects and Mediation of Disputes)

- (1) The Council on Examination of Defects and Mediation of Disputes (hereinafter referred to as the "Council") shall be established within the Ministry of Land, Infrastructure and Transport for examination and mediation (hereinafter referred to as "mediation, etc.") of, and the exercise of overall control over, the affairs provided for in paragraph (2) concerning liability indemnification, repair of defects, etc. under Article 46. <Amended by Act No. 11590, Dec. 18, 2012; Act No. 11690, Mar. 23, 2013>

- (2) The following duties shall be assigned to the Council: <Amended by Act No. 11590, Dec. 18, 2012>

1. Determination of defects;
2. Mediation of disputes between the occupants, etc. of collective housing and the project undertaker with respect to responsibility of warranty, repair of defects, etc.;
3. Mediation of disputes arising with respect to the scope of responsibility for defects, etc. among the project undertaker, designer and supervisor;
4. Matters prescribed by other Acts and subordinate statutes as the duties of the Council;
5. Other matters prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 8968, Mar. 21, 2008]

Article 46-3 (Formation, etc. of Council)

- (1) The Council shall be comprised of members not exceeding 50 persons, including one chairperson, and its subcommittees shall be comprised of not less than 10 nor more than 15 persons, including the chairperson, who are nominated by the chairperson in the order prescribed by Presidential Decree in consideration of their fields of exercise, etc. In such cases, the sub-subcommittees may be

comprised of not more than five members as prescribed by Presidential Decree in consideration of their fields of exercise, etc. <Amended by Act No. 11590, Dec. 18, 2012>

- (2) Persons with considerable knowledge and experience in defects in collective housing units shall be appointed or commissioned as members of the Council by the Minister of Land, Infrastructure and Transport from among the following persons. In such cases, at least seven persons falling under subparagraph 3 shall be included: <Amended by Act No. 9405, Feb. 3, 2009; Act No. 11590, Dec. 18, 2012; Act No. 11690, Mar. 23, 2013>
1. Public officials equivalent to Grade 1 to Grade 3 or public officials belonging to the Senior Civil Service;
 2. Associate professors or higher at an authorized college, university or research institute or persons who have served in office for a position equivalent thereto;
 3. Persons who have experience for at least six years as a judge, public prosecutor, or attorney-at-law after obtaining relevant qualifications;
 4. Persons who have experience in construction works, construction industry or construction service business, or appraisal and evaluation for at least ten years with professional knowledge;
 5. Housing managers under Article 56 (2) who have worked as the heads of management offices of collective housing for at least ten years;
 6. Certified architects who have completed reporting under Article 23 (1) of the Certified Architects Act or professional engineers registered under Article 6 (1) of the Professional Engineers Act, who have engaged in the relevant work for at least ten years;
 7. Other persons prescribed by Presidential Decree, who have expert knowledge in mediation of disputes over defects.
- (3) The chairperson shall be appointed by the Minister of Land, Infrastructure and Transport from among the members of the Council. <Amended by Act No. 10237, Apr. 5, 2010; Act No. 11690, Mar. 23, 2013>
- (4) The term of office of a member, other than the chairperson referred to in paragraph (3) and a public official, shall be two years, which may be renewed; the term of office of a member filling a vacancy shall be the remaining term of office left by his/her predecessor. <Amended by Act No. 11590, Dec. 18, 2012>
- (5) A member of the Council who is not a public official shall not be dismissed from his/her office against his/her will unless he/she is incapable of performing his/her duties due to any physical or mental disorder: Provided, That the same shall not apply to a person who falls under any subparagraph of Article 33 of the State Public Officials Act. <Newly Inserted by Act No. 10237, Apr. 5, 2010; Act No. 11590, Dec. 18, 2012>

(6) Meetings of a subcouncil shall be duly opened by the attendance of a majority of members provided for in paragraph (1) and a resolution shall be passed with the consent of a majority of those present, and meetings of a sub-subcouncil shall be duly opened with the attendance of a majority of members provided for in paragraph (1), and a resolution shall be passed with the consent of all members present. In such cases, when a working committee adopts a resolution on any of the following matters, it shall be deemed to have been adopted by the subcouncil: <Newly Inserted by Act No. 10237, Apr. 5, 2010; Act No. 11590, Dec. 18, 2012>

1. A small claims case, the amount of which is less than 10 million won;
2. A case determined by a subcouncil to be resolved by a sub-subcouncil in consideration of expert field, etc.;
3. Other simple cases prescribed by Presidential Decree.

(7) The chairperson of the Council shall represent the Council and exercise the overall control of its affairs. <Newly Inserted by Act No. 11590, Dec. 18, 2012>

(8) Other necessary matters such as duties of the chairperson, the exclusion, challenge and evasion of a member, the operation of the Council, subcommittees, and working committee, refusal to or suspension of mediation and other relevant matters shall be prescribed by Presidential Decree. <Amended by Act No. 10237, Apr. 5, 2010; Act No. 11590, Dec. 18, 2012>

[This Article Newly Inserted by Act No. 8968, Mar. 21, 2008]

Article 46-4 (Mediation, etc.)

(1) The Council in receipt of an application for mediation, etc. under Article 46 (6) shall commence mediation proceedings, etc. without delay. In such cases, the Council shall complete such proceedings within 60 days (within 90 days for defects in any common area, and the period for correction of defects under Article 46-5 (4) and the period for appraisal of defects under Article 46-7 shall not be included) from the date of receipt of such application. <Amended by Act No. 11590, Dec. 18, 2012>

(2) Where a subcouncil is unable to complete mediation, etc. within the period referred to in paragraph (1), it may extend such period only once upon a resolution of the subcommittee, but the period shall not exceed 30 days. In such cases, it shall give written notice that informs each party concerned and their agents of the relevant grounds and period. <Amended by Act No. 11590, Dec. 18, 2012>

(3) The Council may consider the opinion of interested persons or safety diagnosis agencies, etc. that have conducted a defect diagnosis pursuant to Article 46-7 (1) before commencing mediation proceedings, etc. under paragraph (1). <Amended by Act No. 10237, Apr. 5, 2010>

(4) When the Council has made determination of defects under Article 46-

2 (2) 1, it shall serve without delay the original transcript of the written determination of defects that indicates matters prescribed by Presidential Decree with the chairperson's name and seal affixed thereon. <Amended by Act No. 11590, Dec. 18, 2012>

- (5) Upon completion of the mediation process under paragraph (1), the Council shall, without delay, formulate a mediation plan (if the applicant has agreed with the respondent in the course of mediation proceedings after filing an application for mediation, details of such agreement shall be reflected therein, but matters not clearly agreed upon shall be excluded) and present it to the relevant party and their agents. <Amended by Act No. 11590, Dec. 18, 2012>
- (6) Any relevant party shall, upon receipt of a mediation plan under paragraph (5), notify the Council as to whether he/she accepts such plan or not.
- (7) When the relevant parties and their agents accept (referring to acceptance in writing or by electronic means, as prescribed by Presidential Decree) a mediation plan referred to in paragraph (6), the Council shall serve without delay, the original transcript of the written mediation with the chairperson's name and seal affixed thereon on each party concerned and their agents. <Amended by Act No. 11590, Dec. 18, 2012>
- (8) Any content of a written mediation under paragraph (7) shall have the same force as settlement at court: Provided, That the same shall not apply to the matters prescribed by Presidential Decree as those not left at the disposal of the persons concerned. <Amended by Act No. 11590, Dec. 18, 2012>
- (9) Procedures for and methods of applications for mediation, etc., burden of expenses, etc. and other necessary matters shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. In such cases, the Council may require a claimant for mediation, etc. of disputes to pay mediation expenses in advance, as publicly announced by the Minister of Land, Infrastructure and Transport. <Amended by Act No. 10237, Apr. 5, 2010; Act No. 11690, Mar. 23, 2013>

[This Article Newly Inserted by Act No. 8968, Mar. 21, 2008]

Article 46-5 (Notification, etc. of Applications
for Mediation, etc.)

- (1) Upon receipt of an application for mediation, etc. from one party, the Council shall notify the other party of the details of such application. <Amended by Act No. 11590, Dec. 18, 2012>
- (2) The other party in receipt of a notification under paragraph (1) shall submit a written response to the details of application to the Council within ten days except in extenuating circumstances. <Amended by Act No. 11590, Dec. 18, 2012>
- (3) A project undertaker in receipt of notification of dispute mediation from

the Council under paragraph (1) shall respond to the mediation: <Amended by Act No. 11590, Dec. 18, 2012>

1. through 4. Deleted. <by Act No. 11590, Dec. 18, 2012>

(4)If any defect is found in the details of an application, the Council may issue an order to rectify such defect by fixing a reasonable period. In such cases, the application for mediation, etc. shall be rejected by the decision of the Council, if the applicant fails to correct such defect. <Newly Inserted by Act No. 11590, Dec. 18, 2012>

[This Article Newly Inserted by Act No. 10237, Apr. 5, 2010]

Article 46-6 (Application Mutatis Mutandis of the Judicial Conciliation of Civil Disputes Act, etc.)

(1) The Council shall apply mutatis mutandis the Judicial Conciliation of Civil Disputes Act to matters not expressly provided for in this Act and suspension of the extinctive prescription concerning the procedures for medication, etc. of disputes. <Amended by Act No. 11590, Dec. 18, 2012>

(2)Articles 174 through 197 of the Civil Procedure Act shall mutatis mutandis to the service of documents due to the mediation, etc. <Amended by Act No. 11590, Dec. 18, 2012>

[This Article Newly Inserted by Act No. 10237, Apr. 5, 2010]

Article 46-7 (Defect Diagnoses and Appraisal)

(1) Where a project undertaker has an objection to the repair of defects requested by the council, etc. of occupants' representatives pursuant to Article 46 (1), he/she may request any safety diagnosis agencies prescribed by Presidential Decree to conduct a defect diagnosis to determine whether the relevant defect falls within the scope of defects to be repaired under his/her responsibility, following consultation thereabout with the council, etc. of occupants' representatives. In such cases, the safety diagnosis agency in receipt of a request for the defect diagnosis shall conduct it without delay, and notify the project undertaker and the council, etc. of occupants' representatives of the results thereof.

(2)If a case falls within any of the following categories, a subcouncil may request the appraisal thereof to any safety diagnosis agencies prescribed by Presidential Decree: <Amended by Act No. 11590, Dec. 18, 2012>

1. A case of dispute over the results of the defect diagnosis conducted under paragraph (1);

2.A case in which both parties or any relevant party requests appraisal of

defects;

3. A case in which the causes of defects are unclear;

4. Other cases for which the subcommittee decides on the necessity of appraisal of defects.

(3) Expenses incurred in conducting a defect diagnosis under paragraph (1) and in making an appraisal under paragraph (2) shall be borne by the parties, as determined by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Newly Inserted by Act No. 10237, Apr. 5, 2010]

Article 46-8 (Entrustment of Operation and Performance of Affairs of the Council)

(1) The Minister of Land, Infrastructure and Transport may entrust the Korea Infrastructure Safety and Technology Corporation established under Article 25 of the Special Act on the Safety Control of Public Structures (hereinafter referred to as the "Korea Infrastructure Safety and Technology Corporation" in this Article) with the operation and performance of affairs of the Council. In such cases, the organization and human resources for the operation and performance of affairs of the Council and other relevant matters shall be prescribed by Presidential Decree. <Amended by Act No. 11690, Mar. 23, 2013>

(2) The Minister of Land, Infrastructure and Transport may contribute or subsidize expenses incurred in relation to the operation and performance of affairs of the Council to the Korea Infrastructure Safety and Technology Corporation within the budgetary limit. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Newly Inserted by Act No. 10237, Apr. 5, 2010]

Article 46-9 (Nondisclosure of Proceedings, etc.)

(1) No proceedings of mediation, etc. conducted by a subcommittee or working committee and its decision-making process shall be disclosed: Provided, That the same shall not apply in cases where a resolution is adopted by the subcommittee or working committee.

(2) No person who currently performs or has performed the relevant duties as a Council member or a staff person of the secretariat of the Council shall divulge any confidential information learned in the course of conducting his/her duties in the proceedings of mediation, etc.

[This Article Newly Inserted by Act No. 11590, Dec. 18, 2012]

Article 46-10 (Investigation of Fact,

Examination, etc.)

(1) In receipt of an application for mediation, etc., the chairperson of the Council shall assign staff members of the secretariat of the Council to investigate, examine or peruse the objects of examination and mediation and the relevant data, or to hear statements of witnesses. In such cases, the project undertaker, the council of occupants' representatives, etc. shall provide cooperation.

(2) A person who conducts an investigation, examination, etc. under paragraph (1) shall carry an identification certification indicating his/her authority and produce it to the relevant persons.

[This Article Newly Inserted by Act No. 11590, Dec. 18, 2012]

Article 47 (Long-Term Repair Plans)

(1) A project undertaker (including a building owner who constructs a facility other than housing and a housing unit as one building after obtaining a building permit under Article 11 of the Building Act; hereafter the same shall apply in this Article) who builds and supplies any collective housing described below, or a person conducting remodelling works, shall formulate a long-term repair plan for a common area of the said collective housing (hereinafter referred to as "long-term repair plan") as prescribed by Presidential Decree and submit it to the usage-inspection authority when filing an application for usage inspection under Article 29 (in cases falling under subparagraph 4, referring to the time of filing an application for approval for use under Article 22 of the Building act; hereafter the same shall apply in this Article), and the said authority shall transfer it to the managing body of the said collective housing. In such cases, the usage-inspection authority may request the project undertaker or the person conducting the remodelling works to supplement the long-term repair plan: <Amended by Act No. 11871, Jun. 4, 2013; Act No. 12115, Dec. 24, 2013>

1. Collective housing of at least 300 houses;

2. Collective housing fitted with elevators;

3. Collective housing fitted with the central heating system or district heating system;

4. A building in the case of which a facility other than housing and a housing unit as one building after obtaining a building permit under Article 11 of the Building Act.

(2) A council of occupants' representatives organized under Article 43 (3) and a managing body shall review a long-term repair plan every three years and, if necessary, adjust it as prescribed by Ordinance of the

Ministry of Land, Infrastructure and Transport, and shall replace or repair major facilities pursuant to the formulated or adjusted long-term repair plan. In such cases, the council of occupants' representatives and the managing body shall record and keep the matters reviewed relating to the long-term repair plan. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12115, Dec. 24, 2013>

- (3) A managing body may let the head of management office for relevant collective housing undergo the education on the computation of costs for a long-term repair plan and on the method of works, which is conducted by the Mayor/Do Governor, prior to a coordination of the long-term repair plan, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 48 (Special Cases Following Remodelling of Collective Housing)

- (1) It is deemed that a collective housing owner's right to use a housing site shall not be altered, notwithstanding the provisions of Articles 12 and 20 (1) of the Act on the Ownership and Management of Aggregate Buildings, if the area of an exclusively-owned portion of the said owner (referring to the exclusively-owned portion under subparagraph 3 of Article 2 of the said Act; hereafter the same shall apply in this Article) is increased or decreased by a remodelling: Provided, That a plan for alteration of rights shall apply to a remodelling whereby the number of households is to be increased. <Amended by Act No. 11243, Jan. 26, 2012>
- (2) Where an owner of collective housing has altered the area of a part of a common area (referring to the common area under subparagraph 4 of Article 2 of the Act on the Ownership and Management of Aggregate Buildings; hereafter the same shall apply in this Article) into the area of exclusively-owned portions pursuant to a remodelling, the area of remaining common area of the relevant owner shall be deemed unaltered, notwithstanding the provisions of Article 12 of the said Act.
- (3) As for the right to use a housing site under paragraph (1) and the area of a common area under paragraph (2), if the owner has stipulated otherwise pursuant to rules under Article 28 of the Act on the Ownership and Management of Aggregate Buildings, the said rules shall govern, notwithstanding the provisions of paragraphs (1) and (2).

