

PROTECTION OF CULTURAL PROPERTIES ACT

Wholly	Amended by	Act No. 3644,	Dec. 31,	1982
	Amended by	Act No. 3787,	Dec. 31,	1984
		Act No. 3947,	Nov. 28,	1987
		Act No. 4031,	Dec. 26,	1988
		Act No. 4183,	Dec. 30,	1989
		Act No. 4541,	Mar. 6,	1993
		Act No. 4884,	Jan. 5,	1995
		Act No. 5073,	Dec. 29,	1995
		Act No. 5453,	Dec. 13,	1997
		Act No. 5719,	Jan. 29,	1999
		Act No. 5982,	May 24,	1999
		Act No. 6133,	Jan. 12,	2000
		Act No. 6443,	Mar. 28,	2001
		Act No. 6656,	Feb. 4,	2002
		Act No. 6840,	Dec. 30,	2002

CHAPTER 1: GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to strive for the cultural improvement of the people and to contribute to the development of human culture, by inheriting the native culture through the preservation of cultural properties so as to ensure their utilization.

[This Article Wholly Amended by Act No. 5719, Jan. 29, 1999]

Article 2 (Definitions)

(1) The term "cultural properties" in this Act means the national, racial, global legacies, which have been artificially or naturally formed, carry the great historic, artistic, academic and scenic values, and fall under any of the following subparagraphs: *<Amended by Act No. 5719, Jan. 29, 1999; Act No. 6133, Jan. 12, 2000>*

1. Tangible cultural properties: Tangible cultural products, such as buildings, classical books, calligraphic vestiges, ancient documents, pictures, sculptures, or craftworks carrying the great historic, artistic or academic values, and other archeological data corresponding thereto;
2. Intangible cultural properties: Intangible cultural products, such as drama, music, dance, or craft technique, carrying the great historic, artistic or academic values;
3. Monuments: Those prescribed in the following items:
 - (a) Historic sites, such as temple sites, ancient tombs, shell mounds, ruins of fortress, palace sites, potter's kiln sites, or relic-containing strata, and specially commemorable facilities, carrying the great historic or academic values;
 - (b) Scenic places, carrying the great artistic or scenic values; and
 - (c) Animals (including their habitats, breeding places and migratory places), plants (including their autogenous places), minerals, caves, geological features, biological products and special natural phenomena, carrying the great historic, scenic or academic values; and
4. Folklore materials: Manners and customs relating to the food, clothing and shelter, occupation, religion or annual events, etc. , and the clothes, utensils or houses, etc. used therefore, which are indispensable for understanding the transition of people's living.

(2) The term "designated cultural properties" in this Act means the followings:
<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5073, Dec. 29, 1995; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

1. State-designated cultural properties: Cultural properties designated by the Administrator of the Cultural Properties Administration pursuant to the provisions of Articles 4 through 7;
2. City/*Do*-designated cultural properties: Cultural properties designated by the Special Metropolitan City Mayor, the Metropolitan City Mayor or the *Do* governor (hereinafter referred to as the "Mayor/*Do* governor") pursuant to Article 55 (1), from among those not designated under subparagraph 1; and
3. Cultural properties materials: Cultural properties designated by the Mayor/*Do* governor pursuant to Article 55 (2), from among those not designated under subparagraph 1 or 2.

(3) The term "protected zone" in this Act means, in case where any tangible objects fixed on the ground or a specific area, have been designated as the cultural properties, any zone designated for protecting the relevant cultural properties, which is the area excluding those occupied by the relevant designated cultural properties. *<Newly Inserted by Act No. 5719, Jan. 29, 1999>*

Article 2-2 (Basic Principle of Protection of Cultural Properties)

Any conservation, management and utilization of cultural properties shall be performed on the basic principle of maintaining their original forms. *[This Article Newly Inserted by Act No. 5719, Jan. 29, 1999]*

Article 3 (Establishment of Cultural Properties Committee)

(1) The Cultural Properties Committee shall be established within the Cultural Properties Administration in order to investigate and deliberate the following matters pertaining to the conservation, management and utilization of cultural properties: *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999; Act No. 6443, Mar. 28, 2001; Act No. 6840, Dec. 30, 2002>*

1. Designation of the State-designated cultural properties, and their cancellation;
2. Designation of protected objects or protected zones of the State-designated cultural properties, and their cancellation;
3. Recognition of holders, honorary holders or holding organizations of the important intangible cultural properties, and their cancellation;
4. Orders for principal repairs and restorations of the State-designated cultural properties;
5. Permission for alteration in current status, or for carrying-out overseas, of the State-designated cultural properties;
6. Orders for restricting or prohibiting any activities to conserve the environment of the State-designated cultural properties, and for the establishment, removal or moving of the facilities;
7. Registration of cultural properties, and cancellation of the registration thereof;
8. Excavation of buried cultural properties;
9. Matters deemed to be important, which are the professional or technical matters pertaining to the conservation, management or utilization of the State-designated cultural properties;
10. Matters recommended by the Administrator of the Cultural Properties Administration pertaining to the designation and management of the City/*Do*-designated cultural properties or the cultural properties materials; and
11. Other matters referred by the Administrator of the Cultural Properties Administration pertaining to the conservation, management and utilization of cultural properties.

(2) Subcommittees may be established in the Cultural Properties Committee in order to investigate and deliberate the matters falling under each subparagraph of

paragraph (1) by taking partial charge of works by type of the cultural properties.
 (3) Matters necessary for the organization, operation, etc. of the Cultural Properties Committee shall be prescribed by the Presidential Decree.

CHAPTER 2: STATE- DESIGNATED CULTURAL PROPERTIES

SECTION 1 Designation

Article 4 (Designation of Treasures and National Treasures)

(1) The Administrator of the Cultural Properties Administration may designate as the treasures what are important from among the tangible cultural properties, by going through the deliberations of the Cultural Properties Committee. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(2) The Administrator of the Cultural Properties Administration may designate as the National Treasures what carry the great values from the viewpoint of human cultures and rarely have a parallel case, from among the cultural properties corresponding to the treasures under paragraph (1), by going through the deliberations of the Cultural Properties Committee. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

Article 5 (Designation of Important Intangible Cultural Properties)

(1) The Administrator of the Cultural Properties Administration may designate as the important intangible cultural properties what are important from among the intangible cultural properties, by going through the deliberations of the Cultural Properties Committee. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(2) When the Administrator of the Cultural Properties Administration designates the important intangible cultural properties under paragraph (1), he shall recognize holders (including holding organizations; hereinafter the same shall apply) of the relevant important intangible cultural properties. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(3) When there exists any person recognizable as a holder of relevant important intangible cultural property other than the holder recognized under paragraph (2), the Administrator of the Cultural Properties Administration may additionally recognize the person as a holder. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(4) In case where any holders of the important intangible cultural properties recognized under paragraphs (2) and (3) face difficulties in regularly performing the initiation training of skills and arts under Article 24 (2), the Administrator of the Cultural Properties Administration may recognize him as an honorary holder by going through the deliberations of the Cultural Properties Committee. In this case, when the holder of the important intangible cultural properties has been recognized as an honorary holder, the recognition as the holder of important intangible cultural properties shall be deemed to have been cancelled from then onward. *<Newly Inserted by Act No. 6443, Mar. 28, 2001>*

Article 6 (Designation of Historic Sites, Scenic Spots and Natural Monuments)

The Administrator of the Cultural Properties Administration may designate as a historic site, a scenic spot or a natural monument what is important from among

the monuments, by going through the deliberations of the Cultural Properties Committee. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

Article 7 (Designation of Important Folklore Materials)

The Administrator of the Cultural Properties Administration may designate as the important folklore materials what are important from among the folklore materials, by going through the deliberations of the Cultural Properties Committee. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

Article 8 (Designation of Protected Objects or Protected Zones)

(1) In rendering the designation under the provisions of Article 4, 6 or 7, the Administrator of the Cultural Properties Administration may, if it is specially necessary for protecting the cultural properties, designate the protected objects or protected zones. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999; Act No. 6133, Jan. 12, 2000>*

(2) In case where the Administrator of the Cultural Properties Administration has designated the protected objects or protected zones under the provisions of paragraph (1), he shall examine the propriety of such designations at a specific interval. *<Newly Inserted by Act No. 6133, Jan. 12, 2000>*

(3) Matters necessary for the examinations, etc. under paragraph (2) shall be prescribed by the Ordinance of the Ministry of Culture and Tourism. *<Newly Inserted by Act No. 6133, Jan. 12, 2000>*

Article 9 (Public Announcement and Notification of Designation)

(1) When the Administrator of the Cultural Properties Administration has designated any State-designated cultural properties (including protected objects and protected zones; hereafter in this Article, the same shall apply) or recognized any holders or honorary holders of the important intangible cultural properties under Articles 4 through 8, he shall publicly announce such purports in the Official Gazette, and promptly notify the owners, holders or honorary holders of the relevant cultural properties thereof. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999; Act No. 6443, Mar. 28, 2001>*

(2) In the case of paragraph (1), when the owner of such cultural property is nonexistent or obscure, the notification shall be made to its occupant or manager.

Article 10 (Delivery of Written Designation, etc.)

(1) When the Administrator of the Cultural Properties Administration has designated National Treasure, a treasure or important folklore materials under Article 4 or 7, he shall deliver the written designation of relevant cultural properties to its owner. *<Amended by Act 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(2) When the Administrator of the Cultural Properties Administration has recognized any holders or honorary holders of the important intangible cultural properties under Article 5 (2) through (4), he shall deliver the written recognition of holders or honorary holders of the relevant important intangible cultural properties to such holders or honorary holders. *<Amended by Act No. 6443, Mar. 28, 2001>*

Article 11 (Time of Taking Effect of Designation or Recognition)

Any designation or recognition under Articles 4 through 8 shall take effect to the owner, holder, honorary holder, occupant or manager of the relevant cultural properties from the day of receiving a notice of such designation or recognition, and to any others, from the day of public announcement in the Official Gazette. *<Amended by Act No. 6443, Mar. 28, 2001>*

Article 12 (Cancellation of Designation or Recognition)

(1) When cultural properties designated under Article 4, 6 or 7 has either lost their value as State-designated cultural properties, or when there exist any other special reasons, the Administrator of the Cultural Properties Administration may cancel such designation by going through the deliberations of the Cultural Properties Committee. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

(2) When any holder of important intangible cultural property is deemed to be inadequate for holder of such property due to a physical or mental impediment, etc. or when there exist any other special reasons, the Administrator of the Cultural Properties Administration may cancel the recognition of the holder of important intangible cultural property, by going through the deliberations of the Cultural Properties Committee. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

(3) When any individual from among the holder or honorary holder of important intangible cultural property has deceased, the recognition of such holder or honorary holder shall be cancelled, and when all individuals from among the holders of important intangible cultural properties have deceased, the designation of such important intangible cultural properties may be cancelled, by going through the deliberations of the Cultural Properties Committee. <Amended by Act No. 5719, Jan. 29, 1999; Act No. 6443, Mar. 28, 2001>

(4) When the designation of protected objects or protected zones is found to be inappropriate as the result of examinations under the provisions of Article 8 (2), or when there exist any other special reasons, the Administrator of the Cultural Properties Administration shall either cancel the designation of protected objects or protected zones, or adjust the scope of such designation. In case where any designation of State-designated cultural properties has been cancelled, he shall promptly cancel the designation of protected objects or protected zones for such cultural properties. <Amended by Act No. 6133, Jan. 12, 2000>

(5) The provisions of Articles 9 and 11 shall apply *mutatis mutandis* to the cases of paragraphs (1) through (4).

(6) When any owner of a National Treasure, a treasure or important folk-lore materials has received a notice of cancellation under the provisions of paragraph (5) and Article 9, he shall return the written designation of such cultural properties to the Administrator of the Cultural Properties Administration within 30 days from the day he has received such notice. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

(7) When any holder of important intangible cultural property receives a notice of cancellation under the provisions of paragraph (5) and Article 9, he shall return such written recognition to the Administrator of the Cultural Properties Administration within 30 days from the day he receives such notice: *Provided*, That the same shall not apply when any individual from among the holders of important intangible cultural properties has deceased. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

Article 13 (Provisional Designation)

(1) When there exists urgent need prior to the designation of cultural properties which are deemed to carry such values as to be designated under Articles 6 and 7, and yet it is pressed for time to go through the deliberations of the Cultural Properties Committee, the Administrator of the Cultural Properties Administration may provisionally designate such cultural properties as the important cultural properties. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

(2) Effect of the provisional designation under paragraph (1) shall be taken from the date on which owners, occupants or managers of provisionally-designated cultural properties (hereinafter referred to as the "provisionally-designated

cultural properties") have been notified thereof.

(3) If a provisional designation under paragraph (1) fails to be designated under the provisions of Articles 6 and 7 within 6 months from the date of its provisional designation, it shall be deemed to be cancelled.

(4) The provisions of Articles 9 and 10 (1) shall apply *mutatis mutandis* to the case of paragraph (1); but a public announcement in the Official Gazette under Article 9 (1) shall not be required. *<Amended by Act No. 6133, Jan. 12, 2000>*

SECTION 2: Management and Protection

Article 13-2 (Formulation of Plans for Preserving, Managing and Utilizing Cultural Properties)

(1) The Administrator of the Cultural Properties Administration may formulate basic plans to preserve, manage and utilize the State-designated cultural properties, by going through consultations with the Mayor/Do governors. *<Amended by Act No. 5982, May 24, 1999>*

(2) In case where the Administrator of the Cultural Properties Administration has formulated the basic plans referred to in paragraph (1), he shall notify the Mayor/Do governors thereof, and the Mayor/Do governors shall formulate and implement the detailed plans following such basic plans. *<Amended by Act No. 5982, May 24, 1999>*

(3) Matters necessary for formulation and implementation of the basic plans and the detailed implementation plans referred to in paragraphs (1) and (2) shall be prescribed by the Presidential Decree.

