

✓ The Ordinance of the Ministry of Education No. 135

15 Feb. 1964

The Regulation to the Application of the Act for Cultural
Property Preservation

The Bureau of Cultural Property Preservation
The Ministry of Education

The Ordinance of the Ministry of Education No. 135

The regulation to the application of the Act for cultural property preservation promulgates as follows.

15 Feb. 1964.

The Minister of Education, Mr. Ko Kwang Man.

The regulation to the application of the Act for cultural property preservation.

Article No. 1 (The register of the designated properties)

- 1) According to the Article 3, the enforcement of the Act for cultural property preservation (it is called the "enforcement" hereafter), this register shall be divided and drawn up for a national treasure, a treasure, a historical remain, a scenic spot, natural monument, important immaterial property and valuable folklore, and the register of designated cultural property, except for immaterial, shall be drawn up as the Annexed form No.1 and the register of immaterial property form No.2, as attached to be annexed sheets.
- 2) Every Designation No shall be controlled by one account.
- 3) The commencement of the register shall be affixed as an index and a table of summerization.

Article No. 2 (The plan of designated cultural property)

- 1) The designated cultural property (except immaterial) its protecting areas, the protective means and protective areas for protecting means, etc shall be drawn up and placed with the followings plans & a photograph.

1. The plan
 2. The map of land register
 3. The map of disposition (Mass Plan)
 4. The photograph
- 2) Important immaterial property shall be recorded with a Recorded-Tape, photographs a musical notation, a scenario text book, and a owner's picture, etc.

Article No. 3 (The criterias for designating treasures)

The criterias for Designating Treasures are as follows

1) Architecture

a) Wooden Architecture

Structures worth while historically, scientifically, artistically and technically such as wooden temples, palaces, castle-gates, sanctuaries, lecture-halls, arbours, private-schools, yamens, inns, and private-houses, etc.

b) Stone Architecture

Structures worth while historically, scientifically, artistically and technically such as stone-caverns, stone-towers, stone-pagodas, stone-bells, stone-monuments, stone-lanterns, stone-bridges, stone-steps, stone-altars, ice-house(Suk Bing Ko), Observatory(Chom Sung Dae), stone-posts and stone-wells, etc.

c) Tombs

Edifices worth while historically, scientifically, artistically and technically such as tombs and their remains or portions or adjuncts and model of buildings, etc.

2) Books, Ancient writings & archaic documents.

a) Books

Systematically well arranged and important books such as Korean Alphabet(Han Gul) or Chinese characters which are literary works, or ancient writings and original copy of the religious books or excellent manuscripts, etc.

b) Ancient writings

Remarkable and historical materials or representative from the historical view point of artistical hand writings such as manuscript of sacred books, King's handwritings, excellent hand writings of respectable person, and brush writings, etc.

c) Books or Signboards printed by engraved wood.-----

Representing Chinese characters such as books printed by engraved wood, signboards of the palaces or temples, pillars printed by engraved wood and records of achievements, etc.

3) Pictures, woodcuts, printings

a) Unique peculiarities, in form, quality, technics and manufacture.

b) Excellent manufactures which are remains of all periods or culturally and historically valuable articles in the country.

c) Valuable data especially from the historical view point of pictures and sculptural arts in the country.

d) Imported goods which give significance to the civilization of Korea.

- 4) Industrial products
 - a) From the historical view point, culturally or Industrially valuable relics made were excellent techniques in all periods in the country.
 - b) They should be remarkable, in form, quality, technics and uses.
 - c) Imported items which are closely related to the history of the industrial products in the country.
- 5) Data of Antiquities
 - a) Especially, scientific and significant data, which have been made in prehistoric ages.
 - b) Scientific and valuable data that were found in earth, like in ancient Tombs (Including stone Tombs), Shell mounds, sites of temples and historical relics.
 - c) Valuable scientifically, as far as the relics were transmitted from fathers to sons.
 - d) Valuable from manufacturing view point; data of scientific, significant, or historical, relics, in the field of religion, education, sciences, industry, politic and military lives, etc, that were found in the earth.

Article No. 4 (Criteria for Designating National Treasures)

Criteria for designating National Treasures are as follows.