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 49 (Safety Management Plans, Education, etc.)

- (1) A managing body shall formulate a safety control plan as prescribed by Presidential Decree, in order to prevent accidents due to facilities of relevant collective housing, and select a safety manager and a safety control officer by installations pursuant to the said plan, and implement it.
- (2) Either of the following persons shall take crime prevention education and safety education conducted by the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, in order to prevent accidents and to conduct crime prevention within a collective housing complex: <Amended by Act No. 11690, Mar. 23, 2013>
 1. Any person engaged in guard duty;
 2. Any person selected as a safety control manager of installations pursuant to a safety control plan formulated under paragraph (1).
- (3) The head of a Si/Gun/Gu may conduct crime prevention education and safety education under paragraph (2) by delegating or entrusting to the following agencies or juristic persons, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: <Amended by Act No. 11690, Mar. 23, 2013>
 1. Crime prevention education: Superintendent of competent police station;
 2. Safety education for fire fighting: Superintendent of competent fire station;
 3. Safety education for installations: Juristic persons recognized under Article 87 (2).

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 50 (Safety Inspections)

- (1) A managing body of collective housing subject to obligatory management shall conduct safety inspections on the collective housing according to the guidelines on safety inspections and precise safety diagnosis set forth under Article 13 (1) of the Special Act on the Safety Control of Public Structures in order to protect the occupants and users from a disaster, calamity, etc. by maintaining the functions and ensuring the safety of the collective housing: Provided, That the managing body of any collective housing shall require a person prescribed by Presidential Decree to conduct the safety inspections on the collective housing of at least 16 stories. <Amended by Act No. 12115, Dec. 24, 2013>
- (2) When any concerns exist as to a disaster, calamity, etc. since the safety level of the building structures or installations is found very low as a result of the safety inspection, a managing body under paragraph (1) shall notify, without delay, the council, etc. of occupants' representatives (referring to a rental business operator in cases of the renting housing;

hereinafter the same shall apply in this Article) of the fact thereof, and then report such fact to the head of a Si/Gun/Gu, as prescribed by Presidential Decree, and take necessary measures, such as the restriction on the use of relevant building, or the repair thereof, etc.

- (3)The council, etc. of occupants' representatives and the managing body under paragraph (1) shall annually secure the necessary budget for the safety inspections of buildings and the prevention of disasters in order to ensure the safety of the buildings and the general public.
- (4)Methods of inspecting the safety of building, timing for conducting safety inspections, and equipment to be retained for the safety inspections, and other necessary matters concerning the safety inspections shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10237, Apr. 5, 2010]

Article 51 (Accumulation of Long-Term Repair Appropriations)

- (1) A managing body shall collect the long-term repair appropriations necessary to replace and repair major facilities of a collective housing pursuant to the long-term repair plan from the owners of relevant housing, and accumulate them.
- (2)The use of the long-term repair appropriations shall be in accordance with the long-term repair plan: Provided, That they can be used for the following purposes if a majority of all occupants give written consent thereto: <Newly Inserted by Act No. 10237, Apr. 5, 2010>
1. Expenses incurred in relation to mediation, etc. under Article 46-4;
 2. Expenses incurred in relation to defect diagnoses and appraisal under Article 46-7;
 3. Expenses incurred in charging expenses referred to in subparagraph 1 or 2.
- (3)Matters necessary for the scope of major facilities of collective housing under paragraph (1), and the period and methods, etc. of replacement and repair thereof shall be stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 10237, Apr. 5, 2010; Act No. 11690, Mar. 23, 2013>
- (4)Matters necessary for the rate, computing methods, accumulating method, and disbursing procedures, post-management, etc. of the long-term repair appropriations, shall be prescribed by Presidential Decree. <Amended by Act No. 10237, Apr. 5, 2010>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 52 (Collective Housing Management Disputes Mediation Committee)

- (1) In order to mediate any disputes between persons falling under Article 42 (8), the Collective Housing Management Disputes Mediation Committee

(hereinafter referred to as the "Disputes Mediation Committee") shall be established in a Si/Gun/Gu. <Amended by Act No. 11061, Sep. 16, 2011; Act No. 11243, Jan. 26, 2012>

(2)Matters to be deliberated on and mediated by the Disputes Mediation Committee shall be as follows: <Amended by Act No. 12115, Dec. 24, 2013>

1. Matters concerning the organization and operation of a council of occupants' representatives, and the qualification, selection, dismissal, and terms of office of the representatives for each building;
- 2.Matters concerning the organization, operation, etc. of an autonomous management organization;
- 3.Matters concerning the collection, disbursement, etc. of the management expenses, service fees, and long-term repair appropriations;
- 4.Matters concerning the maintenance, repair, improvement, etc. of collective housing (limited to the common area);
- 5.Matters concerning the remodelling of collective housing;
- 5-
2. Matters concerning inter-floor noise of collective housing;
6. Other matters stipulated by ordinances of local governments to the effect that the mediations of disputes are needed in connection with the management of collective housing.

(3)Where a person falling under Article 42 (8) has accepted the outcomes of mediation by the Disputes Mediation Committee, it shall be deemed that the parties have reached agreement on terms identical with a protocol of mediation. <Amended by Act No. 11061, Sep. 16, 2011; Act No. 11243, Jan. 26, 2012>

(4)Matters necessary for the organization of the Disputes Mediation Committee shall be prescribed by Presidential Decree, and the meeting, operation and other necessary matters of the Disputes Mediation Committee shall be stipulated by ordinance of the competent Si/Gun/Gu. [This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 52-2 (Assistance, etc. in Counsel on Disputes over Collective Housing Management)

(1) A person falling under Article 42 (8) may get counselling or seek advice from an institution, organization, etc. under paragraph (2) on matters falling under any subparagraph of Article 52 (2).

(2)The Minister of Land, Infrastructure and Transport may designate and publicly announce institutions or organizations capable of providing counsel or advice under paragraph (1). In such cases, the State or a local government may provide administrative and financial support to the relevant institutions or organizations.

[This Article Newly Inserted by Act No. 12115, Dec. 24, 2013]

SECTION 2 Professional Management, etc. of Housing

Article 53 (Housing Management Business)

- (1) A person who intends to operate a business managing collective housing subject to obligatory management shall be registered with the head of the relevant Si/Gun/Gu, and when any alteration is made to any registered item, a report thereon shall be filed, as stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12115, Dec. 24, 2013>
- (2) When registration of a person registered under paragraph (1) (hereinafter referred to as a "housing management operator") has been deregistered under Article 54 and for whom two years have not elapsed since then, he/she shall be prohibited from filing for re-registration.
- (3) A housing manager (including a corporation in which at least one third of executives or employees are housing managers) may apply for registration. In such cases, necessary matters regarding capital (in cases of a person other than a corporation, referring to assessed value of assets), human resources, facilities and equipment required of a person who intends to file for registration under paragraph (1), procedures for filing for registration, types of business, methods of managing collective housing and details of business thereof, etc. shall be prescribed by Presidential Decree. <Amended by Act No. 11061, Sep. 16, 2011>
- (4) Except as otherwise expressly provided for in this Act, the provisions of the Civil Act relating to the mandates shall apply mutatis mutandis to the status of a housing management operator.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 53-2 (Registration of Housing Rental Management Business)

- (1) A person who intends to perform any of the following business in the scale prescribed by Presidential Decree or larger shall make registration with the head of the relevant Si/Gun/Gu as prescribed by Presidential Decree, and shall file a modification report if any registered matter is modified, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport:
1. Self-management-type housing rental management business: A form of housing rental under which the lessor and the housing rental management operator referred to in paragraph (2) are parties to the rental contract and the housing rental management operator rents out the housing at his/her own risk after offering a guarantee to pay rent to the lessor during the contract period;
 2. Entrusted-management-type housing rental management business: A

form of housing rental under which the lessor and the lessee are parties to the rental contract and the housing rental management operator performs affairs related to the collection of rent, management of lessees, and maintenance of facilities on behalf of the lessor in return for a maintenance fee under the contract with the lessor;

3. Other forms of business prescribed by Presidential Decree.

(2) A person registered under paragraph (1) (hereinafter referred to as "housing rental management operator") shall be prohibited from re-registration if two years have not elapsed since deregistration under Article 53-3.

(3) Matters concerning the capital (referring to the appraised value of assets, if not corporations), professional manpower, facilities, etc. to be equipped with by a person who intends to be registered under paragraph (1) shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 12022, Aug. 6, 2013]

Article 53-3 (Cancellation, etc. of Registration of Housing Rental Management Business)

(1) If a housing rental management operator falls under any of the following cases, the head of the relevant Si/Gun/Gu may cancel his/her registration or order business suspension for a fixed period not exceeding one year: Provided, That in cases falling under subparagraph 1 or 6, his/her registration shall be cancelled:

1. Where he/she is registered in a false or other unjust manner;
2. Where he/she has ceased to meet any of the prerequisites for registration referred to in Article 53-2 (3);
3. Where he/she has intentionally or negligently damaged the property of a lessor or lessee by mismanaging the rental housing;
4. Where his/her record of management of housing for rent falls short of the criteria prescribed by Presidential Decree;
5. Where he/she refuses, interferes with, or evades reporting or submission or inspection of data under Article 53-7;
6. Where he/she has been issued at least two orders for business suspension during the recent three years, and the total period of such business suspension exceeds twelve months;
7. Where he/she has violated this Act or any order issued under this Act.

(2) Where a housing rental management operator falls under any subparagraph of paragraph (1) 2 through 5 and 7, the head of the relevant Si/Gun/Gu may impose a penalty surcharge not exceeding 10 million won in lieu of business suspension, as prescribed by Presidential Decree.

(3) Where a penalty surcharge imposed under paragraph (2) is not collected by the payment deadline, the head of the relevant Si/Gun/Gu shall collect it in the same manner as delinquent local taxes are collected.

(4) Necessary matters concerning the criteria for cancellation of registration and disposition for business suspension under paragraph (1) and the amount, etc. of penalty surcharges by types and gravity of violations subject to the imposition of penalty surcharges under paragraph (2) shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 12022, Aug. 6, 2013]

Article 53-4 (Purchase of Guarantee Instrument)

(1) Each housing rental management operator who carries on self-management housing rental management business referred to in Article 53-2 (1) 1 shall purchase a guarantee instrument to protect the rights of lessors and lessees.

(2) The types, procedures, etc. for purchase of guarantee instruments under paragraph (1) shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 12022, Aug. 6, 2013]

Article 53-5 (Support for Housing Rental Management Operators)

The State, local governments, and the heads of public institutions may provide housing rental management operators with necessary administrative support as prescribed by applicable laws, etc.

[This Article Newly Inserted by Act No. 12022, Aug. 6, 2013]

Article 53-6 (Deemed Registration)

A housing rental management operator who carries on self-management housing rental management business referred to in Article 53-2 (1) 1 shall be deemed registered as a rental business operator under Article 6 of the Rental Housing Act.

[This Article Newly Inserted by Act No. 12022, Aug. 6, 2013]

Article 53-7 (Supervision over Housing Rental Management Operators)

The Minister of Land, Infrastructure and Transport and the head of a Si/Gun/Gu may, where necessary for the protection of rights of lessors and lessees, order any housing rental management operator to submit data related to the affairs under this Act, property, etc. or to report thereon, and may direct public officials under his/her jurisdiction to inspect such affairs, property, etc.

[This Article Newly Inserted by Act No. 12022, Aug. 6, 2013]

Article 54 (Deregistration, etc. of Housing Management Business)

(1) When a housing management operator falls under any of the following subparagraphs, the head of the relevant Si/Gun/Gu may deregister his/her registration or order entire or partial suspension of business for a fixed period of less than one year: Provided, That when he/she falls under subparagraph 1 or 7, his/her registration shall be

deregistered and, in cases falling under subparagraph 1-2 or 1-3, he/she shall be ordered to entirely or partially suspend business for a fixed period not exceeding one year: <Amended by Act No. 11871, Jun. 4, 2013; Act No. 12115, Dec. 24, 2013>

1. When he/she is registered by fraudulent or other illegal means;
 - 1- When he/she has illegally acquired or offered any property or proprietary interests, in violation of Article 43-4 (1);
 - 1- When he/she has used long-term repair appropriations for purposes other than those prescribed in this Act, in violation of Article 43-4 (2);
 2. When he/she fails to comply with any of the standards for registration under Article 53 (3);
 3. When he/she has caused any property damages on the occupants and users due to intentional or negligent mismanagement of a collective housing;
 4. When he/she has managed collective housing in violation of the management methods and the details of affairs, etc. under Article 53 (3);
 5. When the actual records of a collective housing management fail to comply with any of the standards prescribed by Presidential Decree;
 6. When he/she has refused, obstructed or avoided any report, data submission, investigation or inspection under Article 59, or has filed a false report;
 7. When he/she has been subjected to a disposition for business suspension at least twice for the latest three years, and a summed-up period for the said dispositions has exceeded 12 months;
 - 7- When he/she has lent, etc. his/her registration certificate, in violation of Article 88;
 8. Deleted. <by Act No. 11871, Jun. 4, 2013>
- (2) When a housing management operator falls under any of paragraph (1) 2 through 6, the head of a Si/Gun/Gu may impose a penalty surcharge not exceeding 10 million won, as prescribed by Presidential Decree, in substitution of a business suspension. <Amended by Act No. 12115, Dec. 24, 2013>
- (3) When the penalty surcharge imposed under paragraph (2) has not been paid within the fixed period, the head of a Si/Gun/Gu shall collect it in accordance with the Act on the Collection, etc. of Local Non-Tax Revenue. <Amended by Act No. 11998, Aug. 6, 2013>
- (4) Necessary matters with regard to criteria for the deregistration and the disposition for business suspension under paragraph (1), amount of penalty surcharge commensurate with the types, seriousness, etc. of conduct incurring a penalty surcharge, etc. under paragraph (2) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 55 (Duties, etc. of Head of Management Office)

- (1) A person who manages collective housing subject to obligatory management that falls under any of the following subparagraphs, shall employ a housing manager under Article 56 (2) as the head of the management office of the relevant collective housing: Provided, That in cases of collective housing where the number of households is less than the number prescribed by Presidential Decree, an assistant housing manager under Article 56 (1) may be employed as the head of the management office of the relevant collective housing in lieu of the housing manager: <Amended by Act No. 11061, Sep. 16, 2011; Act No. 12115, Dec. 24, 2013>
 - 1.A council of occupants' representatives (limited to autonomous management);
 - 2.A rental business operator defined in subparagraph 4 of Article 2 of the Rental Housing Act);
 - 3.A project undertaker before acquiring the management affairs under Article 43 (6);
 - 4.A housing management operator.
- (2)The head of a management office shall perform the following duties, in order to protect the rights and benefits of occupants and users of a collective housing through a safe and efficient management of collective housing: <Amended by Act No. 9405, Feb. 3, 2009; Act No. 11690, Mar. 23, 2013; Act No. 11871, Jun. 4, 2013; Act No. 12115, Dec. 24, 2013>
 1. The following duties resolved upon by the council of occupants' representatives:
 - (a)Duties relating to the operation, management, maintenance, repair, replacement, improvement and remodelling of the collective housing;
 - (b)Duties of requesting, receiving and paying management expenses, long-term repair appropriations, and other expenses, and duties of managing the source of funds therefor in order to perform duties provided for in item (a);
 - 2.Duties relating to the discovery of defects, request for the repair of defects, coordination of a long-term repair plan, formulation of a safety control plan for installations, and safety inspection of the buildings: Provided, That he/she shall pass a resolution of the council of occupants' representatives for matters accompanying any payment of expenses;
 - 3.Direction-setting and overall management of the affairs of the managing body referred to in Article 43 (8) 3;
 4. Other duties stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport regarding the management of a collective housing.