[This Article Newly Inserted by Act No. 5719, Jan. 29, 1999]

Articles 14 and 15 Deleted. *<by Act No. 5719, Jan. 29, 1999>*

Article 16 (Management by Managing Organization)

(1) When the owner of State-designated cultural properties is obscure, or when any management by such owner or manager is deemed to be difficult or inadequate, the Administrator of the Cultural Properties Administration may designate a local government, or a juristic person or organization suitable for managing such cultural properties (hereafter in this Article, referred to as the "local government, etc. "), and make it manage the relevant State-designated cultural properties. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(2) In case where the Administrator of the Cultural Properties Administration is to designate the local government, etc. under paragraph (1), if there exists any owner of the said cultural properties, he shall hear his opinions and take them into consideration, and also hear the opinions of the local government, etc. intended for such designation. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(3) When the Administrator of the Cultural Properties Administration has designated the local government, etc. under paragraph (1), he shall promptly announce such purports publicly in the Official Gazette, and shall notify the owner or manager of the State-designated cultural properties and the relevant local government, etc. thereof. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(4) Any owner or manager of the State-designated cultural properties shall not obstruct, without any justifiable reasons, the managing activities by the local government, etc. (here in after referred to as the "managing organization") designated under paragraph (1).

(5) Expenses required by the managing organization for managing the State-designated cultural properties shall be borne by the relevant managing

organization, unless there exist any special provisions in this Act, but in case where the managing organization is void of any ability to bear, the State or local governments may bear such expenses. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999; Act No. 6133, Jan. 12, 2000>

(6) The provisions of Article 11 shall apply *mutatis mutandis* to the case of paragraph (1). <Amended by Act No. 5719, Jan. 29, 1999>

Article 17 Deleted. <by Act No. 5719, Jan. 29, 1999>

Article 18 (Repairs, etc.)

(1) When the owner of State-designated cultural properties (where any managing organization is designated, referring to such organization) intends to repair the relevant cultural properties, he shall make repairing technicians, repairing skilled persons, or repair business operators of cultural properties (hereinafter referred to as the "repairing technicians, etc. of cultural properties") who are registered with the Administrator of the Cultural Properties Administration or the Mayor/Do governor under Article 18-4, 18-7 or 18-8, repair them: *Provided*, That the same shall not apply to the case of minor repair not affecting the preservation of the relevant cultural properties. <Amended by Act No. 5073, Dec. 29, 1995; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999; Act No. 6840, Dec. 30, 2002>

(2) Any person who performs the repair works of cultural properties under paragraph (1) shall perform their repair works by observing the matters of the following subparagraphs: <Newly Inserted by Act No. 6840, Dec. 30, 2002>

1. To perform the repair works of cultural properties with fidelity and sincerity;
2. To perform the repair works in conformity with the repair standards, such as the design documents for repair of cultural properties and the standard specifications, etc. ;
3. To faithfully prepare a written report on the repair works of cultural properties and submit it to the ordering person; and
4. Other matters corresponding to subparagraphs 1 through 3, which are set forth by the Ordinance of the Ministry of Culture and Tourism, by deeming them necessary for the conservation of original form of cultural properties and the elevation of quality of repair works.

(3) Types and charged duties of the repairing technicians, etc. of cultural properties referred to in paragraph (1) shall be prescribed by the Presidential Decree. <Amended by Act No. 5073, Dec. 29, 1995; Act No. 6840, Dec. 30, 2002>

(4) The Administrator of the Cultural Properties Administration may set the standards for actual measurement, design and payment of costs for repairing the State-designated cultural properties under paragraph (1). <Newly Inserted by Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999; Act No. 6840, Dec. 30, 2002>

Article 18-2 (Repairing Technician of Cultural Properties)

(1) Repairing technicians of cultural properties shall take charge of the technical affairs concerning repairs of the State-designated cultural properties, and direct and supervise the work of repairing skilled persons of cultural properties.

(2) Any person who intends to become a repairing technician of cultural properties (hereinafter referred to as a "repairing technician") shall pass the qualification examination for the repairing technicians of cultural properties by relevant technical field. In this case, any person who intends to apply for the qualification examination for the repairing technicians in charge of the affairs preparing the documents of actual measurement or design for repairs of the cultural properties shall be a holder of an architect qualification under the provisions of the Certified Architects Act. <Amended by Act No. 6133, Jan. 12, 2000; Act No. 6840, Dec. 30, 2002>

(3) The qualification examination for the repairing technicians of cultural properties referred to in paragraph (2) (hereinafter referred to as the "technical

qualification examination") shall be divided into a written examination and an interview. *<Amended by Act No. 6840, Dec. 30, 2002>*

(4) For the persons falling under each of the following subparagraphs, the whole or part of written examinations shall be exempted pursuant to the relevant divisions: *<Amended by Act No. 6840, Dec. 30, 2002>*

1. For persons who have graduated (including those scheduled to graduate) from the schools established, under the conditions as prescribed by the Presidential Decree, for the fosterage of specialists in traditional cultures, which are the diverse schools under Article 59 of the Higher Education Act, all written examinations from among the technical qualification examinations in relevant field, shall be exempted; and

2. For public officials of Grade or higher, who have engaged in the repair duties of cultural properties for not less than 10 years (including the public officials in extraordinary civil service and those in contractual service equivalent to Grade or higher), and who have undergone the education specializing in the repair techniques of cultural properties under the conditions as stipulated by the Ordinance of the Ministry of Culture and Tourism, a part of written examinations from among the technical qualification examinations in relevant field shall be exempted.

(5) For persons who have passed a written examination from among the technical qualification examinations under paragraph (3), the written examination shall be exempted only for the next qualification examinations. *<Amended by Act No. 6840, Dec. 30, 2002>*

(6) Matters necessary for the subjects of technical qualification examinations and matters pertaining to a partial exemption of the written examinations under paragraphs (3) and (4), and other matters for the conduct of examinations shall be prescribed by the Presidential Decree. *<Newly Inserted by Act No. 6840, Dec. 30, 2002>*

[This Article Newly Inserted by Act No. 5073, Dec. 29, 1995]

Article 18-3 (Disqualifications)

Any person falling under any of the following subparagraphs shall not become a repairing technician: *<Amended by Act No. 5719, Jan. 29, 1999; Act No. 6133, Jan. 12, 2000; Act No. 6840, Dec. 30, 2002>*

1. Minors;
2. Incompetents or quasi-incompetents;
3. Bankrupts who fail to be reinstated;
4. Persons who have been consigned to the actual sentence of imprisonment without prison labor or to heavier sentence for violating the Certified Architects Act (limited to persons in charge of the affairs of preparing the documents of actual measurement and design for repairs of cultural properties) or this Act, and for whom 2 years have not yet passed after the completion (including the case where deemed to have been terminated) of its execution, or such an execution has been exempted; and
5. Persons who have been sentenced to the suspension of execution of punishment for violating the Acts referred to in subparagraph 4, and for whom the period of suspension of execution has yet to expire.

[This Article Newly Inserted by Act No. 5073, Dec. 29, 1995]

Article 18-4 (Registration, etc. of Repairing Technician)

(1) Persons qualified for the repairing technicians who intend to commence repair works for cultural properties, shall register themselves with the Administrator of the Cultural Properties Administration, and when there exist any alterations in the principal matters as stipulated by the Ordinance of the Ministry of Culture and Tourism from among the relevant registered matters, they shall file a report on the alterations with the Administrator of the Cultural Properties Administration

within 15 days from the date of alterations. *<Amended by Act No. 5982, May 24, 1999; Act No. 6840, Dec. 30, 2002>*

(2) Any person whose registration as a repairing technician has been cancelled under Article 18-5 shall be prohibited from any registration again within 2 years from the day of such cancellation. *<Amended by Act No. 6133, Jan. 12, 2000>*

(3) Repairing technicians shall be prohibited from letting another person implement the repair works by using their names, or leasing the registration certificate of repairing technicians, and from seeking an overlapped employment in 2 or more repairing enterprises for cultural properties. *<Newly Inserted by Act No. 6840, Dec. 30, 2002>*

(4) Matters necessary for the registration procedures for repairing technicians under paragraph (1) and for the delivery, etc. of the registration certificate shall be determined by the Ordinance of the Ministry of Culture and Tourism. *<Amended by Act No. 5719, Jan. 29, 1999>*

[This Article Newly Inserted by Act No. 5073, Dec. 29, 1995]

Article 18-5 (Cancellation, etc. of Registration)

(1) When any repairing technician falls under any of the following subparagraphs, the Administrator of the Cultural Properties Administration may either cancel his registration, or order him to suspend his business with fixing a period within 2 years under the conditions as prescribed by the Ordinance of the Ministry of Culture and Tourism: *Provided*, That when he falls under subparagraph 1, 2 or 8, the said Administrator shall cancel his registration: *<Amended by Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999; Act No. 6840, Dec. 30, 2002>*

1. When he has registered by deceit and other illegal means;
2. When he has come to fall under any subparagraph of Article 18-3;
3. Deleted; *<by Act No. 5719, Jan. 29, 1999>*
4. When he has damaged or impaired cultural properties during repair works on them (including a consolidation of the surroundings of cultural properties);
5. When it is deemed to be unable to take charge of such duties due to physical or mental impediments or any other causes;
- 5-2. When he has implemented the repair works in violation of the code of practice under Article 18 (2);
6. When he has let another person implement the repair works by using his name in violation of Article 18-4 (3), or leased the registration certificate of repairing technician, or sought an overlapped employment in 2 or more repairing enterprises for cultural properties;
7. When he has failed to use designated repair materials, or to make repairs in pursuance of the traditional styles;
8. When he has continuously carried on his business, despite he has been subjected to a disposition of business suspension; and
9. When a repairing technician has carried on the repair works in other field than his registered technical field.

(2) When the head of central administrative agency or the head of local government performs his duties relating to the cultural properties from among his competent duties, if there exist to the repairing technicians any facts falling under any each subparagraph of paragraph (1), he shall notify such facts to the Administrator of the Cultural Properties Administration. *<Newly Inserted by Act No. 6840, Dec. 30, 2002>*

[This Article Newly Inserted by Act No. 5073, Dec. 29, 1995]

Article 18-6 (Repairing Skilled Person of Cultural Properties)

(1) Repairing skilled persons of cultural properties shall take charge of the affairs concerning repairs of the State-designated cultural properties under the supervision of repairing technicians of cultural properties.

(2) A person who intends to become a repairing skilled person of cultural

properties (hereinafter referred to as a "repairing skilled person") shall pass the qualification examination by relevant field for repairing skilled persons of cultural properties. *<Amended by Act No. 5719, Jan. 29, 1999>*

(3) Qualification examination for the repairing skilled persons of cultural properties under paragraph (2) (hereinafter referred to as the "skill qualification examination") shall be conducted by a selection of candidates by a test of their practical skills and an interview. *<Amended by Act No. 6840, Dec. 30, 2002>*

(4) Matters necessary for conducting the skill qualification examination under paragraph (3) shall be determined by the Ordinance of the Ministry of Culture and Tourism. *<Amended by Act No. 5719, Jan. 29, 1999>*

[This Article Newly Inserted by Act No. 5073, Dec. 29, 1995]

Article 18-7 (Registration of Repairing Skilled Person and Cancellation, etc. of Registration)

The provisions of Articles 18-4 and 18-5 (excluding the provisions of subparagraph 2) shall apply *mutatis mutandis* to the registration of the repairing skilled persons and the cancellation, etc. thereof. *<Amended by Act No. 5719, Jan. 29, 1999>*

[This Article Newly Inserted by Act No. 5073, Dec. 29, 1995]

Article 18-8 (Registration, etc. of Repair Business Operator of Cultural Properties)

(1) Persons who intend to run a business of repairing the cultural properties shall equip themselves with the technical capability, qualification and other requirements under the conditions as prescribed by the Presidential Decree, and make a registration with the Mayor/*Do* governor, and when there exist any alterations in the principal matters as stipulated by the Ordinance of the Ministry of Culture and Tourism, from among the relevant registered matters, they shall file a report on the alterations with the Mayor/*Do* governor within 15 days from the date of alterations. *<Amended by Act No. 5982, May 24, 1999; Act No. 6840, Dec. 30, 2002>*

(2) When the Mayor/*Do* governor has completed a registration of the repair business operator for cultural properties (hereinafter referred to as the "repair business operator"), or received a report on the alterations under paragraph (1), he shall notify the Administrator of the Cultural Properties Administration thereof. *<Newly Inserted by Act No. 6840, Dec. 30, 2002>*

(3) Any person who falls under any of the following subparagraphs shall be prohibited from making a registration under paragraph (1). The same shall also apply to the case where the representative of a juristic person falls under subparagraph 1: *<Amended by Act No. 5719, Jan. 29, 1999; Act No. 6840, Dec. 30, 2002>*

1. Person who falls under any subparagraph of Article 18-3;
2. Person for whom 2 years have not passed from the day his registration of cultural properties repair business operator was cancelled under Article 18-9 (excluding those cancelled under the provisions of Article 18-9 (1) 3); and
3. Person who is under a suspension period after having been subjected to a suspension of business under Article 82 (1) and (2) or 83 of the Framework Act on the Construction Industry, or who is under a suspension period after having been subjected to a suspension of business under Article 28 (1) of the Certified Architects Act.