- 1) Selected among treasures which have special historical, scientific and artistic value.
- 2) Selected among treasures which date of manufacture is remote and represent a definite period.
- 3) Selected among treasures which design and technic is excellent and represent definite period.

- 4) Selected among treasures which in form, quality, material and use have remarkable peculiarity.
- 5) Selected among treasures which is in relation to the life of well-known person or that they manufactured themselves.

Article No. 5 (Criteria for Designating Historical Remains)

Criteria for designating historical remains are as follows.

- 1) Remains of prehistoric ages.

Valuable and scientific remains such as Shell Mounds, site of remains containing, ancient dwelling houses (stone cave etc), dolmens, stand stones and ancient Tombs, etc.

- 2) Historical remains concerning sacrificial rites and beliefs.

Valuable and scientific remains concerning sacrificial rites and beliefs such as sites of temples, sites of altars and other remains possessing scientific values about rites, sites of palaces and private schools.

- 3) Historical remains pertaining political life or National defenses.

Valuable and scientific remains concerning political life and national defenses such as castles, sites of castles, banks, spots of beacon, old battle-fields, sites of palaces, old-cities and old-palaces, etc.

- 4) Historical remains concerning industry, transportation and public works.

Valuable and scientific remains concerning industry, transportation, and public works, such as ancient roads, sites of bridges, banks, kilns, markets, botanical gardens

and stone-posts.

- 5) Historical remains concerning education, society and business.

Valuable and scientific remains concerning education and science, such as lecture-halls, private schools, charity establishments and engraved stones, etc.

- 6) Ancient Tombs and Stone Monuments etc.

Valuable and scientific remains such as ancient tombs, stone monuments, ancient houses, palaces, garden & ponds, wells & fountains and traditional places, etc.

Article No. 6 (Criteria for designating scenic spots)

Criteria for designating scenic spots are as follows.

- 1) Sites of famous building, scenic places or garden & ponds.
- 2) Flowering plants and trees, maple-trees and places inhabited by birds, beasts, fishes and insects, etc.
- 3) Well-known ravins, straits, swift streams, waterfalls, lakes, and caverns, etc.
- 4) Well-known coasts, river-valleys, islands etc.
- 5) Well-known landscapes or viewing places.
- 6) Distinctive mountains, hills, plateaus, plains, rivers, volcanos, hot-springs and cold-spas etc.

Article No. 7 (Criteria for designating Natural Monuments)

Criteria for designating Natural Monuments are as follows.

- 1) Plants and animals.
 - a) Well-known & specific Korean animals and plants and their inhabiting grounds and growing places, etc.

- b) Lime-stone-zones, dunes, caverns, dry regions, marshes, rivers, lakes, waterfalls, swamps, hot-springs and islands.

Also animals and plants which inhabit or grow in peculiar circumstances, and gregarious animals and plants and their inhabiting and growing places or places of advents.

- c) Peculiar animals or plants worth to be protected and their inhabiting and growing places.
- d) Specific Korean breeding animals.
- e) Valuable, in the viewpoint of science, in well known temples, particularly, well-known trees, giant-trees, old-trees, malformatted trees.
- f) Representing virgin forest, zones of alpine plants or valuable forests.
- g) Growing places of valuable plants.
- h) Distribution of well-known animals and plants, and their specific limits.
- i) Original location of useful animals and plants.
- j) The places where valuable relics of peculiar animals and plants and scientifically valuable specimens and fossiles are found.

2) Nature of soils and minerals.

- a) Representative rocks and minerals showing the origin of their groups.
- b) Giant lime-grottoes or well-known caverns.
- c) Peculiar structures of crags or well-known topographies.
- d) Phenomenon of Block-Movement.
- e) Specially valuable specimens from the view point of science.

- f) Hot-springs and cold-spas.
- 3) Natural protecting zones.
Special representative zones preserving abundant natural monuments worth to protect.

Article No. 8 (Criteria for designating important immaterial property)

The Criteria for designating important immaterial properties are applied on the items that are historically and scientifically valuable and traditional impression is distinctive.