- (3)The head of a management office may, on behalf of the council of occupants' representatives, do all judicial or extra-judicial acts in connection with paragraph (2) 1 (a) or (b). <Newly Inserted by Act No. 11871, Jun. 4, 2013>
- (4)The head of a management office shall perform his/her duties with the care of a good manager. <Amended by Act No. 9405, Feb. 3, 2009; Act No. 11871, Jun. 4, 2013>
- (5)The head of a management office shall file a report on the details of dispositions he/she makes and the official seal to be used for the execution of duties with the head of a Si/Gun/Gu, as stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport. The same shall apply when altering the reported details of dispositions and the official seal. <Amended by Act No. 9405, Feb. 3, 2009; Act No. 11690, Mar. 23, 2013; Act No. 11871, Jun. 4, 2013>

Article 55-2 (Liability of Head of Management Office for Compensation of Damages)

- (1)Where a housing manager, etc. causes any property damage to the occupants intentionally or by negligence in performing his/her duties as the head of a management office, he/she shall be liable to compensate for such damage.
- (2)A housing manager, etc. shall purchase a guaranty insurance, join the mutual-aid society referred to in Article 81-2, or make necessary deposit so as to guarantee the liability for compensation of damages under paragraph (1), as prescribed by Presidential Decree.
- (3)A housing manager, etc. shall purchase guarantee insurance, join the mutual-aid association, or make necessary deposit to guarantee the liability for compensation of damages under paragraph (2), and submit a document attesting the fact of having purchased guarantee insurance, etc. to any of the following persons on the date on which he/she is positioned as the head of the management office of the relevant collective housing: <Newly Inserted by Act No. 10237, Apr. 5, 2010>
1. The representative of the council, etc. of occupants' representatives;
 2. A rental business operator under subparagraph 4 of Article 2 of the Rental Housing Act in cases of the rental housing;
 3. The head of a Si/Gun/Gu if no council, etc. of occupants' representatives exists.
- (4)The deposit money deposited pursuant to paragraph (2) may not be returned within three years from the date when the housing manager, etc. resigns or is dismissed from the office of the head of the management office of the collective housing or dies. <Amended by Act No. 10237, Apr. 5, 2010>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 56 (Qualifications for Housing

Managers, etc.)

- (1) Each person who intends to become an assistant housing manager shall pass a qualifying examination administered by the Minister of Land, Infrastructure and Transport, and thereafter obtain a certificate of passing the said examination from the Mayor/Do Governor (in cases of a large city, referring to the mayor thereof; hereafter the same shall apply in this Section). <Amended by Act No. 11690, Mar. 23, 2013; Act No. 11871, Jun. 4, 2013>
- (2) A housing manager shall be a person who, meeting the following requirements, has received the qualification certificate of a housing manager from the Mayor/Do Governor : <Amended by Act No. 11061, Sep. 16, 2011>
 1. That he/she received a certificate for passing a qualifying examination for assistant housing managers under paragraph (1);
 2. That he/she is equipped with practical experience in service for housing management prescribed by Presidential Decree.
- (3) Procedures for issuing a housing manager qualification certificate under paragraph (2), and other relevant matters therefor shall be prescribed by Presidential Decree.
- (4) None of the following persons shall become a housing manager, etc.:
 1. An incompetent or quasi-incompetent;
 2. A person declared bankrupt who has not yet been reinstated;
 3. A person for whom two years have not elapsed from the date on which his/her sentence execution was terminated (including where it is deemed terminated) or exempted, after having been sentenced to an imprisonment without prison labor or a heavier punishment;
 4. A person who is in a grace period after having been sentenced to a suspended execution of imprisonment without prison labor or a heavier punishment;
 5. A person for whom three years have not elapsed since his/her qualification as a housing manager was revoked.
- (5) Qualifications to sit an examination, subjects, partial exemption, and other matters necessary for the qualifying examination for assistant housing managers under paragraph (1), shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 56-2 (Examination Committee of Assistant Housing Managers)

- (1) The Examination Committee of Assistant Housing Managers may be established under the jurisdiction of the Ministry of Land, Infrastructure and Transport to deliberate on the following matters concerning the

qualification examinations for assistant housing managers under Article 56 (1): <Amended by Act No. 11690, Mar. 23, 2013>

1. Matters concerning the examinations, such as adjustment of subjects of qualification examinations for assistant housing managers;
2. Matters concerning a decision on the number of examinees to select and pass/fail criteria;
3. Other important matters related to the qualification examinations of assistant housing managers.

(2) The composition and operation of the Examination Committee of Assistant Housing Managers, and other relevant matters shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 10237, Apr. 5, 2010]

Article 57 (Revocation, etc. of Qualifications as Housing Managers, etc.)

(1) When a housing manager, etc. falls under any of the following subparagraphs, the Mayor/Do Governor may revoke his/her qualifications, or suspend the said qualifications by fixing the period of less than one year: Provided, That when he/she falls under any of subparagraphs 1, 3, or 5 through 8, his/her qualifications shall be revoked:

1. When he/she has acquired his/her qualification by fraudulent or other unlawful means;
2. When he/she has caused any property damages on the occupants and users due to intentional or grossly negligent mismanagement of a housing;
3. When he/she has come to fall under the causes for disqualifications under Article 56 (4) 1 or 2;
4. When he/she has refused, obstructed or avoided any report, data submission, investigation or inspection under Article 59, or has filed a false report;
5. When he/she has let another one carry out a business by using his/her title, or has lent his/her certificate of qualification, in violation of Article 88;
6. When he/she has been sentenced to imprisonment without prison labor or a heavier punishment with regard to the duties of managing a collective housing;
7. When a housing manager, etc. has been simultaneously employed in two or more different collective housing complexes;
8. When a housing manager, etc. has performed the housing management duties during the period of a suspension of his/her qualifications;
9. When a housing manager, etc. has acquired such unjust enrichment as to receive any money or goods in connection with the duties;
10. When a housing manager, etc. has managed a collective housing in

violation of Article 55 (1).

(2)The criteria for a revocation of qualifications and a disposition of suspension under paragraph (1), shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 58 (Education of Housing Management Operators, etc.)

- (1) A housing management operator (in cases of a corporation, referring to its representative), and a housing manager, etc. posted as the head of management office, shall undergo education on housing management conducted by the Mayor/Do Governor, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. In such cases, a housing manager, etc. intending to be posted as the head of management office may undergo education on housing management as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, and when completing the relevant education, he/she shall be deemed to have fulfilled the obligation for education of the head of management office. <Amended by Act No. 11690, Mar. 23, 2013>
- (2)Where a housing manager, etc. intending to be posted as the head of management office has not worked as an employee of a head of management office or collective housing management organization or an employee of a housing management operator for the five years immediately preceding the anticipated date of post shall undergo education on repair related to the duties of a head of management office conducted by the Mayor/Do Governor as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport and may then be posted as a head of management office under Article 55 (1). In such cases, a housing manager, etc. who completes the repair education related to duties of a head of management office and is posted as a head of management office shall be deemed to have fulfilled the obligation of education of a head of management office under paragraph (1). <Amended by Act No. 11690, Mar. 23, 2013>
- (3)A housing manager posted and working as the head of a management office shall receive housing management education every three years as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, after receiving education under paragraph (1) or (2). <Newly Inserted by Act No. 12115, Dec. 24, 2013>
- (4)The Minister of Land, Infrastructure and Transport may establish and implement necessary guidelines for the education levels and education methods, etc. in order to maintain national balance in the education conducted by the Mayor/Do Governors under paragraphs (1) through

(3). <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12115, Dec. 24, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 58-2 (Satisfaction Surveys of Occupants, etc. with Housing Management Operators)

In order to improve the quality of management service of collective housing, the Minister of Land, Infrastructure and Transport may conduct occupant and user surveys to determine their level of satisfaction with the relevant housing management operators and disclose the findings as prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 11871, Jun. 4, 2013]

Article 59 (Supervision of Collective Housing Management)

(1) For the purposes of efficient management of collective housing and protection of its occupants and users, the head of a local government may, in any of the following cases, require any occupants or users, the council of occupants' representatives or the representatives of each building, the managing body, or the head of the management office of the relevant collective housing under Article 55 (1), or the electoral board for organization of the council of occupants' representatives or the members thereof, to file a report on matters related to the affairs prescribed by Presidential Decree, or may issue an order to submit data or other necessary orders, and may assign public officials under his/her jurisdiction to access the business place, management office, etc., and investigate or inspect the facilities, books, documents, etc. of the collective housing, In such cases, public officials who gain access, conduct inspections, etc. shall carry a certificate indicating his/her authority and produce it to the related persons:

1. Where necessary to conduct an audit under paragraph (3) or (4);
 2. Where necessary to take measures against any violation of this Act or of an order or a disposition imposed under this Act;
 3. Where it is necessary to mediate the disputes which have occurred in the collective housing complex;
 4. Where necessary for the safety management of collective housing facilities;
 5. Other cases where necessary to supervise management of the collective housing.
- (2) The occupants or users of collective housing may request the head of the relevant local government to audit the duties of the council of occupants'

representatives or the members thereof, the managing body, or the head of the management office of the collective housing under Article 55 (1) or the electoral board for organization of the council of occupants' representatives or the members thereof. In such cases, the request for an audit shall be filed in writing, explaining the reasons therefor and appending materials to support them.

- (3)The head of a local government shall, if request for an audit under paragraph (2) is deemed well-grounded, conduct an audit and notify the results thereof to the occupants or users who have filed such request.
- (4)The head of a local government may, even if he/she has not been requested to conduct an audit under paragraph (2), conduct an audit of the duties subject to audit under paragraph (2), where it is deemed necessary for the efficient management of collective housing and the protection of its occupants and users.
- (5)In conducting an audit under paragraph (3) or (4), the head of a local government may seek advice from lawyers-at-law, certified public accountants, or other professionals, or investigate the business place, management office, etc. with such professionals.
- (6)Matters necessary for requesting and conducting an audit under paragraphs (2) through (5) shall be prescribed by ordinance of a local government.

[This Article Wholly Amended by Act No. 12115, Dec. 24, 2013]

CHAPTER VI HOUSING FUNDS

SECTION 1 National Housing Fund

Article 60 (Establishment, etc. of National Housing Fund)

- (1) The Government shall establish the National Housing Fund in order to secure the funds necessary to efficiently implement a comprehensive housing plan, and facilitate the provision thereof.
- (2)The National Housing Fund under paragraph (1) shall be raised with the following financial resources: <Amended by Act No. 10237, Apr. 5, 2010; Act No. 12646, May 21, 2014>
 1. Contributions or deposits by the Government;
 2. Deposits from the Public Capital Management Fund under the Public Capital Management Fund Act;
 3. Reversions to the State from among the amounts to be borne for reconstruction under the Restitution of Excess Rebuilding Gains Act;
 4. Deposits under Article 61;
 5. Funds raised through the issuance of national housing bonds under Article 67;
 6. Earnings from lottery distributed as referred to in Article 23 of the Lottery Tickets and Lottery Fund Act;
 7. Funds raised by subscription savings and collective savings for

subscription for house, among the occupants' savings fund under Article 75 (2);

8. Dividend incomes of the investing agencies, and proceeds from the sale of loaned properties;
 9. Funds borrowed from foreign countries for the housing construction projects, or the housing site preparation projects;
 10. Collected amounts and interest revenue of the National Housing Fund, and profits accruing from the operation of the National Housing Fund;
 11. Incidental earnings accruing from the implementation of the national housing projects.
- (3) When deemed necessary for the operation of the National Housing Fund, the Minister of Land, Infrastructure and Transport may borrow the funds from the Bank of Korea or the financial institutions at the expense of the National Housing Fund. <Amended by Act No. 11690, Mar. 23, 2013>
- (4) Matters necessary for methods, procedures, etc. for selling the loaned properties under paragraph (2) 8 shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 61 (Deposit of Capital in National Housing Fund)

- (1) Managers or savers of funds or capital of the following subparagraphs may deposit all or part of their capital in the National Housing Fund:
1. Funds created under the National Pension Act;
 2. Other funds or capital prescribed by Presidential Decree.
- (2) When deemed necessary to promote the implementation of the national housing projects, the Korea Land and Housing Corporation may deposit their capital in the National Housing Fund, notwithstanding the Korea Land and Housing Corporation Act. <Amended by Act No. 10237, Apr. 5, 2010>
- (3) Matters necessary for the scope, methods, conditions, etc. for depositing the capital in the National Housing Fund under paragraph (1) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 62 (Operation and Management of National Housing Fund, and Responsibility of Fund Trustee)

- (1) The National Housing Fund shall be operated and managed by the Minister of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>
- (2) The Minister of Land, Infrastructure and Transport may entrust all or part of the affairs relating to the operation and management of the National Housing Fund to persons designated by the Minister of Land, Infrastructure and Transport, such as financial institutions (hereinafter

referred to as "Fund trustee"). <Amended by Act No. 11690, Mar. 23, 2013>

- (3) A Fund trustee entrusted with the affairs of operating and managing the National Housing Fund under paragraph (2), shall file a report on the situations of creating and operating the National Housing Fund with the Minister of Land, Infrastructure and Transport, as prescribed by Presidential Decree. <Amended by Act No. 11690, Mar. 23, 2013>
- (4) A Fund trustee shall deal with the entrusted affairs with the care of a good manager.
- (5) Where a Fund trustee has inflicted any losses on the National Housing Fund due to his/her violation of the care under paragraph (4), he/she shall make compensation for them.
- (6) When the Minister of Land, Infrastructure and Transport intends to formulate the plan for operation of the National Housing Fund, he/she shall pre-consult with the Minister of Strategy and Finance. <Amended by Act No. 11690, Mar. 23, 2013>
- (7) Except as otherwise prescribed in this Act, the National Finance Act shall apply to the fiscal year, operation plan, settlement of accounts, etc. of the National Housing Fund.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 62-2 (Requests for Provision of Data)

- (1) The Minister of Land, Infrastructure and Transport or a Fund trustee may, if he/she deems it necessary in order to operate the National Housing Fund established under Article 63 or to perform other duties entrusted by the Minister of Land, Infrastructure and Transport, request the provision of necessary data and information related to national taxes, local taxes, land, buildings, automobiles, health insurance, national pension, etc. from the State, local governments, financial institutions, the National Pension Corporation established under the National Pension Act, the National Health Insurance Corporation established under the National Health Insurance Corporation Act, and other public institutions. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12646, May 21, 2014>
- (2) A person in receipt of such request under paragraph (1) shall comply with such request, except in extenuating circumstances.
- (3) A person in receipt of data under paragraph (1) and Article 62-4 may not use such data for any purpose other than operation and management of the National Housing Fund and shall keep them confidential. <Amended by Act No. 12646, May 21, 2014>

[This Article Newly Inserted by Act No. 9405, Feb. 3, 2009]

Article 62-3 (Digitalization of Affairs Related to Operation and Management of National Housing Fund)

(1)The Minister of Land, Infrastructure and Transport may build and operate an electronic system for the efficient processing of the affairs related to the operation and management of the National Housing Fund established under Article 62.

(2)The electronic system referred to in paragraph (1) may be used in connection with the information system established and operated under Article 6-2 of the Social Welfare Services Act.