(4) A repair business operator shall be prohibited from letting another person contract or implement the repair works by using his trade name, etc. , or leasing the registration certificate of repair business operator or the pocketbook of the said operator's registration, which is delivered under the conditions as stipulated by the Ordinance of the Ministry of Culture and Tourism. *<Newly Inserted by Act No. 6840, Dec. 30, 2002>*

(5) Matters necessary for the registration procedures for and the delivery, etc. of

registration certificate for a cultural properties repair business operator under paragraph (1) shall be determined by the Ordinance of the Ministry of Culture and Tourism. <Amended by Act No. 5719, Jan. 29, 1999; Act No. 6443, Mar. 28, 2001>
 [This Article Newly Inserted by Act No. 5073, Dec. 29, 1995]

Article 18-9 (Cancellation, etc. of Registration of Cultural Properties Repair Business Operator)

(1) When any repair business operator who has been registered under Article 18-8 (1) falls under any of the following subparagraphs, the Mayor/Do governor may either cancel his registration, or order him to suspend his business under the conditions as prescribed by the Ordinance of the Ministry of Culture and Tourism with fixing a period within 6 months: *Provided*, That when he falls under the provisions of subparagraph 1, 2 or 5, the Mayor/Do governor shall cancel his registration: <Amended by Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999; Act No. 6840, Dec. 30, 2002>

1. When he has registered by deceit and other illegal means;
- 1-2. When he has implemented repair works in contravention of the code of practice under Article 18 (2);
2. When he has come to fall under any subparagraph of Article 18-3;
3. When he has lost the technical ability, qualification and other requirements under Article 18-8 (1), or had the fact of falling short of them;
4. Deleted; <by Act No. 6840, Dec. 30, 2002>
5. When he has continuously carried on the business despite being subjected to a disposition of business suspension, or carried on the business in contravention of the provisions for business suspension under paragraph (2);
6. When he has come to damage the cultural properties or to impair their original forms during their repairs (including a consolidation of the surroundings of cultural properties);
7. When he has let another person contract or implement the repair works by using his trade name, etc. , or leasing the registration certificate of repair business operator or the pocketbook of the said operator's registration in contravention of Article 18-8 (4);
- 7-2. When he has obtained a lease of the certificate of repairing technician or that of repairing skilled person, who is not the person belonging to him, and used it;
8. When he has concluded a subcontract *en bloc* with another person for his contracted work;
9. When he has concluded a subcontract for a part of his contracted work, in contravention of the provisions of Article 29 or 30 of the Framework Act on the Construction Industry;
10. When he has failed to perform the liability of warranty against defects under Article 18-11;
11. When the defects equivalent to not less than 10 percent of construction costs have occurred during the period of liability of warranty against defects under Article 18-11, which are attributable to the repair business operator; and
12. When he has implemented the repair works of other business type than his registered business type.

(2) When a repair business operator has been subjected to the disposition falling under one of the following subparagraphs in connection with his technical ability, qualification and other requirements under Article 18-8 (1), he shall be prohibited from carrying on the business under this Act during the period of said disposition: *Provided*, That the same shall not apply to the case of business activities by the relevant repair business operator for the performance of the contract already concluded by him: <Amended by Act No. 6840, Dec. 30, 2002>

1. Disposition of a business suspension under Article 82 (1) and (2) or 83 of the Framework Act on the Construction Industry; and

2. Disposition of a business suspension under Article 28 (1) of the Certified Architects Act.

(3) When the head of central administrative agency or the head of local government performs his duties relating to the cultural properties from among his competent duties, if there exist to the repair business operator any facts falling under one of each subparagraph of paragraph (1), he shall notify such facts to the Mayor/*Do* governor having jurisdiction over the registration place of relevant repair business operator. <Newly Inserted by Act No. 6840, Dec. 30, 2002>

[This Article Newly Inserted by Act No. 5073, Dec. 29, 1995]

Article 18-10 (Evaluation, etc. of Repair Service and Work Performance of Cultural Properties)

(1) The Administrator of the Cultural Properties Administration or the head of a local government, who has ordered repair service or repair work of cultural properties (hereinafter referred to as the "order-placing authority") in order to elevate a technical level of repair business operator and to improve the quality of the repair works on cultural properties, may perform an evaluation on what are in excess of the standards as prescribed by the Presidential Decree from among the repair service or repair work of relevant cultural properties.

(2) With regard to a repair business operator of a service business or repair works who has obtained an excellent result in the evaluation under paragraph (1), the order-placing authority may designate him as an excellent business operator with fixing a period.

(3) The order-placing authority may provide the excellent business operator under paragraph (2) with preferential treatment during the designated period, in placing orders for repair service or repair work of cultural properties which are to be implemented by it.

(4) In case where deemed necessary for performing the evaluation under paragraphs (1) and (2), the order-placing authority may directly inspect the scene, etc. of repairing cultural properties, or make the repair business operator submit the data necessary for evaluation.

(5) Matters necessary for the standards, procedures, methods for evaluation and the valid period, etc. for the designation of excellent business operator under paragraphs (1) through (4) shall be prescribed by the Ordinance of the Ministry of Culture and Tourism.

[This Article Newly Inserted by Act No. 6443, Mar. 28, 2001]

Article 18-11 (Liability of Warranty against Defects of Repair Works)

(1) A repair business operator shall have the liability of warranty to the ordering person against any deficits occurred during the period of liability of warranty against defects by type of repair works as prescribed by the Presidential Decree within the limit of 10 years from the date of completion of repair works.

(2) Notwithstanding the provisions of paragraph (1), the liability of warranty against defects of the repair business operator shall be governed by the special contract, if the contract concluded between the repair business operator and the ordering person provides for such special contract: *Provided*, That where the period of liability of warranty against defects has been set at less than 2/3 of the period under paragraph (1), it shall be deemed to have been set at 2/3 of such period; and where it is set for exempting in excess of 1/2 of the liability of warranty against defects, it shall be deemed to have been set for exempting 1/2 of the liability of warranty against defects.

[This Article Newly Inserted by Act No. 6840, Dec. 30, 2002]

Article 18-12 (Treatment, etc. of Animals Designated as Natural Monuments)

(1) Any veterinary infirmary designated by the Administrator of the Cultural Properties Administration may be charged with the transport for rescue, medication, operation, breeding and wild fitness training (hereinafter referred to as the "treatment") in case where any animal designated as a natural monument (hereinafter referred to as an "animal") is in distress, notwithstanding the provisions of Article 18.

(2) When an urgent protection is needed for an animal in distress, etc. , the Administrator of the Cultural Properties Administration may, notwithstanding the provisions of Article 20, make a veterinary infirmary provide the treatment first without any permit for alteration of current status, and thereafter file a report on the result thereof. *<Amended by Act No. 6840, Dec. 30, 2002>*

(3) The State or local governments may pay within the limit of budgets any expenses required for animal treatments to the veterinary infirmary which has treated the animals. *<Amended by Act No. 6840, Dec. 30, 2002>*

(4) When any veterinary infirmary falls under any of the following subparagraphs, the Administrator of the Cultural Properties Administration may cancel its designation: *<Amended by Act No. 6840, Dec. 30, 2002>*

1. When it has obtained the designation by falsity and other illegal means;
2. When it has come to fall short of requirement for designation under paragraph (5);
3. When it has made any animal under treatment die or become disabled by intention or gross negligence;
4. When it has failed to file a report on the result of treatment under paragraph (2) or filed a false report;
5. When it has, by falsity, requested the expenses for animal treatments under paragraph (3); and
6. When it has violated the orders of the Administrator of the Cultural Properties Administration or of the head of local government under Article 25 (1).

(5) Matters necessary for the requisites and procedures for designating a veterinary infirmary shall be prescribed by the Ordinance of the Ministry of Culture and Tourism. *<Amended by Act No. 6840, Dec. 30, 2002>*

[This Article Newly Inserted by Act No. 6133, Jan. 12, 2000]

Article 19 (Preparation and Keeping of Records)

(1) With regard to what are important from among the State-designated cultural properties, the Administrator of the Cultural Properties Administration shall prepare and keep their records. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(2) When the Administrator of the Cultural Properties Administration deems it necessary for the preservation and management of State-designated cultural properties, he may have research institutes or persons having the professional knowledge of cultural properties prepare the records of State-designated cultural properties. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

Article 20 (Matters for Permission)

Any person who intends to perform the activities falling under any of the following subparagraphs on the State-designated cultural properties, shall obtain permission from the Administrator of the Cultural Properties Administration under the conditions as prescribed by the Presidential Decree. The same shall also apply to any alteration in the permitted matters: *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5073, Dec. 29, 1995; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999; Act No. 6133, Jan. 12, 2000>*

1. Capturing or collecting animals, plants or minerals within an area designated or provisionally designated as a scenic spot or a natural monument, or within its protected zone, or carrying them out of such an area or zone;

2. Deleted; <by Act No. 5719, Jan. 29, 1999>
3. Taking any rubbing of, or photo printing, State-designated cultural properties, or making a film of them in such a manner that may affect their preservation; and
4. Any acts as prescribed by the Ordinance of the Ministry of Culture and Tourism, which are such acts as altering the current status (including the act of sampling or stuffing the natural monuments) of the State-designated cultural properties (including the protected objects and protected zones, and what has perished from among the natural monuments), or as affecting their preservation.

Article 21 (Prohibition of Exports, etc.)

(1) Any National Treasure, treasure, natural monuments or important folklore materials shall not be exported overseas or carried out of the country: *Provided*, That the same shall not apply to the case where a permission from the Administrator of the Cultural Properties Administration has been obtained on the conditions that they are carried out for the purpose of international cultural exchanges, such as an overseas exhibit of cultural properties, but they may be carried in again within two years from the date of their departure. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

(2) When any person who has obtained a permission for carrying out under the proviso of paragraph (1) files an application for extension of such period for carrying-out, the Administrator of the Cultural Properties Administration may grant a permission for extending such period for carrying-out within the limit of two years, limited to the case deemed to have unavoidable reasons. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

(3) When the Administrator of the Cultural Properties Administration intends to grant a permission for carrying the cultural properties out overseas under the proviso of paragraph (1), he shall go through the deliberations of the State Council. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999; Act No. 6133, Jan. 12, 2000>

(4) When any person has made the natural monuments in a rubbing or photo printing form by obtaining a permission under subparagraph 4 of Article 20, he may export them by obtaining a permission from the Administrator of the Cultural Properties Administration, notwithstanding the provisions of paragraph (1). <Newly Inserted by Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

Articles 22 and 23 Deleted. <by Act No. 5719, Jan. 29, 1999>

Article 24 (Protection and Promotion of Important Intangible Cultural Properties)

(1) The State shall protect and promote the important intangible cultural properties for the purpose of succession and development of the traditional cultures.

(2) The Administrator of the Cultural Properties Administration may, for the purpose of succession and preservation of the important intangible cultural properties, have any holder of relevant important intangible cultural properties perform an initiation training of skills and arts possessed by him. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

(3) The State may bear the expenses required for the initiation training under paragraph (2) within the limit of budgets.

(4) The Administrator of the Cultural Properties Administration may award a scholarship to any person who undergoes the initiation training. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No.

5982, May 24, 1999>

(5) The Administrator of the Cultural Properties Administration may pay special sponsoring money to the honorary holders of important intangible cultural properties. <Amended by Act No. 6443, Mar. 28, 2001>

(6) Matters necessary for the initiation training, and the payment of scholarships and special sponsoring money under the provisions of paragraphs (2), (4) and (5) shall be prescribed by the Presidential Decree. <Newly Inserted by Act No. 6443, Mar. 28, 2001>

Article 25 (Administrative Order)

(1) When the Administrator of the Cultural Properties Administration or the head of a local government deems it necessary for the management and protection of State-designated cultural properties (including the protected objects and protected zones; hereafter in this Article, the same shall apply), he may issue the following orders: <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

1. In case where the situation of managing the State-designated cultural properties is inadequate for the preservation of such cultural properties or specially required therefore, any prohibition of, or restriction on, the specific activities, to their owners, holders, managers or managing organizations;

2. Deleted; <by Act No. 5719, Jan. 29, 1999>

3. Repairs, and the installation of other necessary facilities, or removal of the obstacles, to the owners, managers or managing organizations of the State-designated cultural properties; and

4. Necessary measures other than those under subparagraphs 1 through 3, to the owners, managers or managing organizations of the State-designated cultural properties.

(2) When the owners or managers of the State-designated cultural properties fail to comply with the order under paragraph (1), or when the Administrator of the Cultural Properties Administration deems it improper to have their owners or managers take the measures under each subparagraph of paragraph (1), the said Administrator may directly take the measures under each subparagraph of paragraph (1) at a burden to the State. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

(3) In case where the head of a local government has issued an order under paragraph (1), he shall file a report thereon with the Administrator of the Cultural Properties Administration. <Newly Inserted by Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

Article 26 Deleted. <by Act No. 5719, Jan. 29, 1999>

Article 27 (Matters to be Reported)

The owners, holders, managers or managing organizations of the State-designated cultural properties (including the protected objects and protected zones; hereafter in this Article, the same shall apply) shall, when the causes falling under any of the following subparagraphs have occurred to the relevant cultural properties, file a report on such facts and particulars with the Administrator of the Cultural Properties Administration under the conditions as prescribed by the Presidential Decree: *Provided*, That such report shall be filed with the joint signature of the owners and managers in the case of subparagraph 1, and with the joint signature of the new and old owners in the case of subparagraph 2, respectively: <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999; Act No. 6133, Jan. 12, 2000>

1. When the managers are appointed or dismissed;

2. When there exist any changes in the owners of State-designated cultural

- properties;
3. When there exist any changes in the names or addresses of the owners, holders or managers;
 4. When there exist any changes in the names, parcel numbers, land categories or areas, etc. of the seats of State-designated cultural properties;
 5. When the place of custody has been changed;
 6. When the State-designated cultural properties have been demolished, stolen, destroyed or damaged;
 7. When such cultural properties have been carried in again after having them carried out, as having been permitted under subparagraph 1 of Article 20, or the proviso of Article 21 (1);
 8. When any change in a current status of cultural properties and any other acts have been undertaken or completed by obtaining a permission (including a modified permission) under subparagraph 4 of Article 20;
 9. and 10. Deleted; and *<by Act No. 5719, Jan. 29, 1999>*
 11. When any breed of animals or any seed of plants is designated as a natural monument, and any person is in possession of the sampled or stuffed ones before the day of such designation.

Article 28 (Subsidies)

(1) The State may grant a subsidy to cover the whole or part of the following expenses:

1. Expenses required for the management of cultural properties by a managing organization under Article 16 (1);
2. Expenses required for taking measures under each subparagraph of Article 25 (1);
3. Expenses required for the management, protection, repairs or preparation of record of the State-designated cultural properties other than those under subparagraphs 1 and 2; and
4. Expenses required for the protection or promotion of important intangible cultural properties.