- 1) Drama-----puppet shows and masques.
- 2) Music-----Music for sacrificial rite, music for national celebration, Dae Chi Ta, (Korean classical musics), tunes, KaSa (Korean classical poems), Si Jo (Korean odes), Nong Ak (Korean Farmer's brass band music), folk songs, Buddhist priest's invocations, etc.
- 3) Dancing-----Ceremonial dancing, exorcism of palaces, masked dances, cymbal dancings and Buddhist dances, etc.
- 4) Technique of Industrial Arts and crafts-----
Porcelain, horsehair, metal, hornwork, personal ornaments, mother-of-pearl, paper making, wood works, architecture, leather, woven-stuffs works, dyeing, precious stone, embroidery, dress and its ornament, musical instrument and straw, etc.

Article No. 9 (Criteria for designating important folk-lore materials)

Criteria for designating important folk-lore materials are as follows.

- 1) Items which are represent a characteristics traits of the basic lives and cultures of Korea.
 - a) Concerning food, clothing and housing or their materials, In the imperial court, the nobilities, the common peoples, the farmers, the fisherman and of the poors.
 - b) Concerning productions and occupations-----
Farming tools, fishing tools, mechanic tools, spinning and weaving tools, and work-shops, etc.
 - c) Concerning commanication, traffic and transportation ----- for transporting boats and carts, office building, etc.
 - d) Concerning commerce and trade,-----
Computing tools, measuring, & weighing tools, signboards, stores and business licences etc.
 - e) Concerning social lives-----
Tools for exchanging presents, protective & defensive tools, punishment tools, etc.
 - f) Concerning faith and religion-----
Tools for sacrificial rites, buddhist mass tools, Buddhist dedication tools, objects of idolatry and shrines etc.
 - g) Concerning folk-lore-----
solar and lunar calendas, divination tools, medical tools and educational facilities.
 - h) Concerning entertainments, recreations and amusements----- costumes, musical instruments, masks, puppets, plaything and stages etc.
- 2) Items, among folklore data listed in the paragraph above, if their purpose and meaning are important in following paragraph.

- a) Things that show historical transition.
- b) Show characteristics of special periods.
- c) Show characters of living classes.

Article No. 10 (Criteria for designating protective areas of national treasures and treasures)

Criteria for designating protective areas of treasures and national treasures are as follows.

- 1) Zones within 20m to 100m from a building drawn from the points dropped by each eaves of a wooden or stone buildings.
- 2) Wooden and stone pagodas: within 10m to 25m from the foundations of the areas.
- 3) Stone monuments, stone bells, stone budhas (except in the buildings): from the maximum headline parts of its foundation within 10m to 20m from the areas.
- 4) Observatory (Chum Sung Dae): within 50m to 100m from the lower parts of its foundations.
- 5) Ice-house (Suk Bing Go): within 20m to 100m from the surface of its sides.
- 6) Stone-cavern: within 100m to 500m from the lower part of its foundation.
- 7) Natural-stone-budhas: from the centre of budha, within radius 30m to 50m in all directions.
- 8) Stone-lanterns, stone-monuments, stone-water-tanks and stone-posts: from the centre of an object, radius of 10m to 20m of in all directions.
- 9) Stone-bridges: from its bent and pier within 10m to 30m in its area.
- 10) Necessary areas to protect other treasures and national treasures.

Article No. 11 (Criteria for designating protecting areas of historical remains)

Criteria for designating protecting areas of historical remains are as follows.

- 1) Castles: From eachside of its foundation within 20m to 50m.
- 2) In case of designating the whole area inside of a castle, castles and mountain top: from the lower wall of its foundation from 20m to 50m of outward area.
- 3) Embankments: the same methods as castles.
- 4) Royal and ancient tombs: from a fief of lower column from 10m to 1000m of its area.
- 5) Sites of temples, shrines, sites of palaces and old palaces: from a site of wall or a border from 5m to 50m of its area.
- 6) Wooden & stone architectures and other facilities etc: apply corresponding rules for treasures and national treasures of its protecting area.
- 7) Other protecting areas or zones of historical remains, acknowledged to be protected.

Article No. 12 (Criteria for designating protecting area of natural monuments)

Criteria for designating protecting area of natural monuments are as follows.