[This Article Newly Inserted by Act No. 12646, May 21, 2014]

Article 62-4 (Collection, etc. of Data and Information)

The Minister of Land, Infrastructure and Transport and the head of an institution entrusted or commissioned with the operation and management of the National Housing Fund established under Article 62 may collect, manage, hold, or use the data or information received pursuant to Article 62-2.

[This Article Newly Inserted by Act No. 12646, May 21, 2014]

Article 63 (Operational Limits of National Housing Fund)

(1) The National Housing Fund shall not be used for any purpose other than the following: <Amended by Act No. 10237, Apr. 5, 2010; Act No. 11061, Sep. 16, 2011; Act No. 12115, Dec. 24, 2013; Act No. 12646, May 21, 2014>

1. Construction of national housing;
2. Housing site preparation projects for constructing the national housing;
3. Purchase and storage of equipment and materials for projects under subparagraphs 1 and 2;
4. Construction of the industrialized housing (limited to the housing below the scale prescribed by Presidential Decree);
5. Repayment of the principal of and payment of interest on the deposits and borrowings under Article 60 (2) 1, 4, 7, 9 and (3);
6. Redemption of the principal of and interests on the national housing bonds under Article 67;
7. Repayment of the principal of and payment of interest on the deposits from the Public Capital Management Fund under the Public Capital Management Fund Act;
8. Loan to a person who improves, purchases, or leases a house not exceeding national housing scale;
9. Housing projects to be promoted by the Government policies;
10. Aid to the Urban and Residential Environment Rearrangement Fund under the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents, the Special Account for Acceleration of Renewal under the Special Act on the Promotion of Urban Renewal, or the Special Account for National Housing Project under the Housing Act;

11. Expenses incurred in creating, operating and managing the National Housing Fund;
 12. Investments in, and loans to, the Korea Housing Guarantee Company;
 13. Contributions to the Housing Finance Credit Guarantee Fund under Article 56 (3) of the Korea Housing Finance Corporation Act;
 14. Investments in the housing mortgage-backed bond companies established under the Special Purpose Companies for Mortgage-Backed Bonds Act and the Korea Housing Finance Corporation established under the Korea Housing Finance Corporation Act;
 15. Investments in the Korea Land and Housing Corporation;
 - 15- Purchase of any of the following securities to promote the supply of
2. rental housing as defined in subparagraph 1 of Article 2 of the Rental Housing Act:
 - (a) Securities issued by a real estate investment company as defined in subparagraph 1 of Article 2 of the Real Estate Investment Company Act;
 - (b) Collective investment schemes issued by a real estate fund as defined in subparagraph 2 of Article 229 of the Financial Investment Services and Capital Markets Act;
 - (c) Securities issued by a corporation that fulfills all the requirements prescribed in items of Article 51-2 (1) 9 of the Corporate Tax Act;
 - (d) Other securities related to the supply of rental housing, which is prescribed by Presidential Decree;
 16. Research and development of materials and technology for constructing the national housing;
 - 16- Financing of funds necessary for the construction, improvement, or
2. purchase of the quasi-housing;
 17. Remodelling of housing, the size of which does not exceed that of the national housing;
 18. Residential environment improvement projects and housing redevelopment projects under subparagraph 2 (a) and (b) of Article 2 of the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents;
 19. The cost used by the Korea Land and Housing Corporation to purchase the housing subject to the upper limit system for selling prices pursuant to Article 41-2 (2);
 20. The cost required to establish a basic facility stipulated in Article 29 (2) of the Special Act on the Promotion of Urban Renewal among the basic facilities under subparagraph 6 of Article 2 of the same Act;
 21. Construction of rental housing, and the accommodation of funds required to establish related basic facilities, etc., for purposes of developing free economic zones designated pursuant to Article 4 of the Special Act on Designation and Management of Free Economic Zones;
 22. Other projects prescribed by Presidential Decree for purposes of promoting the construction of the national housing.
- (2) Where any surplus capital exists in the National Housing Fund, the

Minister of Land, Infrastructure and Transport may operate it in the manner prescribed by Presidential Decree. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 64 (Accounting Organ for National Housing Fund)

(1) The Minister of Land, Infrastructure and Transport shall appoint, from among public officials under his/her jurisdiction, the revenue collection officer, the financial officer, the disbursing officer and the accounting officer for the National Housing Fund, in order to have them deal with the affairs of revenues and expenditures of the National Housing Fund. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Where any Fund trustee has been entrusted under Article 62 (2) with the affairs of operation and management of the National Housing Fund, he/she shall appoint, from among his/her executives and employees, any of the following persons, and file a report thereon with the Minister of Land, Infrastructure and Transport. In such cases, such appointed persons shall perform the following duties: <Amended by Act No. 11690, Mar. 23, 2013>

1. The executive and employee in charge of Fund revenues: the duties of the Fund revenue collection officer;
2. The executive and employee in charge of causative acts of the Fund disbursements: the duties of the Fund financial officer;
3. The Fund disbursing employee: the duties of the Fund disbursing officer;
4. The Fund accounting employee: the duties of the Fund accounting officer.

(3) When the Minister of Land, Infrastructure and Transport and a Fund trustee have appointed, under paragraph (1) or (2), the Fund revenue collection officer, the Fund financial officer, the Fund disbursing officer, and the Fund accounting officer, as well as the executive and employee in charge of the Fund revenues, the executive and employee in charge of Fund disbursement incurring activities, the Fund disbursing employee and the Fund accounting employee, the said appointments shall be notified to the Board of Audit and Inspection, the Ministry of Strategy and Finance, and the Bank of Korea. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 65 (Writing off Loan Claims of National Housing Fund)

(1) Where any Fund trustee is unable to recover the National Housing Fund loan due to a debtor's insolvency, etc., he/she may write the loan claim off, as prescribed by

Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

(2)When the period stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport expires while a Fund trustee is performing the managerial duties for the preservation or collection of claims written off under paragraph (1), he/she shall suspend the relevant management duties, and file a report thereon with the Minister of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 66 (Disposal of Profits and Losses)

(1) When any profit accrues upon the settlement of accounts of the National Housing Fund in each business year, the Minister of Land, Infrastructure and Transport shall reserve the whole amount of such profits in the National Housing Fund. <Amended by Act No. 11690, Mar. 23, 2013>

(2)When any loss accrues upon the settlement of accounts of the National Housing Fund in each business year, the Minister of Land, Infrastructure and Transport shall offset it with the reserves under paragraph (1), and if any loss still remains even after offsetting it with the reserves, the Government may offset it from its general accounts. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

SECTION 2 National Housing Bonds

Article 67 (Issuance, etc. of National Housing Bonds)

(1) The Government may issue the national housing bonds at the expense of the National Housing Fund, in order to raise the funds necessary to finance the national housing projects.

(2)The national housing bonds under paragraph (1) shall be issued by the Minister of Strategy and Finance upon request from the Minister of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

(3)Except as otherwise prescribed in this Act, the State Bond Act shall apply to the national housing bonds.

(4)Matters necessary for the kinds, interest rates, methods, and procedures for issuing the national housing bonds, and the processing issuance and redemption affairs, shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 68 (Purchase of National Housing Bonds)

(1) Any person who is prescribed by Presidential Decree among those falling under any of the following subparagraphs, shall purchase the national housing

bonds:

1. A person who obtains a license, permit or authorization from the State or a local government;
 2. A person who files an application for registry or registration with the State or a local government;
 3. A person who concludes a contract for construction works with the State, a local government, or a public agency prescribed by Presidential Decree among the public agencies under the Act on the Management of Public Institutions;
 4. A person who acquires a supply of the housing which is built and supplied under this Act.
- (2) Matters necessary for purchase amounts of purchasers of the national housing bonds under paragraph (1), and the procedures therefor, etc. shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

SECTION 3 Redeemable Housing Bonds

Article 69 (Issuance of Redeemable Housing Bonds)

- (1) The Korea Land and Housing Corporation and the registered business operators may issue bonds redeemable with housing (hereinafter referred to as "redeemable housing bonds") as prescribed by Presidential Decree. In such cases, the registered business operators may issue the bonds only when the paid-in capital, assessed value of property and technical human resources, etc. satisfy the standards prescribed by Presidential Decree, and when they have obtained a guarantee from the financial institutions or the Korea Housing Guarantee Company. <Amended by Act No. 10237, Apr. 5, 2010>
- (2) Any person who intends to issue the redeemable housing bonds shall formulate a plan for issuing such bonds, and obtain approval from the Minister of Land, Infrastructure and Transport, as prescribed by Presidential Decree. <Amended by Act No. 11690, Mar. 23, 2013>
- (3) Requisites for issuing the redeemable housing bonds and the period for their redemption shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 70 (Responsibility, Conditions, etc. for Issuance)

- (1) Any person who has issued the redeemable housing bonds under Article 69 shall construct housing pursuant to the conditions for issuance, and redeem the bonds to the bondholders.
- (2) Redeemable housing bonds shall be the inscribed securities, and any

title alteration of bondholders shall be made by means of entering the name and address of an acquirer in the original register of bonds; and no person may oppose against the bond issuer and the third party unless the name of the acquirer is stated in the bonds.

(3)The Minister of Land, Infrastructure and Transport shall take the measures necessary for the methods and procedures, etc. for the money paid for the bonds as prescribed by Presidential Decree, to ensure the said money is used in conformity with the purposes of issuing the bonds, such as the purchase of housing sites. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 71 (Validity of Redeemable Housing Bonds)

Even where a registration of a registered business operator has been obliterated under Article 13, it shall not affect the validity of redeemable housing bonds issued by the said operator.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 72 (Application of Provisions of Commercial Act)

Except as otherwise prescribed in this Act, the provisions concerning the issuance of bonds from among the Commercial Act shall apply to the issuance of redeemable housing bonds: Provided, That Articles 470, 471 and 478 (1) of the Commercial Act shall not apply where the Korea Land and Housing Corporation issues the bonds, and where the registered business operator issues them after the financial institutions, etc. have guaranteed their redemption. <Amended by Act No. 10237, Apr. 5, 2010>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

SECTION 4 Special Account for National Housing Project, etc.

Article 73 (Establishment, etc. of Special Account for National Housing Projects)

(1) Local governments shall establish and operate the special account for national housing projects in order to implement national housing projects.

(2)Funds for the special account for national housing projects under paragraph (1) shall be raised from the following financial resources: <Amended by Act No. 10522, Mar. 31, 2011>

1. Internally-generated capital;
- 2.Loans from the National Housing Fund under Article 60;
- 3.Government subsidies;
- 4.Loans from Nonghyup Bank;
- 5.Loans from foreign countries;
- 6.Proceeds from the sale of property belonging to the special account for national housing projects;
- 7.Principals repaid, interest earned and other earnings by the funds for the

special account for national housing projects;

8. Portions reverted to local governments among amounts to be borne for reconstruction under the Restitution of Excess Rebuilding Gains Act.

(3) Local governments shall file a report on the operational status of the special account for national housing projects with the Minister of Land, Infrastructure and Transport, as prescribed by Presidential Decree. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 74 Deleted. <by Act No. 7159, Jan. 29, 2004>

Article 75 (Occupants' Savings)

(1) Any person who intends to acquire an individual house under this Act may be obliged to deposit in advance all or some of the payments for a housing unit (hereinafter referred to as "occupants' savings").

(2) Occupants' savings referred to in paragraph (2) shall be as follows: <Amended by Act No. 10237, Apr. 5, 2010>

1. Subscription savings: Savings deposited to supply national housing, etc.;

2. Subscription deposit: Deposit made to be supplied with the private housing or privately-constructed, medium-sized national housing;

3. Installment savings for subscription: Installment savings deposited to be supplied with the private housing, the exclusive residential area of which does not exceed 85 square meters, or privately-constructed, medium-sized national housing;

4. Collective savings for subscription for house: Savings deposited to be supplied with national housing, etc. or private housing.

(3) Other necessary matters concerning the methods and amount of, and conditions for payment of occupants' savings shall be determined by Ordinance of the Ministry of Land, Infrastructure and Transport. <Newly Inserted by Act No. 10237, Apr. 5, 2010; Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

SECTION 5 Korea Housing Guarantee Company

Article 76 (Establishment of Korea Housing Guarantee Company)

(1) The Korea Housing Guarantee Company shall be established in order to protect a contractor parcelling out housing, to promote the construction of housing, and to contribute to elevating people's residential welfare, through providing various guarantees for housing construction.

(2) The Korea Housing Guarantee Company shall be incorporated upon registration, as stipulated by its articles of incorporation, at the place where its main office is located.

(3) Where the Korea Housing Guarantee Company intends to draft or amend its articles of incorporation, it shall obtain authorization therefor

from the Minister of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 77 (Businesses)

(1) The Korea Housing Guarantee Company shall carry on the business of the following subparagraphs, in order to achieve its objectives:

1. Business of providing guarantees for the parcelling-out and defect repairs of the housing built and supplied by project undertakers, and other guarantee businesses prescribed by Presidential Decree;
2. Business of constructing the housing and repairing its defects, etc. in order to implement the guarantees given under subparagraph 1;
3. Business entrusted by the State, local governments and public institutions, etc.;
4. Business of underwriting a trust of sites for housing construction under Article 40 (6);
5. Other business prescribed by Presidential Decree.

(2) Matters necessary to carry on the businesses under paragraph (1) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 78 (Capital and Investment)

(1) The capital of the Korea Housing Guarantee Company shall be at least 300 billion won.

(2) Stockholder's rights in stocks of the Korea Housing Guarantee Company which have been invested by the State shall be exercised by the Minister of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>

(3) The types of stocks to be issued by the Korea Housing Guarantee Company under paragraph (1), the amount per stock, and other necessary matters shall be prescribed by the articles of incorporation.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 79 Deleted. <by Act No. 9405, Feb. 3, 2009>

Article 80 (Relations with Other Acts)

(1) Articles 19 of the Act on the Improvement of Managerial Structure and Privatization of Public Enterprises shall apply to the restrictions on foreigner's owning of stocks, etc. of the Korea Housing Guarantee Company.