(2) In case where a subsidy is granted under paragraph (1), the Administrator of the Cultural Properties Administration may supervise any repairs and other works on the cultural properties. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(3) Any subsidies under paragraph (1) 2 through 4 of shall be delivered through the Mayor/Do governor, and managed and utilized pursuant to his directions: *Provided*, That the same shall not apply to the case where the Administrator of the Cultural Properties Administration deems it necessary. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5073, Dec. 29, 1995; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

Article 29 Deleted. *<by Act No. 5719, Jan. 29, 1999>*

Article 30 (Indemnity for Losses)

The State shall indemnify a person falling under any of the following subparagraphs for his losses: *<Amended by Act No. 5719, Jan. 29, 1999>*

1. Deleted; *<by Act No. 5719, Jan. 29, 1999>*
2. Person who has incurred losses due to the performance of orders under Article 25 (1) 1, 3 or 4; and
3. Person who has incurred losses due to measures taken under Article 25 (2).

Article 31 (Expenses to be Borne by Local Government)

The local government may bear or subsidize the expenses required for the management, protection or repairs of the State-designated cultural properties located in the district boundaries of the local government, which are not in its

possession nor under its management.

Article 32 (*Mutatis Mutandis* Application)

The provisions of Articles 20, 21, 25 (1) 1 and 4, and subparagraphs 2 through 4 and 6 through 8 of Article 27, and Article 30, shall apply *mutatis mutandis* to the management and protection of the provisionally designated cultural properties.

<Amended by Act No. 5719, Jan. 29, 1999>

SECTION 3: Opening to the Public

Article 33 (Opening to the Public of State-designated Cultural Properties)

(1) Any State-designated cultural properties shall, except for the case where any opening of relevant cultural properties to the public is restricted under paragraph (2), be made open to the public unless there exist any special grounds.

(2) When deemed necessary to preserve the State-designated cultural properties and to prevent them from being damaged, the Administrator of the Cultural Properties Administration may set limits to any opening to the public of the whole or part of relevant cultural properties.

(3) When the Administrator of the Cultural Properties Administration sets limits to the opening to the public of the State-designated cultural properties under paragraph (2), he shall publicly announce the location of an area in which the relevant cultural properties are located, and the period and area, etc. for restricted opening under the conditions as prescribed by the Ordinance of the Ministry of Culture and Tourism, and notify the competent Mayor/*Do* governor and the competent head of *Si/Gun/Gu* (referring to the head of autonomous *Gu*; hereinafter the same shall apply) thereof.

(4) When the causes for restricting an opening to the public have come to disappear, the Administrator of the Cultural Properties Administration shall promptly revoke such restrictive measures. In this case, the said Administrator shall announce it publicly, and notify the competent Mayor/*Do* governor and the competent head of *Si/Gun/Gu* thereof.

(5) Any person who intends to gain access to the area limited opening to the public under the provisions of paragraphs (2) and (3) shall obtain permission from the Administrator of the Cultural Properties Administration, by clarifying the reasons therefore.

[This Article Wholly Amended by Act No. 6133, Jan. 12, 2000]

Articles 34 through 38 Deleted. <by Act No. 5719, Jan. 29, 1999>

Article 39 (Collection of Admission Fees)

(1) In case where any owner, holder or managing organization of State-designated cultural properties opens the cultural properties to the public, he or it may collect an admission fee from a spectator.

(2) The admission fee as referred to in paragraph (1) shall be set by the owner, holder or managing organization of the relevant cultural properties. <Amended by Act No. 5073, Dec. 29, 1995>

(3) Deleted. <by Act No. 6133, Jan. 12, 2000>

(4) Deleted. <by Act No. 5073, Dec. 29, 1995>

SECTION 4: Investigation

Article 40 Deleted. <by Act No. 5719, Jan. 29, 1999>

Article 41 (Ex-Officio Investigation)

(1) The Administrator of the Cultural Properties Administration may, when deemed necessary, make the public officials under his command investigate the current status, management, and repairs of the State-designated cultural properties and other situations of environmental preservation. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(2) In case where an investigation is made under paragraph (1), the purport thereof shall be notified in advance to the owner, holder, manager or managing organization of the cultural properties: *Provided*, That in case of emergency, an *ex post facto* notification may be made.

(3) Any public official performing an investigation under paragraph (1) may request the persons concerned to render the necessary cooperation, and may conduct the measurement, excavation, removal of obstacles, and any other activities required for his investigation within the limit of undamaging the current status of such cultural properties: *Provided*, That he shall obtain the consent from the owner, holder, manager or managing organization, if it is before sunrise or after sunset.

(4) Any public official performing the investigation under paragraph (2) shall carry with him a voucher indicating his authority, and present it to the interested parties.

(5) The State shall indemnify any person, who has incurred losses due to the investigative activities under paragraph (3), for such losses.

CHAPTER 3: REGISTERED CULTURAL PROPERTIES**Article 42 (Registration of Cultural Properties)**

(1) The Administrator of the Cultural Properties Administration may register what are in need of special measures for preservation and utilization from among the cultural properties in the shape of the structures which are not the designated cultural properties, or in the shape of the facilities being worthy of commemoration, by going through the deliberations of the Cultural Properties Committee.

(2) Matters necessary for the standards, procedures, matters for registration, etc. for the cultural properties registered under paragraph (1) (hereinafter referred to as "registered cultural properties") shall be prescribed by the Ordinance of the Ministry of Culture and Tourism.

[This Article Newly Inserted by Act No. 6443, Mar. 28, 2001]

Article 42-2 (Management of Registered Cultural Properties)

(1) Any person who manages the registered cultural properties, such as the owner and manager of the registered cultural properties, shall endeavor to conserve the original form of such registered cultural properties.

(2) In case where the owner of the registered cultural properties is obscure or their owner or manager is unable to manage such registered cultural properties, the Administrator of the Cultural Properties Administration may designate a

person to manage the relevant registered cultural properties, from among local governments, or corporations or organizations well fitted for managing such cultural properties, and make him manage such properties.

(3) The owner or manager of the registered cultural properties, or any person designated under paragraph (2) (hereinafter referred to as a "managing organization for the registered cultural properties") may request the Administrator of the Cultural Properties Administration to render technical guidance related to the management and repair of registered cultural properties, under the conditions as prescribed by the Ordinance of the Ministry of Culture and Tourism.

[This Article Newly Inserted by Act No. 6443, Mar. 28, 2001]

Article 42-3 (Causes for Reports)

(1) When any causes falling under any of the following subparagraphs have occurred in regard to registered cultural properties, any owner, manager, or managing organization for the registered cultural properties shall file a report on such facts and particulars with the head of competent *Si/Gun/Gu*, within 15 days from the day such causes have occurred, under the conditions as prescribed by the Ordinance of the Ministry of Culture and Tourism:

1. When the manager of registered cultural properties has been appointed or dismissed;
2. When the owner of registered cultural properties has been altered, or the address of the owner or manager of registered cultural properties has been changed; and
3. When the whole or part of registered cultural properties has been demolished or damaged.

(2) The head of *Si/Gun/Gu* in receipt of the report under paragraph (1) shall file a report on such fact with the Administrator of the Cultural Properties Administration through the Mayor/*Do* governor.

[This Article Newly Inserted by Act No. 6443, Mar. 28, 2001]

Article 42-4 (Alteration in Current Status of Registered Cultural Properties)

(1) Any person who intends to perform the activities as prescribed by the Ordinance of the Ministry of Culture and Tourism, which are to alter the current status of registered cultural properties, such as changing the original shape of registered cultural properties, shall file a report thereon with the head of competent *Si/Gun/Gu*, not later than 30 days prior to the day intended to make such alteration.

(2) The head of *Si/Gun/Gu* in receipt of the report under paragraph (1) shall file a report thereon with the Administrator of the Cultural Properties Administration through the Mayor/*Do* governor.

(3) When the Administrator of the Cultural Properties Administration deems it necessary for the protection of registered cultural properties, he may offer any guidance, counsel, recommendation, etc. in respect of any alterations in the current status of registered cultural properties reported under paragraph (1).

[This Article Newly Inserted by Act No. 6443, Mar. 28, 2001]

Article 42-5 (Cancellation of Registration)

(1) When it is no longer necessary to conserve and utilize the registered cultural properties or there exist any other special grounds, the Administrator of the Cultural Properties Administration may cancel the registration thereof, by going through the deliberations of the Cultural Properties Committee.

(2) When any registered cultural properties have been designated as the designated cultural properties, their registration shall lose its effect.

[This Article Newly Inserted by Act No. 6443, Mar. 28, 2001]

Article 42-6 (Provisions to Apply *Mutatis Mutandis*)

(1) The provisions of Articles 9 through 11 shall apply *mutatis mutandis* to the registration of registered cultural properties, the public announcement and notice of cancellation of registration, the delivery of a registration certificate, and the time of taking effect of registration or cancellation of registration. In this case, the term "State-designated cultural properties" shall be read as "registered cultural properties", and the term "designation" as "registration", and the term "written designation of cultural properties" as "certificate of registration", respectively.

(2) The provisions of Articles 16 (2) through (6), 19, 28 (1) 1 and 3, and (2) and (3), 31, 41, and 59 shall apply *mutatis mutandis* to the management by a managing organization of registered cultural properties, the preparation and keeping of records on registered cultural properties, the support of subsidies by the State, the bearing of costs by local governments, the *ex officio* investigation of the current status, etc. of registered cultural properties, and the succession to rights and duties in the case of a change of the owner. In this case, the term "State-designated cultural properties" shall be read as "registered cultural properties", and the term "managing organization" as "managing organization of registered cultural properties", respectively.

[This Article Newly Inserted by Act No. 6443, Mar. 28, 2001]

CHAPTER 4 : BURIED CULTURAL PROPERTIES

Article 43 (Report on Discovery)

When any cultural properties concealed in the land, sea-bottom or structures, etc. (hereinafter referred to as "buried cultural properties") have been discovered, such discoverers, or the owner, occupant or manager of the land, sea-bottom or structures, etc. shall file a report on the fact of such discovery with the Administrator of the Cultural Properties Administration under the conditions as prescribed by the Presidential Decree, without making any changes in the current status. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

Article 44 (Restrictions on Excavations)

(1) Any ancient tomb, shell mound, ancient creatures' materials, or natural cave, and any other land and sea-bottom deemed to conceal the buried cultural properties, shall not be excavated: *Provided*, That the same shall not apply to the cases falling under any of the following sub-paragraphs, for which a permission from the Administrator of the Cultural Properties Administration has been obtained under the conditions as prescribed by the Presidential Decree: <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

1. Where an excavation is carried out for the purpose of research;
2. Where there exists a need for unavoidable excavation for construction works (including engineering works; hereinafter the same shall apply); and
3. Where it has been deemed during the execution of construction works that such land or sea-bottom conceals the buried cultural properties, and where there exists a need for unavoidable excavation for continuing such construction works.

(2) The Administrator of the Cultural Properties Administration may instruct the required matters in granting a permission under the proviso of paragraph (1), and if deemed necessary in case where a permission has been granted, he may give orders to stop or suspend the excavation, or cancel such permission. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

(3) When any person subjected to a permission under the proviso of paragraph (1) has completed such excavation, the Administrator of the Cultural Properties Administration may instruct the matters required for the preservation and management, etc. of the excavated cultural properties. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

(4) In the cases falling under paragraph (1) 2 or 3, when the Administrator of the Cultural Properties Administration deems it necessary for the preservation of such cultural properties, he may either directly excavate them, or make any person designated by himself excavate them. In this case, any expenses required for such excavation shall be borne by the implementer of such works: *Provided*, That any expenses required for the excavation due to the construction work as prescribed by the Presidential Decree may be borne by the State or a local government within the limit of its budget. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 4884, Jan. 5, 1995; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999; Act No. 6443, Mar. 28, 2001>

(5) The provisions of paragraphs (1) through (3) shall apply *mutatis mutandis* to the case of altering the current status of buried cultural properties which have been excavated (excluding the cultural properties belonging to movable properties). In this case, the term "excavation" shall be read as the "alteration in the current status".

Article 45 (Excavation by State)

(1) When the Administrator of the Cultural Properties Administration deems it necessary, he may excavate the land and sea-bottom which are deemed to conceal the buried cultural properties. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

(2) In the case of paragraph (1), the Administrator of the Cultural Properties Administration shall deliver a written notice of excavation describing the purpose and methods of excavation, the date of undertaking and other necessary matters, to the owner or occupant of such land, under the conditions as prescribed by the Presidential Decree. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

(3) The owner and manager of the land, or the occupant of the land and sea level shall not refuse, obstruct or avoid any excavation under paragraph (1).

(4) The provisions of Articles 30 and 41 shall apply *mutatis mutandis* to the cases under paragraph (1).

Article 45-2 (Standards for Prices of Service to Survey Buried Cultural Properties)

The Administrator of the Cultural Properties Administration may determine the matters necessary for the standards for prices of service to survey the buried cultural properties and the methods of such computation, under the consultation with the Minister of Finance and Economy. <Amended by Act No. 5982, May 24, 1999>
[This Article Newly Inserted by Act No. 5719, Jan. 29, 1999]

Article 46 (Methods of Dispositions)

(1) When there exists a report on discovery under Article 43, or when any cultural properties have been discovered due to an excavation under Article 44 or 45, or a survey of the earth's surface under the provisions of Article 74-2 (1), the Administrator of the Cultural Properties Administration shall, in case where the owner of relevant cultural properties has been identified, return them to such owner pursuant to each of the following subparagraphs; and in case where the owner has been unidentified, he shall notify the chief of competent police station thereof, notwithstanding the provisions of Article 1 (1) of the Lost Articles Act which are applied *mutatis mutandis* in Article 13 of the said Act: <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982,

May 24, 1999>

1. Where there exists a report on discovery under Article 43, or where any cultural properties have been discovered due to an excavation under Article 44 (1), or a survey of the earth's surface under Article 74-2 (1), the said Administrator shall make such discoverer or excavator return them to such owner; and
 2. Where any cultural properties have been discovered due to an excavation under Articles 44 (4) and 45, the said Administrator shall return them to such owner.
- (2) When the chief of the police station has received a notification under paragraph (1), he shall promptly make a public announcement under the provisions of Article 1 (2) of the Lost Articles Act which are applied *mutatis mutandis* in Article 13 of the said Act.