- 1) Zones of animals (only breeding animals), nature of soils and minerals which are acknowledged to be the area of protection and the region.
- 2) Plants: from the radius of the tree, from 5m to 100m area.

Article No. 13 (Criteria for designating protecting means)

Criteria for designating protecting means are as follows.

- 1) Buildings or facilities, are to be protected by setting up iron railings, stone railings and walls etc.
- 2) Copper-bells, monumental stones and Buddhist statues are to be protected with belfries for bells, shelters for stone monuments and altars for statues.
- 3) Other properties are protected by buildings or facilities where the properties are kept.

Article No. 14 (Criteria for designating protective area of protecting means)

Criteria for designating protective area of protecting means are as follows.

- 1) In case protecting means are buildings:
within 5m to 50m from a building drawn from the points dropped by each eaves.
- 2) Stone-railings, iron-railings and other walls:
within 2m to 20m from the lower foundation of its area.
- 3) To be determined in each case as required.

Article No. 15 (Exceptions on the criterias stated above)

A special criteria is required under a special circumstance because of Natural or artificial conditions, the criterias for Article No. 10 to 12 should be adopted to existing conditions.

Article No. 16 (Data of designating immaterial property)

When data for a designating of immaterial treasure is submitted, according with the Article No. 4, (Cabinet Decree) to the Minister of Education by a Superintendent of Education of Board of Education in each province, Pusan and Seoul Special city the following items should be added to the items in the Article No. 4 Cabinet Decree.

- 1) Personal History of a possessor(s).
- 2) Possessors identifying a certificate.
- 3) A picture of the possessor.
- 4) Others as required.

Article No. 17 (Identification card for the examiner)

According with the Act for Cultural Property Preservation (calling "The Act" hereafter) No. 40, the form of identification card for the property's examiner is based upon form No. 3, Annex Sheets.

Article No. 18 (Posting licenses and orders)

- 1) The person permitted according with the Act No. 20, 1st column, in No. 3 to No. 5, or the Act No. 43, 1st and 4th column, to excavated treasures should post the licenses and orders at the working place.
- 2) The rules above is also applied to where a person who received orders according with the Act No. 22 1st column No. 3 and No. 4 carries out the orders.

Additional Rules

This regulation shall come into effect at the date
of the promulgation.

The form for Designating Cultural Property (Type A)

Annex Sheet Form No. 1		The form for Designating Cultural Property (Type A)	
Site	Location	Coordinates	Map
UNESCO	Country	Region	Province
Year of discovery	Year of excavation	Place of excavation	Storing place
Location of location	Location of protection	House	Classification of land
Notes of excavation	Notes of	Date	General
UNESCO Cultural Heritage Laws Database	Copyright	Disclaimer	

X

Quantities of cultural property entering a register
are as follows.

1. Building: Number of buildings and their floor spaces separately.
2. Land: Number of plots and their record of registration.
3. Castle: No of castle-wall, length and height.
4. Others: by units according each subjects.
5. The record of land registration, stated in column 2 above, quantity indicated in register of land and woodland.
6. In case there are more than two, under same account, and especially different in quality, shape, structure, size and in floor space, etc one should prepare separate sheets, and same as for historical remains.
7. In case there are more than two different land under one account, one should prepare B Form, by No. of land and record of land registration.
8. For area of designated historical remain, in which located buildings and facilities for other objects or their adjuncts, the method in column No. 6 should also be applied.
9. For protected areas, protecting means and protective area for protecting all the methods above is applicable.