(2) The provisions concerning the stock company as referred to in the Act on the Management of Public Institutions and the Commercial Act shall apply mutatis mutandis to matters which are not prescribed in this Act.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

CHAPTER VII HOUSING TRANSACTION

Article 80-2 (Reports on Housing Transactions)

- (1) Any parties who have concluded a contract (limited to cases where there exist prices, and such cases shall be excluded as newly acquiring the housing built and supplied newly; hereinafter referred to as the "housing transaction contract") for transferring ownership in the housing (limited to the collective housing prescribed by Presidential Decree; hereinafter the same shall apply in this Chapter and Article 101-2) located within the areas in which the speculation in housing is prevalent or it is judged that there exist concerns over such speculation, and which are designated by the Minister of Land, Infrastructure and Transport after going through a deliberation of the Housing Policy Deliberative Committee (hereinafter referred to as "areas subject to reporting on housing transactions") shall jointly file with the head of a Si/Gun/Gu having jurisdiction over a location of the relevant housing a report on matters prescribed by Presidential Decree, such as values of the housing transactions, within 15 days from the concluding date of the housing transaction contract, and the same shall also apply when making any alterations in the reported matters: Provided, That any contract executed prior to designation of relevant area for reporting on housing transactions shall be governed by Article 3 of the Act on Special Measures for the Registration of Real Estate and Article 27 of the Business Affairs of Licensed Real Estate Agents and Report of Real Estate Transactions Act. <Amended by Act No. 10237, Apr. 5, 2010; Act No. 11690, Mar. 23, 2013>
- (2) Deleted. <by Act No. 10237, Apr. 5, 2010>
- (3) The head of a Si/Gun/Gu in receipt of a report under paragraph (1) or (2) shall promptly deliver a certificate of reporting to the reporting person after verifying contents of such report.
- (4) When the reporting person has obtained a delivery of a certificate of reporting referred to in paragraph (3), he/she shall be deemed to have obtained an inspection seal referred to in Article 3 (1) of the Act on Special Measures for the Registration of Real Estate.
- (5) Procedures for reporting under paragraph (1) and other necessary matters shall be stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>
- (6) Where there exists a request for revocation from the head of competent local government after a designation of the areas for reporting on housing transactions, or where it is admitted that a ground for the designation ceases to exist, such as the housing price is stabilized, the

Minister of Land, Infrastructure and Transport shall revoke a designation of the areas for reporting on housing transactions, after undergoing deliberation of the Housing Policy Deliberative Committee. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 80-3 (Investigation, etc. into Details of Reports)

(1) Where matters to be reported under Article 80-2 (1) are omitted or judged to be incorrect, the head of a Si/Gun/Gu may take necessary measures, such as ordering the reporting person to supplement the details of reports, or having the public officials under his/her jurisdiction order the reporting person to submit the related data, such as a contract and evidence of payment of transaction amounts prescribed by Presidential Decree, in order to verify whether the reported matters are true. <Amended by Act No. 11061, Sep. 16, 2011>

(2) The head of a Si/Gun/Gu shall notify the head of a tax office having jurisdiction over the location of the relevant housing of matters to be reported under paragraph (1) within 15 days from the date of delivering the certificate for completion of a report, and the head of a tax office in receipt of the said report may utilize the relevant reported matters as the taxable data for imposing the national taxes or local taxes.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

CHAPTER VIII ASSOCIATION

Article 81 (Establishment, etc. of Associations)

(1) In order to ensure the promotion of the specialization of housing construction projects and housing site preparation projects, and of the sound development of the housing industry, the registered business operators may establish a housing builders' organization.

(2) In order to research technology, administration and legal issues concerning the housing management, and to efficiently perform the said affairs, the housing managers, etc. may establish a housing managers' organization.

(3) Housing rental management operators may establish a housing rental management operators' association for efficiently performing the affairs related to housing rental management business. <Amended by Act No. 12022, Aug. 6, 2013>

(4) Each organization established under paragraphs (1) through (3) (hereinafter referred to as "association") shall be a corporation. <Newly Inserted by Act No. 12022, Aug. 6, 2013>

(5) An association shall be incorporated upon registration at the seat of its

main office. <Amended by Act No. 12022, Aug. 6, 2013>

- (6) Rights and duties of any member of an association, who has been subjected to a disposition of suspension of his/her business and qualifications by the Minister of Land, Infrastructure and Transport, the Mayor/Do Governor, or the mayor of a large city pursuant to this Act, shall be suspended during the period of suspension of his/her business and qualifications; when the registration of a registered business operator and the qualifications of a housing manager, etc. are revoked, their qualifications as members of the association shall be lost. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 11871, Jun. 4, 2013; Act No. 12022, Aug. 6, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 81-2 (Mutual-Aid Project)

- (1) An association referred to in Article 81 (2) may operate a mutual-aid project necessary to guarantee the liability of the heads of management offices for compensation of damage pursuant to Article 55-2.
- (2) Where an association seeks to operate a mutual-aid project pursuant to paragraph (1), it shall formulate mutual-aid regulations and obtain approval therefor from the Minister of Land, Infrastructure and Transport. The same shall also apply in cases where it is intended to alter such mutual-aid regulations. <Amended by Act No. 11690, Mar. 23, 2013>
- (3) The mutual-aid regulations referred to in paragraph (2) shall include necessary matters regarding the operation of a mutual-aid project, such as the scope of the mutual-aid project, contents of a mutual-aid contract, mutual-aid amount, mutual-aid fees, accounting standards, ratio for accumulation of liability reserve, etc. as prescribed by Presidential Decree.
- (4) An association shall manage an account for a mutual-aid project separately from other accounts and shall, if it seeks to use the liability reserve for any other purpose, obtain approval therefor from the Minister of Land, Infrastructure and Transport. <Amended by Act No. 11690, Mar. 23, 2013>
- (5) An association shall inform the mutual-aid contractors of the results of operation of a mutual-aid project for the relevant year through daily newspapers, the association bulletin, etc., as prescribed by Presidential Decree.
- (6) Where it is deemed that the sound management of a mutual-aid project is likely to be undermined for the association's failure to comply with this Act or the mutual-aid regulations, the Minister of Land, Infrastructure and Transport shall order the association to comply therewith. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12115, Dec. 24, 2013>
- (7) The Governor of the Financial Supervisory Service established under

the Act on the Establishment, etc. of Financial Services Commission may, at the request of the Minister of Land, Infrastructure and Transport, inspect the mutual-aid projects of an association. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 82 (Authorization, etc. for Establishment of Association)

(1) In order to establish an association, articles of association shall be formulated by having, as promoters, the number of persons classified as follows, and authorization from the Minister of Land, Infrastructure and Transport shall be obtained after a resolution is passed by the inaugural general meeting. The same shall also apply where a housing builders' organization seeks to alter its articles of association: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12022, Aug. 6, 2013>

1. Housing builders' organization: At least 50 persons qualifying for members;

2. Housing managers' organization: At least 1/5 of persons assigned as the heads of management offices of collective housings;

3. Housing rental management operators' organization: At least 10 housing rental management operators.

(2) Where the Minister of Land, Infrastructure and Transport has granted authorization under paragraph (1), he/she shall promptly publish it. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 83 (Application Mutatis Mutandis of Provisions of Civil Act)

Except as provided for in this Act, the provisions concerning an incorporated association as referred to in the Civil Act shall apply mutatis mutandis to the association.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

CHAPTER IX HOUSING POLICY DELIBERATIVE COMMITTEE

Article 84 (Establishment, etc. of Housing Policy Deliberative Committee)

(1) The Housing Policy Deliberative Committee shall be established within the Ministry of Land, Infrastructure and Transport in order to deliberate on the following matters concerning housing policies: <Amended by Act No. 9865, Dec. 29, 2009; Act No. 10764, May 30, 2011; Act No. 11690, Mar. 23, 2013>

1. Formulation and alteration of the minimum residential standards;

2. Formulation and alteration of the comprehensive housing plan;

3. Designation, alteration or revocation of an area for housing site development under the Housing Site Development Promotion Act (limited to where the designating authority is the Minister of Land, Infrastructure and Transport, and including where the approval from the Minister of Land, Infrastructure and Transport is required under Article 3 (2) of the Housing Site Development Promotion Act;
 4. Designation or revocation of overheated speculation districts or areas for reporting on housing transactions;
 5. Other important policies for construction, supply and trade of houses, in cases referred by the Minister of Land, Infrastructure and Transport to a deliberation.
- (2) Organization and operation of the Housing Policy Deliberative Committee and other necessary matters shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 85 (City/Do Housing Policy Deliberative Committee)

- (1) The City/Do Housing Policy Deliberative Committee shall be established within the City/Do in order to deliberate on matters for City/Do comprehensive housing plans, and the designation, alteration or revocation of an area for housing site development under the Housing Site Development Promotion Act (limited to cases where the designating authority is the Mayor/Do Governor, but excluding where approval from the Minister of Land, Infrastructure and Transport is required under Article 3 (2) of the same Act), etc. <Amended by Act No. 9865, Dec. 29, 2009; Act No. 10764, May 30, 2011; Act No. 11690, Mar. 23, 2013>
- (2) Organization and operation of the City/Do Housing Policy Deliberative Committee and other necessary matters, shall be stipulated by Municipal Ordinance of the City/Do, as prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

CHAPTER X SUPPLEMENTARY PROVISIONS

Article 86 (Comprehensive Management of Data on Housing Policy)

- (1) The Minister of Land, Infrastructure and Transport or the Mayor/Do Governor may comprehensively manage the information relating to the housing prescribed in this Act, such as the construction, supply and management of housing (including the quasi-housing; hereinafter the same shall apply in this Article), and the raising of funds, trends in housing price, etc. related therewith, in order to

formulate and implement the pertinent housing policies; and he/she may provide it to the related agencies or organizations, etc. <Amended by Act No. 10237, Apr. 5, 2010; Act No. 11690, Mar. 23, 2013>

- (2) The Minister of Land, Infrastructure and Transport or the Mayor/Do Governor may request the related agencies, organizations, etc. to furnish the data on matters necessary for the comprehensive management of information concerning the housing under paragraph (1). In such cases, the related administrative agencies, etc. shall comply with it except in extenuating circumstances. <Amended by Act No. 11690, Mar. 23, 2013>
- (3) A project undertaker and a managing body may, in his/her construction, supply or management of the housing, and pursuant to this Act and orders issued thereunder, request the related agencies, organizations, etc. to furnish the data on, or verify, the matters prescribed by Presidential Decree, such as verification as to whether the occupant owns the housing, and occupant's qualifications.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 87 (Delegation or Entrustment of Authority)

- (1) The Minister of Land, Infrastructure and Transport may partially delegate his/her authority vested under this Act to the Mayor/Do Governor or the head of an agency affiliated with the Ministry of Land, Infrastructure and Transport, as prescribed by Presidential Decree. <Amended by Act No. 11690, Mar. 23, 2013>
- (2) The Minister of Land, Infrastructure and Transport or the head of a local government may, as prescribed by Presidential Decree, entrust any of his/her authority bestowed under this Act, to persons recognized by the said Minister or the said head from among corporations established to foster the housing industry, of specialization of the housing management, the safety control of installations, and of inspecting the qualifications, etc., or the Fund trustees: <Amended by Act No. 10237, Apr. 5, 2010; Act No. 11061, Sep. 16, 2011; Act No. 11690, Mar. 23, 2013; Act No. 11871, Jun. 4, 2013; Act No. 12115, Dec. 24, 2013>
1. Survey of residential circumstances under Article 5;
 2. Registration of the housing construction business, etc. under Article 9;
 3. Acceptance of the actual records of business, etc. under Article 15;
 - 3- Operational education for councils of occupants' representatives
 2. under Article 43-2;
 - 3-
 3. Safety control of small collective housing under Article 43-3;
 4. Education on the coordination of long-term repair plans under Article 47;
 5. Education on the safety of facilities under Article 49;

- 5- Receipt of reports on the details of the dispositions by the head of a management office and his/her official seal under Article 55 (5);
6. Administering an examination for assistant housing managers' qualification under Article 56 (1);
7. Education for housing management operators and the head of a management office under Article 58;
8. Comprehensive management of the data on housing policies under Article 86.

(3) The Minister of Land, Infrastructure and Transport may entrust the Minister of Health and Welfare or the heads of local governments with processing requests for the provision of information from the heads of related agencies under Article 38-7 (1) and (2). <Newly Inserted by Act No. 11871, Jun. 4, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 88 (Prohibition of Lending, etc. of Registration Certificate)

The registered business operators, housing management operators and housing managers, etc. shall be prohibited from letting other persons carry on or perform the projects or duties prescribed in this Act, or lending their registration certificates or qualification certificates.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 89 (Compulsory Collection of Delinquent Parcelling-out Prices, etc.)

- (1) When there exists any delinquency in payment of the parcelling-out price, lease guaranty money and rent of the national housing constructed by such project undertakers as the State or local governments, the State or local governments may make a compulsory collection of them by referring to the precedents of dispositions on default of national taxes or local taxes: Provided, That the State or local governments may choose not to make a compulsory collection in cases where the occupants have defaulted on the parcelling-out price, lease guaranty money and rents, due to their long illness and other inevitable reasons.
- (2) When there exists any delinquency in payment of the parcelling-out price, lease guaranty money and rent of the national housing constructed by the Korea Land and Housing Corporation or a local public corporation, it may entrust the head of a Si/Gun/Gu having jurisdiction over the location of housing with the collection of them. <Amended by Act No. 10237, Apr. 5, 2010>
- (3) The head of a Si/Gun/Gu entrusted with collections under paragraph (2) shall collect them by referring to the precedents of dispositions on default of local taxes. In such cases, the Korea Land and Housing Corporation or a local public corporation shall pay the amount

corresponding to 2/100 of the amounts collected by the head of a Si/Gun/Gu to the relevant Si/Gun/Gu, as the fees for such entrustment. <Amended by Act No. 10237, Apr. 5, 2010>

(4) Paragraph (1) shall apply mutatis mutandis to the collection of the long-term repair appropriations and the management expenses in cases where the managing body is the State or a local government.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 89-2 (Monetary Rewards for Denouncing Resale of Ownership, etc.)

The Mayor/Do Governor may grant monetary rewards, as prescribed by Presidential Decree, to persons who have denounced those who have resold the ownership, etc. or assisted in reselling it in violation of Article 41-2 to the competent administrative offices. <Amended by Act No. 11061, Sep. 16, 2011>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 90 (Reports, Inspections, etc.)

(1) When the Minister of Land, Infrastructure and Transport or the head of a local government deems it necessary, he/she may have the persons subject to obtaining authorization, approval or registration under this Act file the necessary reports, or may have the related public officials gain access to the place of business and conduct necessary inspections. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Where conducting an inspection under paragraph (1), the plans for inspections on the date, grounds and details, etc. of inspections shall be notified to the persons subject to inspections by no later than seven days before inspections: Provided, That the same shall not apply in cases of urgency or where admitting that the purposes of inspections may not be achieved due to destruction of evidences when a prior notification is made.

(3) A public official who conducts the inspections prescribed in paragraph (1) shall carry an identification card indicating his/her authority, and present it to the interested parties.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 91 (Guidance and Supervision of Project Undertakers, etc.)

Where project undertakers, occupants, users, managing body, council of occupants' representatives or the members thereof, or remodelling housing association of collective housing violate this Act or any order or dispositions issued under this Act, the Minister of Land, Infrastructure and Transport or the head of the relevant local government may order suspension of the works, reinstatement and other necessary measures. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12115, Dec. 24, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 92 (Guidance to and Supervision of Associations, etc.)

- (1) The Minister of Land, Infrastructure and Transport shall guide and supervise the associations. <Amended by Act No. 11690, Mar. 23, 2013>
- (2) Of the duties of the Korea Housing Guarantee Company, the Minister of Land, Infrastructure and Transport shall direct and supervise the following matters, and when deemed necessary, may direct public officials under his/her jurisdiction to inspect property status, etc. of the said Company: <Amended by Act No. 11690, Mar. 23, 2013>
1. Matters related to establishment and control of mid- and long-term management goal;
 2. Matters related to budget, accounting and project plan for each year;
 3. Matters related to guarantee, investment and lending;
 4. Matters related to controlling the scope of projects;
 5. Matters related to the duties assigned to the Company pursuant to related statutes and decrees or government policy;
 6. Other matters necessary for achieving the objectives of incorporating the Company.
- (3) Notwithstanding paragraph (2), inspections required for maintaining the soundness of management of the Korea Housing Guarantee Company may be conducted by the Financial Services Commission as prescribed by Presidential Decree. In such cases, the Financial Services Commission shall promptly notify the Minister of Land, Infrastructure and Transport of the findings of such inspections. <Amended by Act No. 11690, Mar. 23, 2013>
- (4) When the Korea Housing Guarantee Company is found to have committed any illegal or unlawful act in the course of inspections under paragraph (3), the Financial Services Commission may request the Minister of Land, Infrastructure and Transport to rectify such act. <Amended by Act No. 11690, Mar. 23, 2013>
- (5) In order to effectively operate and manage the National Housing Fund and to maintain the soundness of the National Housing Fund, the Minister of Land, Infrastructure and Transport, if necessary, may have officials of the Ministry conduct an on-site investigation of a Fund trustee or may order submission of the materials relating to loan claims or make other orders necessary for supervision. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 93 (Hearings)

Where the Minister of Land, Infrastructure and Transport or the head of a local government intends to issue any of the following dispositions, he/she shall hold a hearing: <Amended by Act No. 11061, Sep. 16, 2011; Act No.