Article 47 (Disposition Method of Buried Cultural Properties by Chief of Police Station, etc.)

- (1) In case where any goods submitted to the chief of the police station as the buried or lost goods under the Lost Articles Act are recognized as the cultural properties, the said chief shall make a public announcement of them under the Lost Articles Act, and at the same time, file a report on the fact of submissions of the buried or lost goods recognized as the cultural properties with the Administrator of the Cultural Properties Administration, and submit them to the Administrator of the Cultural Properties Administration within 20 days from the date of their submission, except for the case of returning such goods to the owner. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>
- (2) The Administrator of the Cultural Properties Administration shall appraise the goods submitted under paragraph (1), and dispose of them pursuant to any of the following subparagraphs: <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>
1. Where the relevant goods are the cultural properties, when the owner has been unidentified, the said Administrator shall notify the chief of police station of the purport that such goods are the cultural properties; and when the owner has been identified, the relevant goods shall be returned to the chief of police station by attaching the purport that such goods are the cultural properties; and
 2. Where the relevant goods are not the cultural properties, the relevant goods shall be returned to the chief of police station by attaching the purport that such goods are not the cultural properties.

Article 48 (Reversion to State, and Indemnity)

- (1) In case where the owner has not been identified within 30 days after a public announcement was made under Article 46 (2) or 47 (1), the relevant cultural properties in need of a direct preservation by the State shall be reverted to the State, notwithstanding the provisions of Articles 253 and 254 of the Civil Act, and matters necessary for the scope of cultural properties subject to a reversion to the State, the safekeeping institution, and the methods of dealing with any excavated relics need- less to preserve, etc. shall be prescribed by the Ordinance of the Ministry of Culture and Tourism. <Amended by Act No. 6133, Jan. 12, 2000>
- (2) In the case of paragraph (1), the Administrator of the Cultural Properties Administration shall pay the indemnity under Article 13 of the Lost Articles Act to the discoverer or finder of relevant cultural properties and the owner of land or structures, etc. wherein such cultural properties have been discovered. In this case, if the discoverer or finder and the owner of land or structures, etc. are not the same persons, the indemnity shall be paid equally: *Provided*, That when any expenses have been disbursed in such discovery and finding, the said amount of indemnity may be differentiated under the conditions as prescribed by the

Presidential Decree. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(3) In case where the Administrator of the Cultural Properties Administration deems that it is needless to preserve any cultural properties, which have been reverted to the State under paragraph (1), directly by the State, he may transfer them to the discoverer or finder of relevant cultural properties and the owner of land or structures, etc. wherein such cultural properties have been discovered. In this case, the indemnity under paragraph (2) shall not be paid. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(4) In case where the indemnity is paid under paragraph (2), the Administrator of the Cultural Properties Administration may fix the amount of indemnity to the relevant cultural properties, by going through a deliberation by the Cultural Properties Committee, and the procedures for paying the indemnity and other matters necessary for paying the indemnity shall be prescribed by the Presidential Decree. *<Newly Inserted by Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(5) The Administrator of the Cultural Properties Administration may instruct the necessary matters to the discoverer or finder of relevant cultural properties or the owner of land or structures wherein such cultural properties have been discovered, in order to adequately and swiftly perform a reversion to the State under paragraph (1). *<Newly Inserted by Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

Article 48-2 (Protection of Buried Cultural Properties)

(1) In case where the State, local government or any juristic person as prescribed by the Presidential Decree intends to run any development project as prescribed by the Presidential Decree in such area as has been judged to conceal the buried cultural properties, as a result of the survey of earth's surface by a specialized institution related to the cultural properties which is publicly announced by the Administrator of the Cultural Properties Administration, it shall hold a consultation with the Administrator of the Cultural Properties Administration in advance. *<Amended by Act No. 4982, May 24, 1999>*

(2) In case where the Administrator of the Cultural Properties Administration deems it necessary to protect the buried cultural properties, he may order a person intending to run the development project under paragraph (1) to take measures necessary for running such business. *<Amended by Act No. 4982, May 24, 1999>*

(3) In case where the head of the local government grants an authorization or permission for a construction work not corresponding to the development project under paragraph (1) in such area as is deemed to conceal the buried cultural properties, he shall examine in advance whether or not any buried cultural properties are concealed and any schemes for their protection. In case where he deems it necessary to protect the buried cultural properties and the surrounding sceneries, any authorization or permission for relevant construction works may not be granted.

[This Article Newly Inserted by Act No. 5719, Jan. 29, 1999]

Article 48-3 (Preparation, etc. of Records on Buried Cultural Properties)

The State and local governments shall endeavor to prepare and keep the records on buried cultural properties which have been confirmed, and devise the proper schemes to protect the areas concealing such cultural properties.

[This Article Newly Inserted by Act No. 5719, Jan. 29, 1999]

Article 48-4 (Raising or Supporting Institutions Specializing in Survey of Buried Cultural Properties)

The State and local governments shall actively raise or support the establishment of specialized institutions for surveying the buried cultural properties, for the

purpose of survey, excavation and preservation of the buried cultural properties.
[This Article Newly Inserted by Act No. 5719, Jan. 29, 1999]

Article 49 (*Mutatis Mutandis* Application of Lost Articles Act)

Except as otherwise prescribed in this Act, the provisions of Article 13 of the Lost Articles Act shall apply *mutatis mutandis* to the buried cultural properties.

CHAPTER 5: SPECIAL CASES CONCERNING STATE-OWNED CULTURAL PROPERTIES

Article 50 (Authority for Management and Overall Control)

(1) Any cultural properties belonging to the ownership of the State (here in after referred to as "State-owned cultural properties") shall be managed and controlled overall by the Administrator of the Cultural Properties Administration, notwithstanding the provisions of Article 6 of the State Properties Act and Article 7 of the Commodity Management Act: *Provided*, That in case where any State-owned cultural properties are the administrative properties managed by any head of a central government agency other than the Administrator of the Cultural Properties Administration (referring to the head of a central government agency under the Budget and Accounts Act; hereinafter the same shall apply), or in case where there exists any special necessity to be managed by the head of a central government agency other than the Administrator of the Cultural Properties Administration, the said Administrator shall determine such management authority by holding a consultation with the head of the related agency and the Minister of Finance and Economy. *<Amended by Act No. 3947, Nov. 28, 1987; Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5073, Dec. 29, 1995; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(2) When the Administrator of the Cultural Properties Administration determines the management authority under the proviso of paragraph (1), he shall hear the opinions of the Cultural Properties Committee. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(3) and (4) Deleted. *<by Act No. 5719, Jan. 29, 1999>*

(5) The Administrator of the Cultural Properties Administration may either delegate the management of State-owned cultural properties not falling under the proviso of paragraph (1) to local governments, or entrust such management to the nonprofit corporation or the non-profit organization which is not a juristic person. In this case, any revenues accruing from the management of such State-owned cultural properties shall be made the revenues of persons delegated or entrusted with such management. *<Amended by Act No. 6133, Jan. 12, 2000>*

(6) Deleted. *<by Act No. 5719, Jan. 29, 1999>*

Article 51 (Management Refund between Accounts without Compensation)

When the Administrator of the Cultural Properties Administration receives any management refund from the account under a different control, in order to manage the State-owned cultural properties, he may do so without compensation, notwithstanding the provisions of Article 23 of the State Properties Act. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

Article 52 (Special Cases for Procedures and Methods)

(1) In case where the Administrator of the Cultural Properties Administration designates or provisionally designates the State-owned cultural properties whose management authority has been separately determined under the proviso of Article 50 (1) as the State-designated cultural properties, or where he revokes

such designation or provisional designation, any notification to be made under this Act to the owner or occupant of such cultural properties shall be made to the management authority of such cultural properties. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(2) In applying Articles 25, 27, 39 and 41 to the State-owned cultural properties whose management authority has been separately determined under the proviso of Article 50 (1), the term "owner of such cultural properties" means the management authority of such cultural properties. *<Amended by Act No. 5719, Jan. 29, 1999>*

Article 53 (Restrictions on Disposal)

When the management authority under the proviso of Article 50 (1) intends to perform any acts other than those prescribed in each subparagraph of Article 20 on the State-designated cultural properties or provisionally designated cultural properties under its control, it shall obtain in advance a consent of the Administrator of the Cultural Properties Administration. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

Article 54 (Prohibition of Transfer and Establishment of Private Right)

State-owned cultural properties (including their sites) shall not be transferred or no private right shall be established thereon, unless there exist any special provisions in this Act: *Provided*, That in case where deemed that there exist no impediments for their management or protection, any use of such cultural properties may be permitted by attaching a specific condition, limited to the case of special necessity for the use in the public, official or public-interest projects.

CHAPTER 6: CITY/DO-DESIGNATED CULTURAL PROPERTIES

Article 55 (Designation, etc. of City/Do-Designated Cultural Properties)

(1) The Mayor/*Do* governor may designate what are deemed to be worthy of preservation from among the cultural properties hitherto undesignated as the State-designated cultural properties, which are located in the district boundaries of the City/*Do*, as the City/*Do*-designated cultural properties. *<Amended by Act No. 5073, Dec. 29, 1995>*

(2) The Mayor/*Do* governor may designate what are deemed to be necessary for the preservation of local culture from among the cultural properties hitherto undesignated under paragraph (1), as the cultural properties materials. *<Amended by Act No. 5073, Dec. 29, 1995>*

(3) The Administrator of the Cultural Properties Administration may advise the Mayor/*Do* governor to designate or preserve as the City/*Do*-designated cultural properties or the cultural properties materials (including the protected objects or protected zones; hereinafter the same shall apply) with regard to the cultural properties deemed to be necessary by passing through the deliberations of the Cultural Properties Committee. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5073, Dec. 29, 1995; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(4) When making a designation of the City/*Do*-designated cultural properties or the cultural properties materials under the provisions of paragraphs (1) through (3), the title of the Special Metropolitan City or of relevant Metropolitan City or *Do* shall be indicated in front of the term "designated", so as to become aware of the designation by relevant Special Metropolitan City, Metropolitan City or *Do*. *<Amended by Act No. 5073, Dec. 29, 1995>*

(5) Matters necessary for the procedures for designation and cancellation, management, protection or training, opening to the public of the City/*Do*-designated cultural properties or the cultural properties materials, and the establishment, etc. of an advisory agency on the cultural properties, shall be determined by the Municipal Ordinance of the relevant local governments.
<Amended by Act No. 5073, Dec. 29, 1995>

Article 56 (Bearing Expenses)

(1) In case where City/*Do*-designated cultural properties or cultural properties materials, which have been designated under the provisions of Article 55 (1) and (2), are the State-owned or public properties, any expenses required for their preservation shall be borne by the State or the relevant local government.

(2) The State or the local government may subsidize the whole or part of expenses required for the preservation of the City/*Do*-designated cultural properties or the cultural properties materials which are not the State-owned or public properties.

Article 57 (Report, etc.)

(1) In case where there exist any reasons falling under any of the following subparagraphs, the Mayor/*Do* governor shall promptly file a report thereon with the Administrator of the Cultural Properties Administration, under the conditions as prescribed by the Presidential Decree: <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5073, Dec. 29, 1995; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

1. When the City/*Do*-designated cultural properties or the cultural properties materials have been designated, or such designation has been cancelled;
2. When the works of changing, etc. the current status of the City/*Do*-designated cultural properties or the cultural properties materials are undertaken, or such works have been completed;
3. When the location or custody place of the City/*Do*-designated cultural properties or the cultural properties materials has been changed; and
4. When the City/*Do*-designated cultural properties or the cultural properties materials have been demolished, stolen, destroyed or damaged.

(2) When the Administrator of the Cultural Properties Administration deems that any acts under paragraph (1) 1 through 3 are inappropriate, he may order that it be corrected or that other necessary measures be taken. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

Article 58 (Provisions to be Applied *Mutatis Mutandis*)

(1) The provisions of Articles 18 (1) and (4), 21 (1) and (2) shall apply *mutatis mutandis* to the City/*Do*-designated cultural properties and the cultural properties materials. <Amended by Act No. 5719, Jan. 29, 1999; Act No. 6840, Dec. 30, 2002>

(2) The provisions of Articles 8, 12 (1) and (4), 13, 13-2, 16, 20, 25, 27, 33, 39, and 41 shall apply *mutatis mutandis* to the City/*Do*-designated cultural properties and the cultural properties materials; but in this case, the term "Administrator of the Cultural Properties Administration" shall be read as "Mayor/*Do* governor", and the term "under the conditions as prescribed by the Presidential Decree" as "under the conditions as prescribed by the Municipal Ordinances". <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5073, Dec. 29, 1995; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999; Act No. 6443, Mar. 28, 2001; Act No. 6840, Dec. 30, 2002>

CHAPTER 7: SUPPLEMENTARY PROVISIONS

Article 59 (Succession to Rights and Duties)

(1) When the owner of State-designated cultural properties (including the protected objects, protected zones and provisionally designated cultural properties) has been changed, the new owner shall succeed to the rights and duties of the former owner due to this Act or any orders, instructions and other dispositions rendered by the Administrator of Cultural Properties Administration under this Act. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

(2) The provisions of paragraph (1) shall apply *mutatis mutandis* to the managing organization and the owner, in case where any managing organization has been designated under Article 16 or where such designation has been cancelled: *Provided*, That the same shall not apply to the rights and duties exclusive to the owner.