Page No. 1

Type B

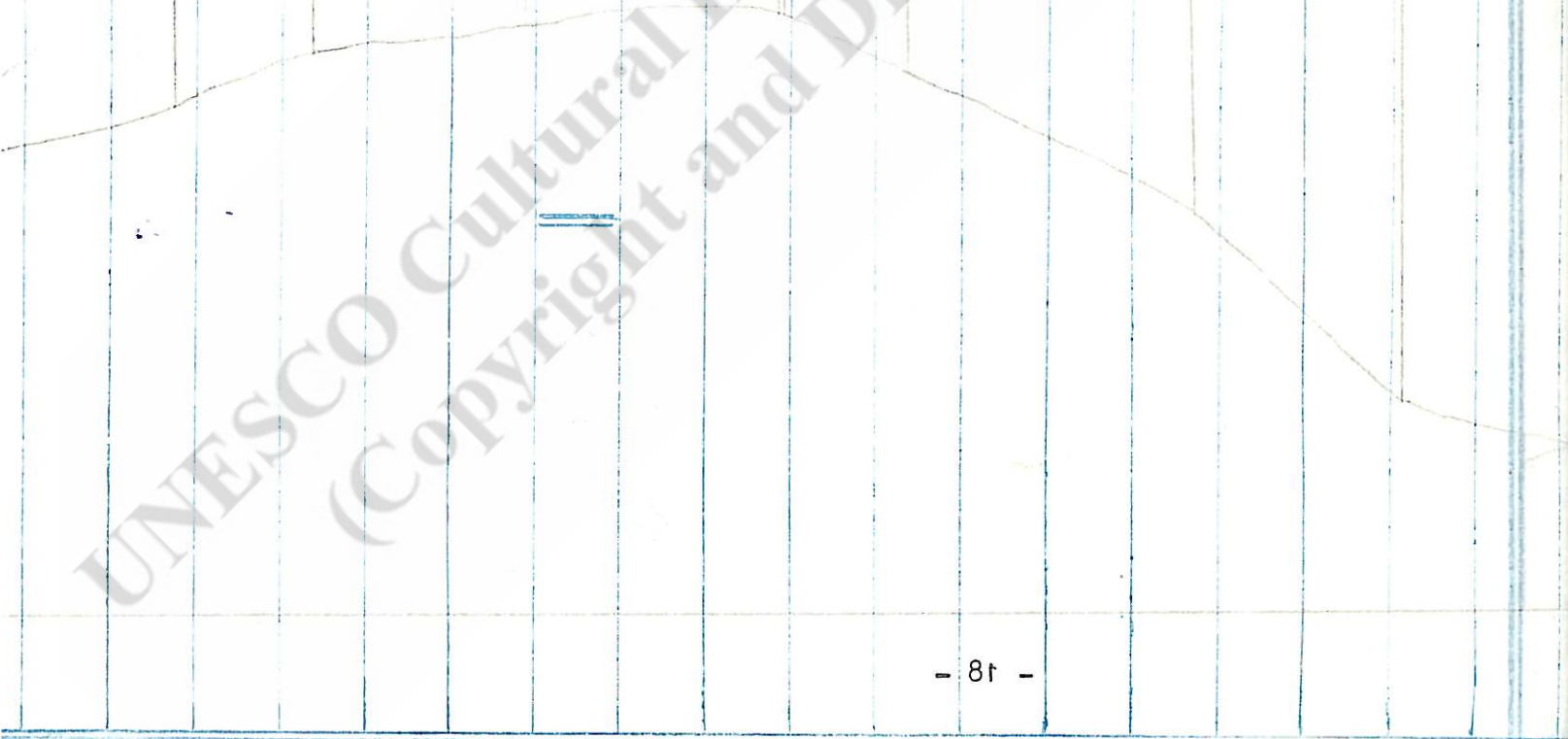
Area of Location and Protection

Classification of Land

Area of Location and Protection

Classification of Land

Academy of Sciences



Annex Sheet
Form No. 1

The form for Immaterial Property (Type A)

Property
classified

Designation
NO

Index
NO

Adjuncts

Date of Designation

DATE

NAME, Quality, Quantity, Arrangement NO/NO

TRADITIONS

Genesis

Note of Management

Date

Date

Type B

Designation
No

discription

Index
No

name of
possessor

sex

education

speciality

date of
birth

permanent address

present address

X

Annex Sheet

Form No. 3

Examiner's Identification Card

(Recto)

No. _____	Cultural Property Examiner's I.D. Card		
Assignment:	photo.		
Title:			
Name:	(_____)		
Date of Birth:	Date _____	Month _____	Year _____
It is certified hereby that the above person is examiner of culturalProperty			
Year <u>19</u> _____ Month _____ Date _____			
By Ministry of Education			

(verso)

Note

1. This card certifies only the person discribed in recto.
2. This card is required to be returned immediately after the bearer is relieved from his assignment.
3. Immediate report is required in case this card is lost.