11243, Jan. 26, 2012; Act No. 11690, Mar. 23, 2013; ; Act No. 11871, Jun. 4, 2013>

1. Deregistration of housing construction projects, etc. under Article 13 (1);
2. Cancellation of approval for project plans under Article 16 (12);
3. Cancellation of authorization for the establishment of a housing association under Article 34 (2);
4. Cancellation of a permit for acts committed under Article 42 (9);
5. Deregistration of housing management business under Article 54 (1);
6. Cancellation of the qualifications for housing managers, etc. under Article 57 (1).

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

CHAPTER XI PENAL PROVISIONS

Article 94 (Penal Provisions)

- (1) Any designer, work executor, supervisor, professional structural engineer, or project undertaker who has caused dangers to the public by means of causing serious defects to the portions of proof-stress structures of collective housing under Article 46 (3) within the period of defect repair liability, by conducting the design, work execution or supervision in violation of Article 22, 24, 24-3 or 42-5 shall be punished by imprisonment with prison labor for not more than ten years. <Amended by Act No. 12115, Dec. 24, 2013>
- (2) Any person who has caused death or injury to any third person in the course of committing a crime under paragraph (1), shall be punished by imprisonment with prison labor for life or for at least three years.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 95 (Penal Provisions)

- (1) Any person who has committed a crime under Article 94 (1) due to malpractice shall be punished by imprisonment with or without prison labor for not more than five years, or by a fine not exceeding 50 million won.
- (2) Any person who has committed a crime under Article 94 (2) due to malpractice shall be punished by imprisonment with or without prison labor for not more than ten years, or by a fine not exceeding 100 million won.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 95-2 (Penal Provisions)

Any person who violates Article 38-7 (5) or 62-2 (3) shall be punished by imprisonment with prison labor for not more than five years, or by a fine not exceeding 30 million won. <Amended by Act No. 12646, May 21, 2014>

[This Article Newly Inserted by Act No. 11871, Jun. 4, 2013]

Article 96 (Penal Provisions)

Any of the following persons shall be punished by imprisonment with prison labor for not more than three years, or a fine not exceeding 30 million won: <Amended by Act No. 11061, Sep. 16, 2011>

1. A person who violates Article 39 (1);
2. A person who resells or assists in reselling the status of one who is selected as an occupant of the house or the houses, in violation of Article 41-2 (1);
3. A person who selects or is selected as a work executor before obtaining authorization for establishment of a remodelling housing association or the consent of all owners by a council of occupants' representatives, in violation of Article 42 (4);
4. A person who selects or is selected as a work executor not by means of a competitive bidding, in violation of Article 42 (5).

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 97 (Penal Provisions)

Any of the following persons shall be punished by imprisonment with prison labor for not more than two years, or by a fine not exceeding 20 million won: Provided, That a person falling under subparagraph 2, 7 or 13-2, who has unlawfully gained profits through unjust enrichment, the half of which exceeds 20 million won, shall be punished by imprisonment with prison labor for not more than two years, or by a fine not exceeding the two-fold amount of the said profits: <Amended by Act No. 11061, Sep. 16, 2011; Act No. 11243, Jan. 26, 2012; Act No. 11871, Jun. 4, 2013; Act No. 12022, Aug. 6, 2013; Act No. 12115, Dec. 24, 2013>

1. A person who conducts the business under Article 9, without filing for registration under the same Article, or filing for registration by false or other unlawful means;
2. A person who implements a project without obtaining approval for a project plan or approval for its alteration under Article 16 (1), (3) or (5);
3. A person who implements or has any third person implement a housing construction work, in violation of Article 20 (1) or (2);
4. A person who implements a project, in violation of any housing construction standard, etc. under Article 21;
- 4- A person who fails to indicate collective housing performance ratings in violation of Article 21-2, or indicates them falsely;
5. A person who fails to install ventilation facilities required under Article 21-3;
6. A person who caused any third party to use the housing or site, or uses it personally, in violation of Article 29 (4) (including cases applied mutatis mutandis under Article 42 (8));
7. A person who is not a member of a housing association established under Article 32 (excluding a remodelling housing association), but helps a third party to join a housing association, and receives money or goods under the pretext of fees and others besides the housing price;
8. A person who selects constituent members of a district association, in

- violation of the proviso to Article 32 (5);
9. A person who builds or supplies the housing, in violation of Article 38 (1);
 10. A person who supplies the housing, in violation of Article 38-2 (1) or (4);
 11. A person who constructs or supplies buildings, in violation of Article 38 (3);
 12. A person who constructs or fails to dismantle a model house, in violation of Article 38-3 (1) or (3);
 13. A person who commits any offence falling under any subparagraph of Article 40 (1), in violation of the said paragraph;
 - 13- A person who wrongfully acquires or offers property or proprietary interests, in violation of Article 43-4 (1);
 14. A person who conducts a housing management business without filing for registration under Article 53 (1), or who is registered by false or other unlawful means;
 - 14- A person who conducts an unregistered housing management business in breach of Article 53-2 or a person who is registered by false or other unjust manner;
 15. A person who violates measures under Article 70 (3).

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 97-2 (Penal Provisions)

A person who has conducted any unfair examination intentionally in violation of Article 38-4 (4) shall be punished by imprisonment with prison labor for not more than two years or by a fine not exceeding ten million won.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 98 (Penal Provisions)

Any of the following persons shall be punished by imprisonment with prison labor for not more than one year, or by a fine not exceeding ten million won: <Amended by Act No. 11871, Jun. 4, 2013; Act No. 12022, Aug. 6, 2013; Act No. 12115, Dec. 24, 2013>

1. A person who has conducted a business during a period of business suspension or of suspension of qualifications under Article 13 or 57;
2. A person who has caused damage to a project undertaker or occupant, by designing or executing the works in violation of Article 22 intentionally or by negligence;
3. A person who has caused damage to a project undertaker or occupant, by executing the illegal housing construction works through a negligence of supervisory duties under Article 24 (2) by intention or negligence;
4. A work executor or a project undertaker who has continued to execute housing construction works even after receiving a notice of rectification, in violation of Article 24 (5);
- 4- A person who has incurred damage to a project undertaker, occupant or

2. user by violating any of the provisions on cooperation with a professional structural engineer under Article 24-3 (1), standards for safety testing under Article 42-3 (5), examination standards under Article 42-4 (3) or structural standards under Article 42-5;
5. A person who fails to undergo an audit, in violation of Article 34 (3);
6. A person who violates Article 42 (2) and (3) (excluding the persons who committed an act subject to reporting without reporting it, from among the acts falling under each subparagraph of Article 42 (2));
7. Deleted; <by Act No. 12115, Dec. 24, 2013>
- 7- A person who engages in business during the period of business suspension under Article 53-3 or a person who has engaged in business after deregistration of his/her housing rental management business;
2. suspension under Article 53-3 or a person who has engaged in business after deregistration of his/her housing rental management business;
8. A person who has operated a business during the period of business suspension under Article 54, or a person who has operated a business after deregistration of housing management business;
9. A person who has not acquired any qualifications for a housing manager, etc. under Article 56, but has performed the duties of the head of housing management office, or has allowed others who do not have relevant qualifications to perform such duties;
10. A person who has refused, obstructed or avoided investigations, inspections, or audit under Article 59 (1), (3) or (4) or 90 (1);
11. A person who has lent his/her registration certificate, etc. in violation of Article 88;
12. A person who has violated an order to suspend his/her works, etc. which was issued under Article 91.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 99 (Penal Provisions)

A person falling under any of the following subparagraphs shall be punished by a fine not exceeding 10 million won:

1. A person who has performed a managing act without being equipped with the technical human resources or equipment under Article 43 (4);
2. A person who has failed to post housing managers, etc. in violation of Article 55 (1).

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 100 (Joint Penal Provisions)

- (1) If the representative of a corporation, or an agent, an employee or any other employed person of a corporation or an individual has committed an act in violation of Article 94 in connection with affairs of the said corporation or individual, not only shall the offender be punished accordingly, but the corporation or the individual shall be punished by a fine not exceeding one billion won: Provided, that the same shall not apply in cases where the said corporation or individual has been diligent with substantial

attention and supervision concerning the relevant affairs in order to prevent such violations.

- (2) If the representative of a corporation, or an agent, an employee or any other employed person of a corporation or an individual has committed an act in violation of Articles 95 through 98 in connection with affairs of the said corporation or individual, not only shall the offender be punished accordingly, but the corporation or individual shall be punished by a fine prescribed in the corresponding Articles: Provided, that the same shall not apply in cases where the said corporation or individual has been diligent with substantial attention and supervision concerning the relevant affairs in order to prevent such violations.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 101 (Fines for Negligence)

- (1) Any of the following persons shall be punished by a fine for negligence not exceeding 20 million won: <Amended by Act No. 11871, Jun. 4, 2013>
1. A person who uses security deposit for repairing defects for purposes other than those prescribed in this Act, in violation of Article 46 (7);
 2. A person who fails to submit the evidence of payment of transaction amounts that a reporting person is requested to submit under Article 80-3, or submits false evidence.
- (2) Any of the following persons shall be punished by a fine for negligence not exceeding 10 million won: <Amended by Act No. 11061, Sep. 16, 2011; Act No. 11871, Jun. 4, 2013; Act No. 12115, Dec. 24, 2013; Act No. 12646, May 21, 2014>
1. A person who fails to obtain cooperation from a professional structural engineer, in violation of Article 24-3 (1);
 2. A person who fails to transfer the management affairs of a collective housing, in violation of Article 43 (6);
 3. A person who uses long-term repair appropriations for any purpose other than those prescribed in this Act, in violation of Article 43-4 (2);
 4. A person who fails to undergo an audit or undergoes it in an illegal manner, in violation of Article 45-3 (1) or (2);
 5. A person who commits an act falling under any of the subparagraphs of Article 45-3 (5), in violation of the same paragraph of the same Article;
 - 5- A person who fails to repair defect in a proof-stress structure or facility determined to be defective under Article 46-2 (2) 1;
 6. A person representing a council of occupants' representatives who fails to replace or repair major facilities in accordance with a formulated or coordinated long-term repair plan, in violation of Article 47 (2);
 7. A person who fails to comply with an order to report or submit data under Article 59 (1).
- (3) Any of the following persons shall be punished by a fine for negligence not exceeding five million won: <Amended by Act No. 10237, Apr. 5,

2010; Act No. 11061, Sep. 16, 2011; Act No. 11243, Jan. 26, 2012; Act No. 11590, Dec. 18, 2012; Act No. 11871, Jun. 4, 2013; Act No. 12022, Aug. 6, 2013; Act No. 12115, Dec. 24, 2013>

1. A person who fails to report under Article 16 (10);
2. A supervisor who fails to file a report under Article 24 (3), or files a false report;
3. A person who acquires a house in violation of Article 38 (2);
4. A person who manages a collective housing in violation of Article 42 (1);
5. A person who does an act falling under any subparagraph of Article 42 (2) without filing a report;
6. A person who fails to report on the establishment of a council of occupants' representatives under Article 43 (3);
7. A person who fails to establish an autonomous management organization under Article 43 (4);
- 7- A person who selects a housing management operator or business operator, in violation of Article 43 (7) or 45 (5);
8. A person who fails to make a disclosure under Article 45 (4);
- 8- A person who fails to report or disclose the findings of an audit, in violation of Article 45-3 (3), or falsely reports or disclose it;
- 8- A person who fails to prepare or keep books, in violation of Article 45-3. 4 (1), or a person who fails to respond to a request under Article 45-4 (2) or provides a false response thereto;
- 8- A person who fails to disclose a contract, in violation of Article 45-5, or 4. falsely discloses it;
- 8- A person who fails to file a report under Article 46 (7) or files a false 5. report;
9. Deleted; <by Act No. 12646, May 21, 2014>
- 9- A person who fails to submit a written response to an application for 2. mediation, etc. under Article 46-5 (2);
- 9- A person who fails to participate in mediation, etc. under Article 46-3. 5 (3);
10. A person who fails to formulate or review a long-term repair plan, in violation of Article 47, or a person who fails to record and keep the matters reviewed relating to the long-term repair plan;
11. A person who fails to formulate and implement a safety control plan under Article 49, or to receive education;
12. A person who fails to accumulate the long-term repair appropriations under Article 51;
13. A person who fails to report on an alteration in the registered items for a housing management business under Article 53 (1);
- 13- A person who fails to report on modification of registered matters of 2. housing rental management business, in violation of Article 53-2;
- 13- A person who fails to purchase guarantee instruments under Article 53-3. 4;
14. A person who fails to report under Article 55 (5);

- 14- A person who fails to submit a document attesting the fact of having
2. purchased a guarantee insurance, etc. under Article 55-2 (3);
- 15.A person who fails to receive education under Article 58;
- 16.Deleted; <by Act No. 12115, Dec. 24, 2013>
- 17.A person who fails or neglects to file a report prescribed in Article 80-
2 (including those who refuse to file a joint report);
- 18.A person who fails to submit data other than the evidence of payment of
transaction amounts, which a reporting person is requested to submit
under Article 80-3, or submits false data;
- 19.A person who violates an order for reports or inspections issued
under Article 90 (1).
- (4)Fines for negligence imposed under paragraphs (1) through (3) shall be
imposed by the Minister of Land, Infrastructure and Transport or the
head of a local government, as prescribed by Presidential
Decree. <Amended by Act No. 11061, Sep. 16, 2011; Act No. 11690,
Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 101-2 (Fines for Negligence)

- (1) A person who files a report prescribed in Article 80-2 in a
fraudulent manner shall be punished by a fine for
negligence in the amount equivalent to not more than five
times the acquisition tax on the relevant housing (where the
acquisition tax is free, exempted or mitigated, it refers to
the amount equivalent to the acquisition tax amount to be
paid in cases inapplicable to any tax-free, exemption or
mitigation): <Amended by Act No. 11061, Sep. 16, 2011>
- (2)Fines for negligence under paragraph (1) shall be imposed by the head
of a Si/Gun/Gu, as prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

Article 102 (Legal Fiction as Public Officials in Application of Penal Provisions)

A person who falls under any of the following subparagraphs shall be deemed a public official in the application of Articles 129 through 132 of the Criminal Act: <Amended by Act No. 10237, Apr. 5, 2010>

- 1.A person who performs supervisory duties under Article 24;
- 2.A person who is not a public official from among the members of the
Parcelling-Out Price Examination Committee under Article 38-4;
- 3.A person who is not a public official from among the members of the
Defect Examination and Dispute Mediation Committee under Article 46-
3;
- 4.A person who conducts defect diagnoses under Article 46-7 (1).

[This Article Wholly Amended by Act No. 9405, Feb. 3, 2009]

ADDENDA

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amendments to Articles 7, 17 (1) 5 and 9, 79, 80 of this Act, and Article 5 of the Addenda shall enter into force on the date of its promulgation.

Article 2 (General Transitional Measures)

Any dispositions, procedures and other acts taken under the previous provisions at the time of enforcement of this Act, shall be deemed to have been taken under this Act insofar as they are not contrary to the provisions of this Act.

Article 3 (Transitional Measures concerning Penal Provisions, etc.)

The previous provisions shall govern any application of penal provisions and fine for negligence to the acts committed prior to the enforcement of this Act.