Article 60 Deleted. <by Act No. 5073, Dec. 29, 1995>

Article 61 (Report on Business, Such as Transactions)

(1) Any person who intends to engage in the business of transaction or exchange of the tangible cultural properties or tangible folklore materials which belong to movables (including any person who intends to engage in the business of transaction or exchange on consignment), shall file a report thereon with the head of *Si/Gun/Gu* under the conditions as prescribed by the Presidential Decree. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5073, Dec. 29, 1995; Act No. 5719, Jan. 29, 1999; Act No. 6133, Jan. 12, 2000>

(2) Deleted. <by Act No. 5719, Jan. 29, 1999>

Articles 62 and 63 Deleted. <by Act No. 5719, Jan. 29, 1999>

Article 64 (Matters to be Observed)

Any person who has filed a report with the head of *Si/Gun/Gu* under the provisions of Article 61 (1) (hereinafter referred to as a "cultural properties dealer") shall observe the following matters: <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5073, Dec. 29, 1995; Act No. 5719, Jan. 29, 1999>

1. To keep the books for transactions or exchanges, etc. , and to record the details of such transactions;
2. Deleted; and <by Act No. 5719, Jan. 29, 1999>
3. Other matters as prescribed by the Ordinance of the Ministry of Culture and Tourism.

Article 65 (Suspension of Business)

When any cultural properties dealer has violated the matters to be observed as prescribed in Article 64, the head of *Si/Gun/Gu* may give orders to suspend his business with fixing a period of not more than one year. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5073, Dec. 29, 1995; Act No. 5719, Jan. 29, 1999>

Article 66 (Commendations)

The Administrator of the Cultural Properties Administration may commend any person falling under one of the following subparagraphs, and award an extra prize: <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999; Act No. 6443, Mar. 28, 2001>

1. Person who has discovered and reported the relevant buried cultural properties, in case where any buried cultural properties have been designated as the National Treasure or the treasure;
2. Person not responsible for any management or protection, who has rendered a

remarkable distinguished service to the prevention of demolition, robbery, destruction or damage of the designated or provisionally designated cultural properties;

3. Person other than the holders or honorary holder of important intangible cultural properties, who has rendered a remarkable distinguished service to the protection and training of the important intangible cultural properties; and
4. Person responsible or liable for managing, protecting and opening to the public the designated or provisionally designated cultural properties, who has set a model to other persons in such managing, protecting and opening to the public.

Article 67 (Reward Money)

The Administrator of the Cultural Properties Administration may pay the reward money, under the conditions as prescribed by the Presidential Decree, to any person who has given information to the criminal investigation agency on those who have committed the crimes under Articles 80 through 82, or those who have attempted the said crimes, and any person who has distinguished himself in apprehending such criminals. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

Article 68 (Delegation of Authority)

Authorities of the Administrator of the Cultural Properties Administration under this Act may be delegated in part to the Mayor/*Do* governor, under the conditions as prescribed by the Presidential Decree. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5073, Dec. 29, 1995; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

Article 69 Deleted. *<by Act No. 3787, Dec. 31, 1984>*

Article 70 Deleted. *<by Act No. 4031, Dec. 26, 1988>*

Article 71 (Protection of Cultural Properties in Case of Emergency)

(1) When the Administrator of the Cultural Properties Administration deems it necessary for the protection of cultural properties in times of war, incident, or emergency equivalent thereto, he may either move to the safe area, bury, or take other necessary measures, for the State-owned cultural properties and the designated or provisionally designated cultural properties other than the State-owned, or may order the owner, holder, occupant, manager or managing organization of the relevant cultural properties (hereinafter referred to as the "owner, etc. of cultural properties") to move the said cultural properties to the safe area, bury, or take other necessary measures. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(2) The owner, etc. of cultural properties shall not refuse, obstruct, or avoid the measures or orders under paragraph (1).

(3) Deleted. *<by Act No. 5719, Jan. 29, 1999>*

(4) The Administrator of the Cultural Properties Administration may carry the cultural properties out of the country when deemed necessary for their protection in times of war, incident, or emergency equivalent thereto, notwithstanding the provisions of Article 21. In this case, he shall go in advance through the deliberations of the State Council. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(5) The provisions of Article 30 shall apply *mutatis mutandis* to the case of paragraph (1): *Provided*, That the case of *force majeure*, such as the ravages of war, shall be excepted.

Article 72 (Request for Assistance)

When deemed necessary for taking the measures under Article 71 (1), the Administrator of the Cultural Properties Administration or any public officials in receipt of his orders may request the head of related agency to render the required assistances. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

Article 73 (Training of Specialized Manpower for Protection, Management, Repairs, etc. of Cultural Properties)

(1) The Administrator of the Cultural Properties Administration may train the specialized manpower for the protection, management, repairs, etc. of cultural properties. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999; Act No. 6840, Dec. 30, 2002>*

(2) When the Administrator of the Cultural Properties Administration deems it necessary for training the specialized manpower under paragraph (1), he may grant them scholarships. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999; Act No. 6840, Dec. 30, 2002>*

(3) When the Administrator of the Cultural Properties Administration deems it necessary for verifying the status of education or research of the recipient of scholarships under paragraph (2) (hereinafter referred to as the "scholarship"), he may order him to submit the certificate of academic record or the report on actual research record. *<Newly Inserted by Act No. 6840, Dec. 30, 2002>*

(4) When the causes as stipulated by the Ordinance of the Ministry of Culture and Tourism, such as a suspension of study or research, an alteration in its contents, etc. have occurred, any person who receives or has received the scholarship shall promptly file a report thereon with the Administrator of the Cultural Properties Administration. *<Newly Inserted by Act No. 6840, Dec. 30, 2002>*

(5) Where the causes as stipulated by the Ordinance of the Ministry of Culture and Tourism, such as a suspension of study or research, an alteration in its contents, a dullness of actual record, etc. have occurred, the Administrator of the Cultural Properties Administration may either suspend the payment of scholarship or order its refund. *<Newly Inserted by Act No. 6840, Dec. 30, 2002>*

(6) Matters necessary for the persons subject to payment of scholarship, the application for payment of scholarship, or the suspension of scholarship payment, or the refund of scholarship, etc. under paragraphs (1) through (5), shall be stipulated by the Ordinance of the Ministry of Culture and Tourism. *<Newly Inserted by Act No. 6840, Dec. 30, 2002>*

Article 74 (Protection of Cultural Properties during Construction Works)

(1) When there exists a concern over any damage, demolition or submergence of the cultural properties due to the construction works, or when deemed necessary to protect the scenery around the cultural properties, an implementer of such construction works shall take the required measures pursuant to the instructions of the Administrator of the Cultural Properties Administration. In this case, any expenses required for such measures shall be borne by the implementer of relevant construction works. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(2) With regard to construction works within the area set by the Municipal Ordinance of City/Do under a consultation between the Mayor/Do governor and the Administrator of the Cultural Properties Administration, which are those to be implemented in the outer area of any cultural properties' outer block boundaries (referring to the boundary of the protected zone in case where their protected zone is designated), the administrative agency shall examine whether or not the implementation of relevant construction works affects the preservation of the cultural properties, before granting its authorization or permission for the relevant construction works. *<Newly Inserted by Act No. 6133, Jan. 12, 2000>*

(3) The scope of an area to be set by the Municipal Ordinance under paragraph (2) shall be prescribed by the Presidential Decree. *<Newly Inserted by Act No. 6133, Jan. 12, 2000>*

Article 74-2 (Survey of Earth's Surface)

(1) Any implementer of construction works prescribed by the Presidential Decree shall, when formulating a project plan for the said construction works, conduct a survey of earth's surface for cultural properties (hereinafter referred to as the "surface survey") in order to confirm whether or not there exist any burial and distribution of cultural properties in the relevant construction area.

(2) The surface survey under paragraph (1) shall be conducted by the specialized institution related to cultural properties under Article 48- 2 (1) upon request of the implementer of relevant construction works, and when the surface survey has been completed, the implementer of construction work shall submit a report on such survey to the Administrator of the Cultural Properties Administration through the Mayor/Do governor having jurisdiction over the relevant project area. *<Amended by Act No. 5982, May 24, 1999>*

(3) The Administrator of the Cultural Properties Administration in receipt of a report on the surface survey under paragraph (2) shall formulate the adequate measures for preservation of cultural properties by going through the deliberations of the Cultural Properties Committee, and may issue an order for the measures required for preservation of cultural properties. *<Amended by Act No. 5982, May 24, 1999>*

(4) The Administrator of the Cultural Properties Administration shall notify the Mayor/Do governor of the measures for preservation of cultural properties under paragraph (3) (including the contents of measures required for preservation of cultural properties), and the Mayor/Do governor shall in return notify the implementer of relevant construction work thereof. *<Amended by Act No. 5982, May 24, 1999>*

(5) Any implementer of construction works in receipt of the notification under paragraph (4) shall take the measures required for preservation of cultural properties, and file a report on their results with the Administrator of the Cultural Properties Administration through the Mayor/Do governor. *<Amended by Act No. 5982, May 24, 1999>*

(6) Any implementer of construction works shall faithfully perform the contents of measures contained in the measures for preservation of cultural properties under paragraph (4), and the relevant Mayor/Do governor shall confirm whether or not such performance has been made.

(7) Any expenses required for the surface survey under paragraph (1) shall be borne by the implementer of the relevant project.

(8) The object and scope of the construction works liable for performing the surface survey under paragraph (1) and other necessary matters shall be prescribed by the Presidential Decree.

[This Article Newly Inserted by Act No. 5719, Jan. 29, 1999]

Article 75 (Expropriation or Use of Land)

(1) When it is necessary for the preservation and management of cultural properties, the Administrator of the Cultural Properties Administration or the head of a local government may expropriate or use the land, buildings, standing trees, bamboos and other structures located within the protected zones for the designated cultural properties. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999; Act No. 6443, Mar. 28, 2001>*

(2) The Act on the Acquisition of Land, etc. for Public Works and the Compensation Therefore shall apply to the expropriation or use under paragraph (1). *<Amended by Act No. 6656, Feb. 4, 2002>*

Article 75-2 (Protection of Cultural Properties in Development Project)

In case where the State and local governments plan and execute various development projects, they shall endeavor to keep cultural properties (including the protected objects and protected zones) from being damaged.

[This Article Newly Inserted by Act No. 5719, Jan. 29, 1999]

Article 76 (Prohibition on Export, etc.)

(1) The provisions of Article 21 (1) and (2) shall apply *mutatis mutandis* to the cultural properties belonging to the movables (hereinafter referred to as "general movable cultural properties"), from among the cultural properties which have not been designated under this Act. <Amended by Act No. 6443, Mar. 28, 2001; Act No. 6840, Dec. 30, 2002>

(2) In case where a person intends to export any movables mistakable for the general movable cultural properties, or to carry them out of the country, he shall in advance obtain a confirmation by the Administrator of the Cultural Properties Administration. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999; Act No. 6443, Mar. 28, 2001>

(3) A person who intends to obtain a confirmation under the provisions of paragraph (2) shall pay a fee under the conditions as prescribed by the Ordinance of the Ministry of Culture and Tourism. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999>

(4) Matters necessary for the scope of general movable cultural properties and the procedures, etc. for their confirmation under paragraphs (1) and (2) shall be prescribed by the Presidential Decree. <Newly Inserted by Act No. 6443, Mar. 28, 2001>

Article 77 (Support and Promotion of Protective Organizations for Cultural Properties)

When the Administrator of the Cultural Properties Administration deems it necessary for the protection, preservation, dissemination and enhancement of the cultural properties, he may support and promote any organization related thereto. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

Article 77-2 (Establishment of Foundation for Preservation of Cultural Properties)

(1) The Foundation for the Preservation of Cultural Properties (hereinafter referred to as the "Foundation for Preservation") shall be established under the jurisdiction of the Cultural Properties Administration for the purpose of protection, preservation, diffusion and enhancement of the cultural properties and the promotion of traditional arts and culture.

(2) The Foundation for Preservation shall be a juristic person.

(3) The Foundation for Preservation shall have the officers and required staffs under the conditions as stipulated by the articles of association.

(4) Except as provided in this Act pertaining to the Foundation for Preservation, the provisions concerning a juridical foundation as referred to the Civil Act shall apply *mutatis mutandis* to the said Foundation.

(5) The National Treasury may subsidize the expenses required for the operation of the Foundation for Preservation.

(6) When deemed necessary for the performance of functions of the Foundation for Preservation, the State or local governments may let the said Foundation use or benefit from the national or public properties without any compensation.

[This Article Newly Inserted by Act No. 6840, Dec. 30, 2002]

Article 78 (Protection of Foreign Cultural Properties)

(1) Any cultural properties designated and protected as the cultural properties by the Acts and subordinate statutes of foreign countries affiliated with the

International Convention on the Protection of Cultural Properties (hereinafter referred to as "foreign cultural properties") wherein the Republic of Korea has joined (hereinafter referred to as the "Convention"), shall be protected under the conditions as prescribed by the Convention and this Act.

(2) Deleted. *<by Act No. 5719, Jan. 29, 1999>*

(3) When there exist the considerable grounds for admitting that any foreign cultural properties intended to be carried in the country or already been carried therein are those having been illegally carried out of the relevant foreign country, the Administrator of the Cultural Properties Administration may keep them in custody. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(4) When the Administrator of the Cultural Properties Administration has kept any foreign cultural properties in custody under paragraph (3), he shall keep and manage the relevant foreign cultural properties in the museum, etc. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(5) When any foreign cultural properties, which are kept in custody under paragraph (4), are confirmed to be those lawfully carried out from the said foreign country, the Administrator of the Cultural Properties Administration shall promptly return them to the owner or occupant thereof. The same shall also apply when the relevant foreign cultural properties have been confirmed as those illegally carried out, but when it is evident that the relevant foreign country is void of any intention to re-cover such cultural properties. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

(6) In case where any country, from which the foreign cultural properties have been carried out, attests that the foreign cultural properties carried into the Republic of Korea are what have been illegally carried out from its own country and request their return under justifiable procedures pursuant to the Convention, or where such country performs its obligation to return them pursuant to the Convention, the Administrator of the Cultural Properties Administration shall take the required measures to return the relevant cultural properties to the country from which they have been carried out, by obtaining the cooperations from the related agencies. *<Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>*

Article 78-2 (Registration and Protection of World Heritage)

(1) The Administrator of the Cultural Properties Administration may file with the World Heritage Committee of the United Nations Educational, Scientific and Cultural Organization (UNESCO) an application for the registration, as the world heritage, of the cultural and natural heritage having the significant universal mankind values under Article 11 of the Convention concerning the Protection of the World Cultural and Natural Heritage. In this case, when intending to file an application for the registration of a natural heritage as the world heritage, he shall go through a consultation with the head of related central administrative agency.