Article 4 (Transitional Measures for Formulation of Comprehensive Housing Plan)

Any comprehensive housing plans established under the previous provisions at the time of enforcement of this Act shall be deemed to be the comprehensive housing plans by years established under Article 7.

Article 5 (Transitional Measures for Portions of Application for Approval

of Project Plan)

Where any application for approval of housing construction project plan has been filed under Article 33 (1) of the previous Housing Construction Promotion Act prior to January 1, 2003, the Housing Construction Promotion Act at the time of such application shall be applied.

Article 6 (Transitional Measures Following Undertaking of Works)

Where any works have not been undertaken after obtaining an approval of project plan under the previous provisions at the time of enforcement of this Act, the enforcement date of this Act shall, in applying the provisions of Article 16 (5) and (6), be deemed to be the date of granting an approval of project plan.

Article 7 (Transitional Measures Following Alterations in Standards for Registrations or Permits, etc.)

Where any application is filed for the registrations or permits, etc. at the time of enforcement of this Act (including the authorization or permit, etc. for which a legal fiction is made for the registration or permit, etc.; hereinafter in this Article, the same shall apply), and where any projects, etc. are implemented after obtaining the registration or permit, etc., the previous provisions shall govern the relevant registration or permit, etc.

Article 8 (Transitional Measures Following Report on Constitution of Council of Occupants' Representatives)

Where any report on the constitution of the council of occupants' representatives has not been filed at the time of enforcement of this Act, the report on a constitution of the council of occupants' representatives

under Article 43 (3) shall be filed within 3 months from the enforcement date of this Act.

Article 9 (Transitional Measures Following Discontinuance of Development Project of Apartment Zone)

The previous provisions shall govern any development of the apartment zone designated under the Urban Planning Act at the time of enforcement of this Act.

Article 10 (Transitional Measures for Formulation of Long-Term Repair Plan)

In a case of the collective housing for which a long-term repair plan has not been formulated at the time of enforcement of this Act, the managing body of the relevant collective housing shall formulate it within 3 months from the enforcement date of this Act, notwithstanding the provisions of Article 47.

Article 11 (Transitional Measures for Korea Housing Guarantee Company)

(1)Term of office for the auditor of the Korea Housing Guarantee Company at the time of promulgation of this Act shall be deemed to have been expired at the time when the audit committee has been constituted.

(2)The president and directors of the Korea Housing Guarantee Company at the time of enforcement of this Act shall be deemed to be the president and directors under this Act.

Article 12 Omitted.

Article 13 (Relations with Other Acts)

(1)In case where the previous Housing Construction Promotion Act and its provisions are quoted in other Acts at the time of enforcement of this Act, if there exist any corresponding provisions in this Act, this Act or the corresponding provisions in this Act shall be deemed to have been quoted in lieu of the previous provisions.

(2)In case where the previous comprehensive housing construction plan or the special repair appropriations are quoted in other Acts at the time of enforcement of this Act, the comprehensive housing plan or the long-term repair appropriations under this Act shall be deemed to have been quoted.

ADDENDUM <Act No. 6943, Jul. 25, 2003>

This Act shall enter into force on November 30, 2003.

ADDENDA <Act No. 7030, Dec. 31, 2003>

Article 1 (Enforcement Date)

This Act shall enter into force on March 1, 2004. (Proviso Omitted.)

Articles 2 through 12 Omitted.

ADDENDA <Act No. 7156, Jan. 29, 2004>

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

(2)(Application Example concerning Supply in Case Where Other Facilities Than Housing as well as Housing are Built in Form of Same

Building) The amended provisions of Article 38 shall apply from the portion of filing an application for an approval of the announcement of occupant recruitment with the head of Si/Gun/Gu of relevant area first after the enforcement of this Act: Provided, That in case where an application has been filed for an approval of the announcement of occupant recruitment before the enforcement of this Act, the position of being selected as the occupant of housing may be resold limited to only one occasion.

- (3)(Application Example concerning Report on Housing Transaction Contract) The amended provisions of Chapter VII shall apply from the portion of concluding the contract for transferring the ownership of housing located within the areas for reporting on housing transactions after the enforcement of this Act.

ADDENDA <Act No. 7159, Jan. 29, 2004>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Act No. 7244, Oct. 22, 2004>

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. 7334, Jan. 8, 2005>

- (1)(Enforcement Date) This Act shall enter into force two months after the date of its promulgation: Provided, That the amended provisions of Articles 21-2 and 21-3 shall enter into force one year after the date of its promulgation.

- (2)(Application Example concerning Publication of Claim for Sale, Housing Supervision, Upper Limit System for Selling Prices and Selling Prices, etc.) The amended provisions of Articles 16, 18-2, 24 and 38-2 shall apply, starting with the portion of the project plan for which an application is first filed for approval.

- (3)(Application Example concerning Restrictions on Act of Reselling Housing Subject to Application of Upper Limit System for Selling Prices) The amended provisions of Article 41-2 (1) 2 shall apply, starting with the portion for which an application is first filed for approval for publishing the recruitment of occupants of the housing.

- (4)Omitted.

ADDENDA <Act No. 7335, Jan. 14, 2005>

Article 1 (Enforcement Date)

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

Articles 2 through 12 Omitted.

ADDENDA <Act No. 7428, Mar. 31, 2005>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Act No. 7520, May 26, 2005>

- (1)(Enforcement Date) This Act shall enter into force on the date of its promulgation.
- (2)(General Transitional Measures) Any dispositions, procedures and other acts taken under the previous provisions at the time this Act enters into force shall be deemed to have been taken under the provisions of this Act.
- (3)(Transitional Measures for Security Responsibility and Repair of Defects) The security responsibility and defect repairs for the collective housing which have obtained the use inspection under Article 29 of the Housing Act or the use approval under Article 18 of the Building Act prior to this Act entering into force shall be governed by the former provisions, notwithstanding the amended provisions of Article 46. <Amended by Act No. 10237, Apr. 5, 2010>

ADDENDA <Act No. 7600, Jul. 13, 2005>

- (1)(Enforcement Date) This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of subparagraph 13 of Article 2 and Articles 24 (1) and 42 (2) shall take effect two months after the date of its promulgation.
- (2)(Application Example concerning Approval for Project Plan and Installation of Arterial Facilities) The amended provisions of Articles 16 (5) and 23 (1) and (4) shall apply to any application for the approval of a project plan which is filed on or after the enforcement date of this Act.
- (3)(Application Example concerning Supervision of Remodelling, Permit for Acts, etc.) The amended provisions of subparagraph 13 of Article 2 and Articles 24 (1) and 42 (2) shall apply to any application for remodelling permit which is filed on or after the enforcement date of this Act.

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

Article 1 (Enforcement Date)

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

Articles 2 through 12 Omitted.

ADDENDA <Act No. 7757, Dec. 23, 2005>

- (1)(Enforcement Date) This Act shall enter into force two months after the date of its promulgation: Provided, That the amended provisions of Article 41-3 shall enter into force on the date of its promulgation, and the amended provisions of Article 58 shall enter into force one year after the date of its promulgation.
- (2)(Application Example concerning Restrictions on Selling Prices) The amended provisions of Article 38-2 shall apply to the portion of application for an approval of business plans filed on or after the enforcement of this Act.
- (3)(Application Example concerning Restrictions on Acts of Resale) The

amended provisions of Article 41-2 (1) shall apply to the portion of application for an approval of public announcement of recruitment of occupants filed on or after the enforcement of this Act.

(4)(Application Example concerning Appointment of Head, etc. of Management Office) The amended provisions of Article 55 shall apply to the head of management office appointed on or after the enforcement of this Act.

ADDENDA <Act No. 7834, Dec. 30, 2005>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Act No. 7837, Dec. 31, 2005>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2006. (Proviso Omitted.)

Articles 2 through 22 Omitted.

ADDENDA <Act No. 7959, May 24, 2006>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 11 Omitted.

ADDENDA <Act No. 8050, Oct. 4, 2006>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2007. (Proviso Omitted.)

Articles 2 through 12 Omitted.

ADDENDA <Act No. 8239, Jan. 11, 2007>

(1)(Enforcement Date) This Act shall enter into force three months after the date of its promulgation: Provided, That the amended provisions of Articles 16, 18-2 (1) and 18-3 shall enter into force on the date of its promulgation.

(2)(Application Example concerning Approval for Project Plan, Claim for Sale, Measures for Sites, etc. Difficult of Owner Confirmation, Installation of Arterial Facilities, Redemption of Costs, etc.) The amended provisions of Articles 16, 18-2, 18-3 and 23 shall apply with respect to an application for the approval of a project plan which is filed on or after the enforcement date of this Act.

(3)(Application Example concerning Supply of Housing, Standards for Building Model House, etc.) The amended provisions of Articles 38 and 38-3 shall apply with respect to an application for the approval of public notice of the recruitment of occupants which is filed pursuant to Article 38 (1) 1 after a model house is built with approval of the project plan concerned on or after the enforcement date of this Act.

- (4)(Application Example concerning Managing Body, etc.) The amended provisions of Article 43 (9) shall apply starting with the date when one year passes from the promulgation date of this Act.
- (5)(Transitional Measures for Penal Provisions, etc.) In the application of a penalty or a fine for negligence to any act committed prior to the enforcement of this Act, the previous provisions shall prevail.
- (6)(Application Example concerning Provisions of Legal Fiction as Public Officials in Application of Penal Provisions to Officers and Employees of Korea Housing Guarantee Company) The amended provisions of Article 102 shall apply to any officer or employee of the Korea Housing Guarantee Company who commits any act meeting the constituent requirements set in each of Articles 129 through 132 of the Criminal Act on or after the enforcement date of this Act.

ADDENDA <Act No. 8338, Apr. 6, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 17 Omitted.

ADDENDA <Act No. 8351, Apr. 11, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 15 Omitted.

ADDENDA <Act No. 8352, Apr. 11, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 16 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Act No. 8370, Apr. 11, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 20 Omitted.

ADDENDA <Act No. 8383, Apr. 20, 2007>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 38 (1) 3, 38-2, 38-4, 38-5 and 41, subparagraph 8-2 of Article 97, Article 97-2, and subparagraph 1-2 of Article 102 shall enter into force on September 1, 2007; and the amended provisions of Articles 43, 55-2 and 81-2, one year after the date of its promulgation.

Article 2 (Applicable Cases concerning Definition of Public Site)

The amended provisions of subparagraph 3-2 of Article 2 shall apply with respect to the collective housing which is constructed under the project plan approved on or after the enforcement date of this Act.

Article 3 (Applicable Cases concerning Suspension of Business, etc. against Act of Reselling Site)

The amended provisions of Article 13 (1) 6-2 shall apply with respect to the housing site which is resold in violation of Article 19-2 (1) of the Housing Site Development Promotion Act on or after the enforcement date of this Act.

Article 4 (Applicable Cases concerning Restrictions on Selling Prices of Housing, etc.)

- (1) The amended provisions of Article 38-2 shall apply with respect to an application for approval of a project plan (including the authorization for project implementation under Article 28 of the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents and the construction permission under Article 8 of the Building Act; hereinafter the same shall apply in this Article) which is filed pursuant to Article 16 on or after September 1, 2007.
- (2) Where the approval of a project plan is obtained or an application therefor is filed prior to August 31, 2007 and an application for approval for recruiting occupants under Article 38 (1) [for the housing (excluding residential environment improvement projects) supplied pursuant to the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents, the authorization for management and disposal plans pursuant to Article 48 of the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents] is made on or after December 1, 2007, the amended provisions of Article 38-2 shall apply, notwithstanding the provisions of paragraph (1).
- (3) Where any housing is subject to the application of the upper limit system for selling prices pursuant to the previous provisions of Article 38-2, the provisions of paragraph (2) shall apply, notwithstanding the provisions of paragraph (2) of the Addenda of the amended Housing Act, Act No. 7334, and the provisions of paragraph (2) of the Addenda of the amended Housing Act, Act No. 7757.

Article 5 (Transitional Measures concerning Long-Term Repair Plan and Long-Term Repair Appropriations in Cases Where Facilities Other Than Housing and Housing are Built in Form of Same Building)

- (1) Where a long-term repair plan is not established at the time this Act enters into force, the relevant managing body shall formulate it within six months from the date when this Act enters into force, notwithstanding the provisions of Article 47.
- (2) The managing body shall collect long-term repair appropriations from the relevant owners pursuant to the long-term repair plan formulated in accordance with paragraph (1), beginning with the date when one year

passes from the date when this Act enters into force.

ADDENDA <Act No. 8384, Apr. 20, 2007>

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

(2)through (5) Omitted.

ADDENDA <Act No. 8387, Apr. 27, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDA <Act No. 8534, Jul. 19, 2007>

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

(2)Omitted.

ADDENDA <Act No. 8635, Aug. 3, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 44 Omitted.

ADDENDA <Act No. 8657, Oct. 17, 2007>

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

(2)(Applicability to Approval for Project Plans and Rights to Claim for Sale) The amended provisions of Articles 16 (2) 1 and 18-2 (1) shall begin to apply from the first application for approval for project plans after this Act enters into force.

ADDENDA <Act No. 8819, Dec. 27, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDA <Act No. 8820, Dec. 27, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Act No. 8863, Feb. 29, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Act No. 8968, Mar. 21, 2008>

(1)(Enforcement Date) This Act shall enter into force three months after the date of its promulgation: Provided, That the amended provisions of Articles 46 (6) and 46-2 through 46-4 shall enter into force one year after the date of its promulgation.

(2)(Applicability to Posting of Head of Management Office, etc.) The provisions for posting of housing managers, etc. with respect to rental housing under Article 55 (1) shall apply to rental housing which falls under the scope of collective housing subject to obligatory management which shall be prescribed by Presidential Decree under Article 43, from the date on which two years elapse after this Act enters into force.

ADDENDA <Act No. 8970, Mar. 21, 2008>

Article 1 (Enforcement Date)

This Act shall enter into force on April 12, 2008. (Proviso Omitted.)

Articles 2 through 10 Omitted.

ADDENDA <Act No. 8974, Mar. 21, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 14 Omitted.

ADDENDA <Act No. 8976, Mar. 21, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 10 Omitted.

ADDENDA <Act No. 9046, Mar. 28, 2008>

(1)(Enforcement Date) This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Article 41-2 shall enter into force three months after the date of its promulgation.

(2)(Applicability) The amended provisions of Articles 16, 17, 18-3, 24 and 24-3 shall begin to apply from the first application for approval for project plans under the amended provisions of Article 16 after this Act enters into force.

(3)(Applicability to Restrictions on Acts of Resale of Houses Subject to Application of Upper Limit System for Selling Prices) The amended provisions of Article 41-2 shall begin to apply from the first application for approval for draft publication of the recruitment of occupants after this Act enters into force.

ADDENDA <Act No. 9366, Jan. 30, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDA <Act No. 9405, Feb. 3, 2009>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of subparagraph 5 of Article 2, and Articles 68, 79, 80, 92 and 102 shall enter into force on the date of its promulgation, the amended provisions of Article 40 (7) shall enter into force on February 4, 2009, the amended provisions of Article 46-3 (2) 5 shall enter into force on March 22, and the amended provisions of Articles 45 (3), 58 (2), and 101 (2) 8 shall enter into force six months after the date of its promulgation.

Article 2 (Applicability to Definition of Public Housing Site and Purchase Price for Housing Site other than Public Housing Site)

The amended provisions of subparagraph 5 (g) through (i) of Article 2 shall apply from the first application for approval for the recruitment of occupants after this Act enters into force.

Article 3 (Applicability to Claim for Sale by Housing Association, etc.)

The amended provisions of Articles 16 (2) and 40 (4) shall apply from the first application for approval of project plan after this Act enters into force.

Article 4 (Applicability to Supervision of Urban Residential Housing and Limitation on Selling Price, etc.)

The amended provisions of Articles 24 (1) and 38-2 (1) shall apply from the first application for approval of project plan after this Act enters into force.

Article 5 (Applicability to Construction of Rental Housing under Housing Construction Projects, etc.)

The amended provisions of Article 38-6 shall apply from the first application for approval of project plan after this Act enters into force.

Article 6 Omitted.

Article 7 (Relationship with other Acts)

Where the previous provisions of the Housing Act are cited in other Acts and subordinate statutes at the time this Act enters into force, the corresponding provisions of this Act are deemed to be cited in lieu of the previous provisions if the corresponding provisions exist in this Act.

ADDENDA <Act No. 9511, Mar. 20, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDA <Act No. 9552, Mar. 25, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 11 Omitted.

ADDENDA <Act No. 9594, Apr. 1, 2009>

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

(2)and (3) Omitted.

ADDENDA <Act No. 9602, Apr. 1, 2009>

(1)(Enforcement Date) This Act shall enter into force on the date of its promulgation: Provided, that the amended provisions of Article 16 (1) 1 of the amended Act of the Housing Act(Act No. 9405) shall enter into force on May 4, 2009.

(2)(Applicability) The amended provisions of Article 16 (1) 1 shall apply from the first application for project plan after this Act enters into force.

ADDENDA <Act No. 9633, Apr. 22, 2009>

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

(2)and (3) Omitted.

ADDENDA <Act No. 9758, Jun. 9, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 23 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 8 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 19 Omitted.

ADDENDA <Act No. 9865, Dec. 29, 2009>

Article 1 (Enforcement Date)

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

Articles 2 and 4 Omitted.

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

Article 1 (Enforcement Date)

This Act shall enter into force from the date on which one year lapses after the date of its promulgation.

Articles 2 through 10 Omitted.

ADDENDA <Act No. 10219, Mar. 31, 2010>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2011.

Articles 2 through 12 Omitted.

ADDENDA <Act No. 10237, Apr. 5, 2010>

(1)(Enforcement Date) This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of subparagraph 1-2 of Article 2, Articles 5 and 55-2, 63 (1) 16-2 and 18, 80-2, 86 and 101 (2) shall enter into force from the date on which three months lapse after the promulgation of this Act, and the amended provisions of Articles 5-3 (3), 38-4 (3), 43-3, 45 (3) and (4), 46-4

through 46-8, 50, 51, 56-2, 87 (2) and 102 shall enter into force from the date on which six months lapse after the promulgation of this Act.

(2)(Applicability to Making Measures, etc. to Supplement Applications for Approval for Project Plans Falling Short of Minimum Residential Standards Mandatory) The amended provisions of Article 5-3 (3) shall apply to applications for authorization, permission, etc. related to the construction of housing on and after the Act enters into force.

(3)(Applicability to Restrictions on Selling Prices of Housing, etc.) The amended provisions of Article 38-2 (1) shall apply to applications for the approval of occupants recruitment on and after this Act enters into force.

(4)(Applicability to Liability of Head of Management Offices for Compensation of Damages) The amended provisions of Article 55-2 (3) shall apply to the head of a management office positioned on and after this Act enters into force.

ADDENDA <Act No. 10272, Apr. 15, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 14 Omitted.

ADDENDA <Act No. 10303, May 17, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 10 Omitted.

ADDENDA <Act No. 10331, May 31, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 13 Omitted.

ADDENDUM <Act No. 10505, Mar. 30, 2011>

This Act shall enter into force on the date of its promulgation; Provided, That, the amended provisions of subparagraph 4 of Article 2 shall enter into force three months after the date of its promulgation.

ADDENDA <Act No. 10522, Mar. 31, 2011>

Article 1 (Enforcement Date)

This Act shall enter into force on March 2, 2012 (Proviso Omitted.)

Articles 2 through 28 Omitted.

ADDENDA <Act No. 10599, Apr. 14, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDA <Act No. 10764, May 30, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Act No. 11061, Sep. 16, 2011>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Article 39 (1) shall enter into force on the date of its promulgation, and the amended provisions of Article 39 (5) three months after the date of its promulgation.

Articles 2 (Applicability to Filing Applications for Usage Inspection by Work Executors, etc.)

The amended provision of Article 29 (3) shall also apply to housing construction projects or site leveling projects which have not undergone usage inspections under Article 29 (1) as at the time this Act enters into force.

Article 3 (Applicability to Restrictions on Qualification of Occupants)

The amended provisions of Article 39 (5) shall apply from the first person who violates the amended provisions of Article 39 (1) after such amended provisions enter into force.

Article 4 (Applicability to Nullification of Seizure, etc. of Project Undertaker's Right of Claim for Ownership Transfer Registration Caused by Termination of Trust)

The amended provisions of Article 40 (8) and (9) shall apply from the first case left in trust under Article 40 (6) after this Act enters into force.

Article 5 (Applicability to Registration of Housing Management Business)

The amended provisions of Article 53 (3) shall apply from the first application for the registration of housing management business is filed after this Act enters into force.

Article 6 (Applicability to Employment of Head of Management Office by Project Undertaker)

The amended provisions of Article 55 (1) 3 shall apply from the first head of a management office to be employed after this Act enters to force.

Article 7 (Applicability to Fines for Negligence, etc. against Violations concerning Reports on Housing Transaction)

The amended provisions of Articles 80-3, 101 (1), 101 (3) 17 and 18, and 101-2 (1) shall apply from the first contract for transferring the ownership of a housing to be concluded after this Act enters into force.

Article 8 (Transitional Measures concerning Transfer of Management Affairs of Collective Housing by Project Undertakers)

Where a project undertaker who has been directly managing a collective housing under Article 43 (1) as at the time this Act enters into force falls under any subparagraph of the amended Article 43 (6), he/she shall transfer such management affairs of collective housing to the relevant project

undertaker pursuant to the amended provisions of Article 43 (6) after this Act enters into force.

Article 9 (Transitional Measures concerning Registration of Housing Management Business)

A person who has filed for registration of housing management business under the former provisions before this Act enters into force shall be deemed to have filed for registration under the amended provisions of Article 53 (3).

Article 10 Omitted.

ADDENDA <Act No. 11243, Jan. 26, 2012>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Article 38 (1) shall enter into force from the date of its promulgation and the amended provisions of Article 5-4 from one year after the date of its promulgation.

Articles 2 (Applicability to Construction and Supply by Compartmentalization)

The amended provisions of Article 16 shall apply from the first application for a project plan filed (including an application for approval for alteration filed before a report on commencement of a project is made) after this Act enters into force.

ADDENDA <Act No. 11365, Feb. 22, 2012>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Act No. 11555, Dec. 18, 2012>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Act No. 11590, Dec. 18, 2012>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 21-5, 46-3, and 46-4 shall enter into force six months after the date of its promulgation.

Articles 2 (Applicability to Formulation of Noise Prevention Measures)

The amended provisions of Article 21-5 shall apply to applications for approval of project plans filed after such amended provisions enter into force.

Article 3 (Applicability to Term of Office of Members of the Council on Examination of Defects and Mediation of Disputes)

The amended provisions of Article 46-3 (4) shall apply to founding members of the Council on Examination of Defects and Mediation of Disputes after the same amended provisions enter into force.

Article 4 (Transitional Measures concerning Mediation, etc.)

Mediation, etc. of cases for which mediation has been applied and which are pending at the Council on Examination of Defects and Mediation of Disputes under the former provisions as at the time this Act enters into force shall be governed by the former provisions.

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. 11794, May 22, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 26 Omitted.

ADDENDA <Act No. 11871, Jun. 4, 2013>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 16 (11) shall enter into force three months after the date of its promulgation, and the amended provisions of subparagraphs 2-2 and 16-2 of Article 2, Articles 16 (12) through (14), 21 (1) 6, 21-4 (3), 43-4 (2), 45-2, 46 (7) and (8), 47 (1) 3, 54 (1), 58-2, and 101 (1), (2) and (3) 8-2 six months from the date of its promulgation.

Article 2 (Applicability to Extension of Period for Commencing Works)

The amended provisions of Article 16 (9) shall also apply where three years have not yet passed until the date this Act enters into force after obtaining approval of the project plan under Article 16 (1) or (3) before this Act enters into force.

Article 3 (Applicability to Revocation, etc. of Approval of Project Plan)

The amended provisions of Article 16 (12) 2 and 3, (13) and (14) shall apply to applications filed after such amended provisions enter into force.

Article 4 (Applicability to Provision of Information to Persons Scheduled to Occupy Housing)

The amended provisions of Article 38 (4) 2 shall apply where housing supply contracts are concluded after this Act enters into force.

Article 5 (Applicability to Use of Long-Term Repair Appropriations)

The amended provisions of Article 43-4 (2) shall apply to the use of long-term repair appropriations after such amended provisions enter into force.

Article 6 (Applicability to Use of Security Deposit for Repairing Defects)

The amended provisions of Article 46 (7) shall apply to the use of security deposit for repairing defects after such amended provisions enter into force.

Article 7 (Transitional Measures concerning Consultations on Approval, Permits, etc.)

Notwithstanding the amended provisions of the latter part of Article 17 (3), requests filed under the former provisions before this Act enters into force shall be governed by the former provisions.

Article 8 (Transitional Measures concerning Deposits for Management Expenses)

Deposits for management expenses collected as funds necessary for the management, operation, etc. of a common area of the relevant collective housing under Article 49 (1) of the Enforcement Decree of the Housing Act shall be deemed collected under the amended provisions of Article 45-2.

Article 9 (Transitional Measures concerning Long-Term Repair Plan and Accumulation of Long-Term Repair Appropriations for Collective Housing Fitted with District Heating System)

(1) Where no long-term repair plan has been formulated as at the time the amended provisions of Article 47 (1) 3 enter into force, the managing body shall formulate such plan within six months from the date such amended provisions enter into force, notwithstanding the same amended provisions.

(2) A managing body shall collect long-term repair appropriations from the owners and accumulate them in accordance with the long-term repair plan referred to in paragraph (1) from the month in which one year lapses after the amended provisions of Article 47 (1) 3 enter into force.

Article 10 (Transitional Measures concerning Mayors/Do Governors' Transfer of Authority to Mayors of Large Cities)

Where any person has received from a Mayor/Do Governor a certificate of passing qualifying examination for an assistant housing manager or qualification certificate of a housing manager, or has been issued a disposition for revocation or suspension of qualifications for a housing manager, etc., or has received education, etc. on housing management under the former provisions as at the time this Act enters into force, he/she shall be deemed to have been issued a certificate of passing qualifying examination for an assistant housing manager or qualification certificate of a housing manager, or has been issued a disposition for revocation or suspension of qualifications for a housing manager, etc., or has received education, etc. on housing management from the mayor of a large city under the amended provisions of Article 56 (1) (including where a Mayor/Do Governor is cited in a part other than the subparagraphs of Article 56 (2), the main sentence of Article 57 (1), and Article 58), if the relevant region is a large city.

Article 11 Omitted.

ADDENDA <Act No. 11998, Aug. 6, 2013>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDUM <Act No. 12022, Aug. 6, 2013>

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of subparagraph 11 (a) of Article 2 and Article 16 (4) 1 shall enter into force on the date of its promulgation.

ADDENDA <Act No. 12115, Dec. 24, 2013>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of subparagraph 15-2 of Article 2, Articles 42-6 through 42-8, and 42-10 shall enter into force on the date of its promulgation; the amended provisions of subparagraph 15 (c) of Article 2, Articles 24-3, 24-4, 42 (2), (7) and (10), 42-3 through 42-5, 42-9, 63 (1) 17, 94 (1), subparagraph 4-2 of Article 98, and Article 101 (2) 1, 2 and 6 four months after the date of its promulgation; the amended provisions of Article 44-2 on May 14, 2014; the amended provisions of Article 21-6 one year after the date of its promulgation; and the amended provisions of Articles 43 (7) 1, 45 (5) 1, 45-3, 101 (2) 4 and 5, 101 (3) 7-2 (limited to the provisions concerning the mandatory use of the electronic bidding), and 101 (3) 8-2 on January 1, 2015.

Article 2 (Applicability to Indication, etc. of Performance Ratings of Collective Housing)

The amended provisions of Article 21-2 shall apply to applications for approval of project plans filed after this Act enters into force.

Article 3 (Applicability to Construction Standards, Certification System, etc. of Long-Life Houses)

The amended provisions of Article 21-6 shall apply to applications for approval of project plans filed after such amended provisions enter into force.

Article 4 (Applicability to Remodelling Procedures before Master Plan for Remodelling is Formulated)

Notwithstanding the amended provisions of Article 42 (10), the head of a Si/Gun/Gu may proceed with remodelling for increasing the number of households as defined in the amended provisions of subparagraph 15 (c) of Article 2 (referring to the procedures before a permit is obtained under Article 42 (2)) before a master plan for remodelling is formulated after the same amended provisions enter into force.

Article 5 (Applicability to Safety Testing, etc. of Remodelling for Vertical Expansion)

Where a remodelling housing association which has obtained authorization for incorporation as at the time the amended provisions of subparagraph 15 (c) of Article 2 enter into force intends to conduct remodelling for vertical expansion as defined in the same amended provisions, it shall undergo safety testing under the amended provisions of Article 42-3 and safety inspections by professional institutions under the amended provisions of Article 42-4.

Article 6 (Applicability to Selection of Housing Management Operators and Business Operators)

The amended provisions of Articles 43 (7) and 45 (5) shall apply to public announcement for selecting housing management operators and business operators after the same amended provisions enter into force.

Article 7 (Applicability to Review of Long-Term Repair Plans)

Notwithstanding the amended provisions of Article 47 (2), a council of occupants' representatives and a managing body where three years have passed since the review of a long-term repair plan shall review the long-term repair plan within three months from the date this Act enters into force, record the matters reviewed, and keep record thereof.

Article 8 (Special Cases concerning Education of Heads of Management Offices)

Notwithstanding the amended provisions of Article 58 (3), the head of a management office who has undergone education under Article 58 (1) or (2) before this Act enters into force shall receive education on housing management under the same amended provisions within the time periods set as follows:

1. The head of a management office for whom at least three years have passed since he/she received the education under Article 58 (1) or (2) as at the time this Act enters into force: Within two years from the date this Act enters into force;
2. The head of a management office for whom less than three years have passed since he/she received the education under Article 58 (1) or (2) as at the time this Act enters into force: Within three years from the date this Act enters into force.

Article 9 (Transitional Measures concerning Remodelling for which Authorization for Incorporation of Remodelling Housing Association is Obtained)

A remodelling housing association which has obtained authorization for its incorporation as at the time this Act enters into force may conduct remodelling under the former provisions within the scope of expansion prescribed in the former provisions.

ADDENDA <Act No. 12248, Jan. 14, 2014>

Article 1 (Enforcement Date)

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

Articles 2 through 25 Omitted.

ADDENDA <Act No. 12251, Jan. 14, 2014>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Act No. 12333, Jan. 24, 2014>

Article 1 (Enforcement Date)

This Act shall enter into force on October 1, 2014. (Proviso Omitted.)

Articles 2 through 5 Omitted.

ADDENDA <Act No. 12646, May 21, 2014>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 63 (1) 15-2 (d) and 101 (2) and (3) shall enter into force four months after the date of its promulgation.

Articles 2 (Transitional Measures concerning Fines for Negligence)

Application of the provisions on fines for negligence for offenses committed before the amended provisions of Article 101 (2) and (3) enter into force shall be governed by the former provisions.

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

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.