(2) The Administrator of the Cultural Properties Administration shall actively strive to implement the projects for preservation of human cultural heritage and for overseas enhancement of cultural properties, including the registration of world-record heritage and the selection of human oral traditions and intangible masterpiece of heritage, etc.

(3) The State or local governments shall maintain and manage the cultural properties registered or selected as the world heritage, world-record heritage, human oral traditions, and intangible masterpiece of heritage under paragraphs (1) and (2) (hereinafter referred to as the "registered world heritage, etc. ") pursuant to the division of their nature, from the time of their registration or selection, and in proportion to the State-designated cultural properties as

designated by the provisions of Articles 4 through 7; and the Administrator of the Cultural Properties Administration may order, under the conditions as prescribed by the Presidential Decree, any person who commit the acts causing a concern over affecting the world heritage and its surrounding scenery, to take the measures required for the protection of the world heritage and its surrounding scenery.

[This Article Newly Inserted by Act No. 6840, Dec. 30, 2002]

Article 79 (Relation with Other Acts)

(1) When the Administrator of the Cultural Properties Administration intends to make any acts falling under any of the following subparagraphs subject to the area in excess of such size as prescribed by the Presidential Decree, within the park zone or the protected zone therefore under the Natural Parks Act, he shall hold a consultation with the relevant park management authority: <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

1. When he designates a specific area as the historic site, scenic spot or natural monument under Article 6;
2. When he designates the protected zones under Article 8; and
3. When he grants a permission or a permission on the alterations under Article 20.

(2) When any person has obtained a permission under the provisions of Article 20 (including the case of *mutatis mutandis* application under Article 58 (2)) within the park zone or the protected zone therefore under the Natural Parks Act, he shall be regarded as having obtained the permission for occupation and use, etc. of a park under Articles 23 and 25 of the Natural Parks Act.

(3) Where such areas come to belong to the urban areas under subparagraph 1 of Article 6 of the National Land Planning and Utilization Act, as have been designated as the State-designated cultural properties or the City/Do designated cultural properties under Article 4, 6 through 8, or 55 (1), or as have been designated or published as their protected objects or protected zones, they shall be deemed to have been designated or published as the preservation districts under Article 37 (1) 6 of the same Act. <Newly Inserted by Act No. 6840, Dec. 30, 2002>

Article 79-2 (Hearing)

In case where the Administrator of the Cultural Properties Administration, the Mayor/Do governor, or the head of *Si/Gun/Gu* intends to make any dispositions falling under any of the following subparagraphs, he shall hold a hearing: <Amended by Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

1. Cancellation of registration of a repairing technician under Article 18-5;
2. Cancellation of registration of a repairing skilled person under Article 18-7;
3. Cancellation of registration of a cultural properties repair business operator under Article 18-9;
4. Cancellation of a permission when any person, who has obtained the permission under Article 20 or 21, has violated the matters and conditions for such permission; and
5. Suspension of business of a cultural properties dealer under Article 65.

[This Article Wholly Amended by Act No. 5453, Dec. 13, 1997]

CHAPTER 8: PENAL PROVISIONS

Article 80 (Crime of Export, etc. without Permission)

(1) Any person who has exported or carried out overseas the designated or

provisionally-designated cultural properties in contravention of the main sentence of Article 21 (1) (including the case applied *mutatis mutandis* under the provisions of Article 58 (1)), or any person who has failed to again carry in the cultural properties carried out under the proviso of Article 21 (1) and (2) (including the case applied *mutatis mutandis* under the provisions of Article 58 (1)) within the time limit, shall be punished by imprisonment for a limited term of not less than five years, and the relevant cultural properties shall be confiscated. *<Amended by Act No. 6840, Dec. 30, 2002>*

(2) Any person who has exported or carried out the cultural properties overseas, or who has failed to again carry in the cultural properties having already been carried out, shall be punished by imprisonment for a limited term of not less than three years, and the relevant cultural properties shall be confiscated.

(3) Any person who has transferred, taken over, or brokered the relevant cultural properties, with the knowledge of the fact that they are being exported or carried out overseas in contravention of paragraphs (1) and (2), shall be punished by imprisonment for a limited term of not less than three years, and the relevant cultural properties shall be confiscated.

Article 80-2 (Inducing Crimes, Such as False Designation, etc.)

Any person who has induced to be designated as the designated or provisionally designated cultural properties by falsity and other illegal means, shall be punished by imprisonment for a limited term of not less than five years.

[This Article Newly Inserted by Act No 5719, Jan. 29, 1999]

Article 81 (Crime of Damage or Concealment, etc.)

(1) Any person who has damaged, purloined or concealed the State-designated cultural properties (excluding the important intangible cultural properties) or who has impaired their utility by any other means, shall be punished by imprisonment for a limited term of not less than three years. *<Amended by Act No. 5719, Jan. 29, 1999>*

(2) Any person falling under any of the following subparagraphs shall be punished by imprisonment for a limited term of not less than two years: *<Amended by Act No. 6443, Mar. 28, 2001>*

1. Person who has damaged, purloined, or concealed the designated or provisionally-designated cultural properties (excluding structures) other than what are referred to in paragraph (1), or impaired their utility by any other means; and

2. Person who has damaged, purloined, or concealed any general movable cultural properties, or impaired their utility by any other means, with the knowledge of the fact that they are the general movable cultural properties.

(3) Any person falling under any of the following subparagraphs shall be punished by imprisonment for a limited term of not less than two years or by a fine ranging from not less than 20 million won to not more than 150 million won: *<Newly Inserted by Act No. 5719, Jan. 29, 1999; Act No. 6443, Mar. 28, 2001>*

1. Person who has stuffed or sampled any natural monument without obtaining a permission or modified permission for altering the current status under the provisions of sub-paragraph 4 of Article 20;

2. Person who has acquired, transferred, taken over, or transported the relevant cultural properties with the knowledge of the fact that they are the acts having violated the provisions of paragraph (1) or (2), or subparagraph 1; and

3. Person who has assisted the acts under subparagraph 2.

(4) Where any acts of impairing the utility of relevant designated cultural properties, provisionally-designated cultural properties, or general movable cultural properties, which were committed by another person, before the concealing acts under paragraphs (1) and (2), by means of damaging, purloining, concealing and other means under the provisions of the same paragraphs, have

not been punished, any person committing the relevant concealing acts shall also be punished by the penalty as stipulated in the same paragraph. *<Newly Inserted by Act No. 6840, Dec. 30, 2002>*

(5) In the cases of paragraphs (1) through (4), the relevant cultural properties shall be confiscated: *Provided*, That in case where such confiscation is impossible to make, their assessed prices shall be additionally collected. *<Newly Inserted by Act No. 5719, Jan. 29, 1999; Act No. 6840, Dec. 30, 2002>*

Article 82 (Crime of Grave Robbery, etc.)

(1) Any person who has excavated the buried cultural properties without permission within the protected objects or protected zones of the designated or provisionally designated cultural properties shall be punished by the imprisonment for a limited term of not less than five years.

(2) Any person who has excavated the buried cultural properties without permission at other places than paragraph (1), any person who has altered the current status of the area containing the buried cultural properties which have already been confirmed or under excavation, or any person who has violated an order to stop or suspend the excavation of buried cultural properties, shall be punished by imprisonment with prison labor for not more than ten years or by a fine of not more than 100 million won. *<Amended by Act No. 5719, Jan. 29, 1999>*

(3) Any person who has transferred, taken over, acquired, transported, possessed, or kept in custody, with the knowledge of such facts and with or without compensation, any cultural properties excavated or whose current status were altered in violation of paragraphs (1) and (2), shall be punished by imprisonment with prison labor for not more than seven years or by a fine of not more than 70 million won. *<Amended by Act No. 5719, Jan. 29, 1999; Act No. 6443, Mar. 28, 2001>*

(4) Where such acts have not been punished as robbing a grave, altering the current status, transferring, taking over, acquiring, transporting, possessing, or keeping in custody under the same paragraph, which were committed by another person before possessing or keeping in custody under paragraphs (3), any person committing the relevant acts of possessing or keeping in custody shall also be punished by the penalty as stipulated in the same paragraph. *<Newly Inserted by Act No. 6840, Dec. 30, 2002>*

(5) Any person who has assisted the acts under paragraph (3) shall be punished identically with the said paragraph.

(6) Any person who has concealed, disposed of, or altered the current status of, the buried cultural properties subsequent to their discovery, without filing a report thereon, in violation of Article 43, shall be punished by imprisonment with prison labor for not more than three years or by a fine of not more than 30 million won. *<Amended by Act No. 5719, Jan. 29, 1999>*

(7) In the cases of paragraphs (1) through (6), the relevant cultural properties shall be confiscated. *<Amended by Act No. 6840, Dec. 30, 2002>*

Article 83 (Aggravated Crime)

(1) When having committed the crimes under Articles 80 through 82 by displaying the might of any organization or multitude or by carrying any dangerous objects with themselves, an aggravated sentence shall be rendered up to one half of the punishment prescribed in each of the said Articles.

(2) Any person who has led, to a death or injury, a person managing or protecting the designated or provisionally-designated cultural properties by committing the crime under paragraph (1), shall be punished by a death penalty, life imprisonment with prison labor or imprisonment with prison labor for not less than five years.

Article 84 (Mutatis Mutandis Application of Criminal Act)

Any person who has committed a crime of arson, inundation, damage or

destruction against the structures falling under any of the following subparagraphs, shall be punished under Article 165, 178 or 367 of the Criminal Act, and by applying *mutatis mutandis* the provisions related to the said Articles in the same Act:

1. Structures which are the designated or provisionally-designated cultural properties; and
2. Structures for protecting the designated or provisionally designated cultural properties.

Article 85 (Crime of Inundating Historic Spots, etc.)

Any person who has inflicted harms on the historic sites, scenic spots, natural monuments or protected zones, which have been designated or provisionally designated by the Administrator of the Cultural Properties Administration, by inundating them, shall be punished by imprisonment with prison labor for not less than two years but not more than ten years. <Amended by Act No. 4183, Dec. 30, 1989; Act No. 4541, Mar. 6, 1993; Act No. 5719, Jan. 29, 1999; Act No. 5982, May 24, 1999>

Article 86 (Other Inundating Crimes)

Any person who has inflicted harms on the designated cultural properties, provisionally-designated cultural properties or their protected zones other than those prescribed in Article 85, by inundating them, shall be punished by imprisonment with prison labor for not more than ten years or by a fine of not more than 100 million won. <Amended by Act No. 5719, Jan. 29, 1999>

Article 87 (Attempted Criminals, etc.)

- (1) Any person who has attempted any crimes under Articles 80 through 82, 83 (1), 85 and 86 shall be punished.
- (2) Any person who has provided for or conspired for the purpose of committing any crimes under Articles 80 through 82, 83 (1), 85 and 86, shall be punished by imprisonment with prison labor for not more than two years or by a fine of not more than 20 million won. <Amended by Act No. 5719, Jan. 29, 1999>

Article 88 (Negligence Criminals)

- (1) Any person who has committed the crime under Article 85 or 86 due to negligence shall be punished by a fine of not more than 10 million won. <Amended by Act No. 5719, Jan. 29, 1999>
- (2) Any person who has committed the crime under Article 82 (3) and (4), 85 or 86 due to any professional negligence or gross negligence, shall be punished by imprisonment without prison labor for not more than three years or by a fine of not more than 30 million won, and in the case of Article 82 (3) and (4), the relevant cultural properties shall be confiscated. <Amended by Act No. 5719, Jan. 29, 1999; Act No. 6840, Dec. 30, 2002>

Article 89 (Crime of Acts without Permission, etc.)

- (1) Any person falling under one of the following subparagraphs shall be punished by imprisonment with prison labor for not more than five years or by a fine of not more than 50 million won: <Amended by Act No. 6840, Dec. 30, 2002>
 1. Person who has captured or gathered the animals, plants or minerals without any permission within the districts designated or provisionally-designated as the scenic spots or natural monuments or the protected zones, or who has carried them out of the relevant districts, in contravention of the provisions of subparagraph 1 of Article 20 (including the case applied *mutatis mutandis* under Article 58 (2));
 2. Person who has altered the current status of the designated cultural properties (including the protected objects, the protected zones and the dead ones from among natural monuments) or the provisionally-designated cultural properties, or

who has committed any acts affecting the preservation thereof, in contravention of the provisions of sub-paragraph 4 of Article 20 (including the case applied *mutatis mutandis* under Articles 32 and 58 (2)); and

3. Person who has rejected, obstructed or avoided the surface survey for cultural properties under Article 74-2 (1) without any justifiable grounds.

(2) In the case of each subparagraph of paragraph (1), if the said cultural properties belong to the person himself, he shall be punished by imprisonment with prison labor for not more than two years or by a fine of not more than 20 million won. <Amended by Act No. 5719, Jan. 29, 1999; Act No. 6840, Dec. 30, 2002>

Article 90 (Crime of Violating Administrative Orders, etc.)

(1) Any person falling under any of the following subparagraphs shall be punished by imprisonment with prison labor for not more than three years or by a fine of not more than 30 million won, and in the case of subparagraph 3, the relevant object shall be confiscated: <Amended by Act No. 5719, Jan. 29, 1999; Act No. 6840, Dec. 30, 2002>

1. Person who has violated, without any justifiable reasons, the order under Article 25 (1) (including the case applied *mutatis mutandis* under Article 58 (2)) or under Article 71 (1);

2. Person who has implemented a repair work of cultural properties without making any registration, in contravention of Article 18-4 (1) or 18-7;

2-2. Person who has committed any operational acts of the repairing business for cultural properties without making any registration, in contravention of Article 18-8 (1);

3. Person who has committed, without any permission, an act under subparagraph 1 of Article 20 (including the case applied *mutatis mutandis* under Article 58 (2));

4. Deleted; and <by Act No. 6840, Dec. 30, 2002>

5. Person who has made an influx or distribution of substances harmful to animals' growth, into their habitats, breeding places or migratory places, which have been designated or provisionally designated as natural monuments (including the monuments from among the City/Do-designated cultural properties).

(2) Deleted. <by Act No. 5719, Jan. 29, 1999>

Article 91 (Crime of Obstructing Management Acts, etc.)

Any person falling under any of the following subparagraphs shall be punished by imprisonment with prison labor for not more than two years or by a fine of not more than 20 million won: <Amended by Act No. 3787, Dec. 31, 1984; Act No. 5719, Jan. 29, 1999; Act No. 6133, Jan. 12, 2000; Act No. 6840, Dec. 30, 2002>

1. Person who has rejected, obstructed or avoided the excavation of buried cultural properties under Article 45, without any justifiable reasons;

2. Person who has obstructed the managing acts of the managing organizations, or has obstructed the managing acts of the person entitled to manage the designated or provisionally designated cultural properties, without any justifiable reasons, in contravention of Article 16 (4) (including the case applied *mutatis mutandis* under the provisions of Article 58 (2));

3. Person who has refused any cooperation, in contravention of the main sentence of Article 41 (3) (including the case applied *mutatis mutandis* under Article 58 (2)), or has rejected, obstructed or avoided any performance of duties by the public officials under this Act, without any justifiable reasons, or has furnished the false data;

4. Person responsible for the management or preservation of the designated or provisionally-designated cultural properties, who has caused any demolition or damages to the relevant cultural properties due to his gross negligence;

5. Person who has spent the subsidy under this Act for any other purposes than the objective of its delivery;
6. Person who has made a false statement or false report;
7. Person who has made the boundary of the zone designated as the designated cultural properties, or their protected zones, unidentifiable, by intentionally damaging, moving, or eliminating the landmarks of the said zones, or by any other means;
8. Person who has committed an act under sub-paragraph 3 of Article 20 (including the case applied *mutatis mutandis* under Article 58 (2)), without any permission;
- 8-2. Person who has opened the cultural properties to the public in violation of the restrictions on opening to the public imposed by the Administrator of the Cultural Properties Administration under Article 33 (2), or who has gained access without obtaining any permission under Article 33 (5) (including the case applied *mutatis mutandis* under Article 58 (2)); and
9. Person who has refused to comply with the orders, instructions or inspections under Article 44 (3) and (5), 48 (5), 74 or 74-2 (3), without any justifiable reasons.

Article 92 (Crime of Unqualified Repairs, etc.)

Any person falling under one of the following subparagraphs shall be punished by an imprisonment with prison labor for not more than one year or a fine of not more than 10 million won:

1. Person who has let any unqualified person repair the designated cultural properties in contravention of Article 18 (1) (including the case applied *mutatis mutandis* under Article 58 (1));
2. Person who has let another person implement the repair works by using his name in contravention of Article 18-4 (3) or leased the registration certificate of repairing technician, or who has received a lease of the name of repairing technician or his registration certificate, and used them;
3. Person who has obtained an overlapped employment in 2 or more repairing enterprises for cultural properties in contravention of Article 18-4 (3); and
4. Person who has let another person contract or implement the repair works by using his trade name, or leased the registration certificate of repair business operator or the pocketbook of said operator's registration in contravention of Article 18-8 (4), or who has received a lease of the trade name, the registration certificate of repair business operator or the pocketbook of said operator's registration, etc. and used them.

[This Article Wholly Amended by Act No. 6840, Dec. 30, 2002]

Article 93 (Fine for Negligence)

(1) Any person falling under any of the following subparagraphs shall be punished by a fine for negligence of not more than 5 million won: <Amended by Act No. 6840, Dec. 30, 2002>

1. Person who has failed to file a report required under subparagraph 6 or 11 of Article 27 (including the case applied *mutatis mutandis* under Article 58 (2)) (including the person who has filed a false report: hereafter in this Article, the same shall apply);
2. Person who has failed to file a report required under Article 42-3 (1) 3;
3. Person who has failed to file a report required under Article 42-4 (1);
4. Person who has failed to file a report required under Article 43;
5. Person who has performed business activities without filing any report required under Article 61 (1); and
6. Person who has failed to comply with the matters to be observed under Article 64.

(2) Any person who has failed to file a report required under subparagraph 5 of Article 27 (including the case applied *mutatis mutandis* under Article 58 (2)) shall be punished by a fine for negligence of not more than 4 million won. <Amended by Act No. 6840, Dec. 30, 2002>

(3) Any person who has failed to file a report required under subparagraph 8 of Article 27 (including the case applied *mutatis mutandis* under Article 58 (2)) shall be punished by a fine for negligence of not more than 3 million won. <Amended by Act No. 6840, Dec. 30, 2002>

(4) Any person falling under one of the following subparagraphs shall be punished by a fine for negligence of not more than 2 million won: <Amended by Act No. 6840, Dec. 30, 2002>

1. Person who has failed to file a report on the alterations required under Articles 18-4 (1) and 18-8 (1);
2. Person who has failed to file a report required under subparagraph 1 through 4 or 7 of Article 27 (including the case applied *mutatis mutandis* under Article 58 (2)); and
3. Person who has failed to file a report required under Article 42-3 (1) 1 or 2.

[This Article Wholly Amended by Act No. 6443, Mar. 28, 2001]

Article 93-2 (Imposition and Collection of Fine for Negligence)

(1) The fine for negligence under Article 93 shall be imposed and collected by the Administrator of the Cultural Properties Administration, the Mayor/Do governor, or the head of *Si/Gun/Gu* (hereinafter referred to as the "imposing authority") under the conditions as prescribed by the Presidential Decree. <Amended by Act No. 6840, Dec. 30, 2002>

(2) Any person who is dissatisfied with a disposition of a fine for negligence under paragraph (1) may raise an objection to the imposing authority within 30 days from the day of receiving the notice of such disposition.

(3) Where any person subjected to a disposition of a fine for negligence under paragraph (1) makes an objection under paragraph (2), the imposing authority shall promptly notify the competent court thereof, and the court in receipt of such a notice shall bring the case to trial under the Non-Contentious Case Litigation Procedure Act.

(4) If neither an objection is raised nor is a fine for negligence paid within the period as prescribed in paragraph (2), it shall be collected by referring to the practices of dispositions on default of national taxes or local taxes.

[This Article Newly Inserted by Act No. 6443, Mar. 28, 2001]

Article 94 (Joint Penal Provisions)

If the representative of a juristic person, or an agent, an employee or any other employed person of a juristic person or an individual has committed such an act as prescribed in Articles 82 through 92 in connection with the affairs, or management of properties, of said juristic person or individual, not only shall such an actor be punished accordingly, but the juristic person or individual shall be punished by a fine under each of the pertinent Articles.

ADDENDA

Article 1 (Enforcement Date)

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

Article 2 Omitted.

Article 3 (Transitional Measures for Designated Cultural Properties, etc.)

(1) Any designated cultural properties under the previous provisions at the time of enforcement of this Act shall be deemed to have been designated as the State-designated cultural properties under this Act.

(2) Any local cultural properties under the previous provisions at the time of enforcement of this Act shall be deemed to have been designated as the City/*Do*-designated cultural properties of the relevant City/*Do* under this Act.

(3) Any cultural properties dealer subjected to a permission under the previous provisions at the time of enforcement of this Act shall be deemed to have been subjected to a permission under this Act.

Article 4 (Transitional Measures for Disposal of Miscellaneous Properties)

(1) The Minister of Culture and Information may concede to the spouse of Lee Eun a part of the miscellaneous properties from among the former imperial properties reverted to the State pursuant to the Act on the Properties of the Former Royal Household which was repealed by Act No. 1265, the amendments to the Protection of Cultural Properties Act.

(2) In the case of conceding the properties under paragraph (1), it shall go through the deliberations of the State Council, after holding a consultation with the Minister of Finance and Economy on the kind, extent, etc. of such properties.

Article 5 (Transitional Measures for Penal Provisions)

The previous provisions shall govern in the application of penal provisions against the acts committed before the enforcement of this Act.

ADDENDA <Act No. 3787, Dec. 31, 1984>

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

(2) (Transitional Measures) Any registration of the movable cultural properties made under the previous provisions of Article 69 at the time of enforcement of this Act, shall lose its effect.

ADDENDA <Act No. 3947, Nov. 28, 1987>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Act No. 4031, Dec. 26, 1988>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 1989.

Articles 2 and 3 Omitted.

ADDENDA <Act No. 4183, Dec. 30, 1989>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Act No. 4541, Mar. 6, 1993>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDUM <Act No. 4884, Jan. 5, 1995>

This Act shall enter into force on January 1, 1996.

ADDENDA <Act No. 5073, Dec. 29, 1995>

- (1) (Enforcement Date) This Act shall enter into force on July 1, 1996.
- (2) (Application Examples to Spending Collected Admission Fees) The amended provisions of Article 39 shall apply starting from what are first collected after this Act enters into force.
- (3) (Transitional Measures for Registration of Cultural Properties Repairing Technicians, etc.) Cultural properties repairing technicians, skilled persons or repair business operators who have registered with the Office of Cultural Properties under the previous provisions at the time this Act enters into force, shall be deemed to be the cultural properties repairing technicians, skilled persons or repair business operators who have been registered with the Office of Cultural Properties under this Act.
- (4) (Transitional Measures for License of Cultural Properties Trading Business) Any person who has obtained a permission for the business trading the cultural properties from the Minister of Culture and Sports under the previous provisions at the time this Act enters into force, shall be deemed to have obtained a permission for the business trading cultural properties from the head of the competent *Si/Gun/Gu* under this Act.

ADDENDA <Act No. 5453, Dec. 13, 1997>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 1998. (Proviso Omitted.)

Article 2 Omitted.

ADDENDA <Act No. 5719, Jan. 29, 1999>

- (1) (Enforcement Date) This Act shall enter into force on July 1, 1999.
- (2) (Transitional Measures for Sampling or Stuffing of Natural Monuments) Any person who is in possession of the sampled or stuffed natural monuments at the time of enforcement of this Act, who has failed to obtain a permit or to file a report under the amended provisions of sub-paragraph 4 of Article 20 or subparagraph 11 of Article 27, shall file the report with the Minister of Culture and Tourism within 6 months from the enforcement date of this Act under the conditions as prescribed by the Ordinance of the Ministry of Culture and Tourism, and in case where such report has been filed, it shall be deemed to have obtained a permission or to have filed the report under this Act.
- (3) (Transitional Measures for Report on Cultural Properties Dealer) Any person who has obtained a permission as a cultural properties dealer under the previous provisions at the time of enforcement of this Act, shall be deemed to have filed a report on his business of trading cultural properties under the amended provisions of Article 61.
- (4) (Transitional Measures for Penal Provisions) The previous provisions shall govern in the application of penal provisions against the acts committed before the enforcement of this Act.

ADDENDA <Act No. 5982, May 24, 1999>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: *Provided*, That Article 3 (71) of the Addenda shall enter into force ... <Omitted. > ... on July 1, 1999.

Articles 2 through 6 Omitted.

ADDENDUM <Act No. 6133, Jan. 12, 2000>

This Act shall enter into force on July 1, 2000.

ADDENDA <Act No. 6443, Mar. 28, 2001>

(1) (Enforcement Date) This Act shall enter into force on July 1, 2001.

(2) (Transitional Measures for Fine for Negligence) The previous provisions shall govern in the application of the fine for negligence against the acts committed before the enforcement of this Act.

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

Article 1 (Enforcement Date)

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

Articles 2 through 12 Omitted.

ADDENDA <Act No. 6840, Dec. 30, 2002>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures for Persons Passing Written Examination for Technical Qualifications)

The amendment to Article 18-2 (5) shall also apply to a person who has passed a written examination from among the examinations for technical qualification conducted prior to the enforcement of this Act.

Article 3 (Transitional Measures for Repair Business Operators of Cultural Properties)

The repair business operator for cultural properties who have been registered with the Cultural Properties Administration under the previous provisions of Article 18-8 (1) at the time of enforcement of this Act shall be deemed to have been registered with the competent Mayor/*Do* governor.

Article 4 (Transitional Measures for Administrative Dispositions, etc.)

Where the jurisdiction over the duties has been altered under the amendments to Article 18-8 (1) and 18-9 (1), the disposition of registration, revocation of registration, and other administrative dispositions taken by the Administrator of the Cultural Properties Administration, or the acts against the said Administrator, such as an application for registration, etc. , under the previous provisions at the time of enforcement of this Act, shall be regarded as the acts of the Mayor/*Do* governor, or the acts against the Mayor/*Do* governor, corresponding thereto under this Act.

Article 5 (Transitional Measures for Establishment of Foundation for Preservation of Cultural Properties)

(1) The Foundation for the Preservation of Cultural Properties, which is a juridical foundation, shall prepare the articles of association of the Foundation for Preservation under this Act within 2 months from the enforcement of this Act, and obtain an approval therefore from the Administrator of the Cultural Properties Administration.

(2) When the Foundation for the Preservation of Cultural Properties, which is a juridical foundation, has obtained the approval under paragraph (1), it shall effect a registration of association for the Foundation for Preservation under this Act.

(3) When the Foundation for the Preservation of Cultural Properties, which is a juridical foundation, has completed a registration of association under paragraph (2), it shall be deemed to have been dissolved, notwithstanding the provisions for dissolution and liquidation of a juristic person in the Civil Act.

(4) The Foundation for Preservation under this Act shall succeed to all rights, obligation and properties of the Foundation for the Preservation of Cultural Properties, which is a juridical foundation, on the date of registration of association.

(5) The officers and staffs of the Foundation for the Preservation of Cultural Properties, which is a juridical foundation, at the time of enforcement of this Act shall be deemed to be the officers and staffs of the Foundation for Preservation under this Act, and the term of office of the officers shall be reckoned from the date of previous appointment.