

# ENERGY ACT

Act No. 9931, Jan. 13, 2010

Amended by Act No. 10352, Jun. 8, 2010

Act No. 10445, Mar. 9, 2011

Act No. 10911, Jul. 25, 2011

Act No. 11690, Mar. 23, 2013

Act No. 11713, Mar. 23, 2013

Act No. 11965, Jul. 30, 2013

Act No. 12931, Dec. 30, 2014

Act No. 14079, Mar. 22, 2016

## Article 1 (Purpose)

The purpose of this Act is to contribute to the sustainable development of the national economy and enhancement of the welfare of citizens by providing for basic matters concerning the formulation and implementation of energy policies and energy-related plans to realize a stable, efficient and environmentally friendly energy demand and supply structure.

## Article 2 (Definitions)

The terms used in this Act shall be defined as follows: *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 11965, Jul. 30, 2013; Act No. 12931, Dec. 30, 2014>*

1. The term "energy" means fuel, heat and electricity;
2. The term "fuel" means petroleum, gas, coal, and other heat sources: Provided, That those used as raw materials of products shall be excluded;
3. The term "new and renewable energy" means energy as defined in subparagraphs 1 and 2 of Article 2 of the Act on the Promotion of the Development, Use and Diffusion of New and Renewable Energy;
4. The term "energy-using facility" means any facility using energy in a factory, business site, etc. or facility using converted energy;
5. The term "energy user" means an owner or manager of an energy-using facility;
6. The term "energy-supplying facility" means any facility installed to produce, convert, transport, or store energy;
7. The term "energy supplier" means any business operator producing, importing, converting, transporting, storing, or selling energy;

7-2. The term "energy voucher" means a certificate in which a specific amount is indicated (including recording by electronic or magnetic method) so that a person from a vulnerable class in energy use, such as low-income class, can present it to an energy supplier for the supply of energy;

8. The term "energy-using apparatus or material" means any heat-using apparatus or material as well as other energy-using apparatus or material;

9. The term "heat-using apparatus or material" means any fuel, heat-using equipment, thermal storage type electric equipment, or insulation material, as determined by Ordinance of the Ministry of Trade, Industry and Energy;

10. The term "greenhouse gas" means any greenhouse gas as defined in subparagraph 9 of Article 2 of the Framework Act on Low Carbon, Green Growth.

**Article 3 Deleted.** <by Act No. 9931, Jan. 13, 2010>

#### **Article 4 (Responsibilities and Duties of the State, etc.)**

(1) The State shall formulate and execute comprehensive policies to attain the purpose of this Act.

(2) Each local government shall formulate and execute regional energy policies, taking into account the purpose of this Act, national energy policies and measures, and regional characteristics. In such cases, matters necessary for formulating and executing regional energy policies may be determined by ordinances of relevant local governments.

(3) Each energy supplier and energy user shall actively participate and cooperate in executing the energy policies of the State and local governments and endeavor to maximize safety, efficiency and environment-friendliness in the production, conversion, transportation, storage, use, etc. of energy.

(4) Every citizen shall actively participate and cooperate in the energy policies executed by the State and local governments and endeavor to use energy in a rational and environmentally friendly manner in their daily lives.

(5) The State, local governments and energy suppliers shall contribute to the universal supply of energy to every citizen, including the poor.

#### **Article 5 (Scope of Application)**

The enactment or amendments of Acts or subordinate statutes on energy shall comply with the purpose of this Act and the basic principles described in Article 39 of the Framework Act on Low Carbon, Green Growth: Provided, That research, development, production, use and safety control of atomic energy shall be governed by the Nuclear Energy Promotion Act, the Nuclear Safety Act, and other relevant Acts.

<Amended by Act. No. 10911, Jul. 25, 2011>

**Article 6 Deleted.** <by Act No. 9931, Jan. 13, 2010>

#### **Article 7 (Formulation of Local Plans)**

(1) In order to ensure efficient achievement of the objectives prescribed in the master plan for energy under Article 41 of the Framework Act on Low Carbon, Green Growth (hereinafter referred to as "master plan") and development of the regional economy, a Special Metropolitan City Mayor, Metropolitan City Mayor, Metropolitan Autonomous City Mayor, Do Governor, or the Governor of a Special Self-

Governing Province (hereinafter referred to as "Mayor/Do Governor") shall, every five years, formulate and implement a local plan for energy for at least a five-year period (hereinafter referred to as "local plan"), taking into account the regional characteristics of the area under his/her jurisdiction. *<Amended by Act No. 12931, Dec. 30, 2014>*

(2) A local plan shall include the following for the area concerned:

1. Matters concerning the trends and prospects of energy supply and demand;
2. Matters concerning measures for the stable supply of energy;
3. Matters concerning measures for the use of environmentally friendly energy, such as new and renewable energy;
4. Matters concerning measures for the rationalization of energy use and reduction of greenhouse gas emissions thereby;
5. In cases of districts designated as districts to be supplied with integrated energy pursuant to Article 5 (1) of the Integrated Energy Supply Act, matters concerning measures for integrated energy supply to such districts;
6. Matters concerning measures for the development and use of unexploited energy sources;
7. Other matters the competent Mayor/Do Governor deems necessary to take measures on energy and related projects.

(3) A Mayor/Do Governor who has formulated a local plan shall submit it to the Minister of Trade, Industry and Energy. The same shall also apply to any modification of a local plan formulated. *<Amended by Act No. 11690, Mar. 23, 2013>*

(4) The Government may take support measures necessary to facilitate the energy measures and related projects undertaken by local governments.

#### **Article 8 (Formulation, etc. of Contingency Energy Supply Plan)**

(1) The Minister of Trade, Industry and Energy shall formulate a contingency energy supply plan (hereinafter referred to as "contingency plan") in preparation for any circumstance where a serious failure in energy supply were to occur. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) The contingency plan shall be confirmed subject to deliberation by the Energy Committee under Article 9. The same shall also apply to any modification of the contingency plan formulated.

(3) The contingency plan shall include the following:

1. Matters concerning the trends and prospects of domestic and overseas energy demand and supply;
2. Matters concerning measures for the reduction of energy consumption in case of emergency;
3. Matters concerning measures for the utilization of energy in reserve in case of emergency;
4. Matters concerning measures for the adjustment of demand and supply, such as the allocation, rationing, etc. of energy in case of emergency;
5. Matters concerning measures for international cooperation for the stabilization of energy demand and supply in case of emergency;

6. Matters concerning administrative plans for the efficient implementation of the contingency plan.

(4) The Minister of Trade, Industry and Energy may take necessary measures, as prescribed by relevant Acts and subordinate statutes, such as imposing restrictions on energy use, in order to prepare for a failure in energy demand and supply resulting from any change in either domestic or overseas energy market.

*<Amended by Act No. 11690, Mar. 23, 2013>*

#### **Article 9 (Organization and Operation of Energy Committee)**

(1) The Government shall establish the Energy Committee (hereinafter referred to as the "Committee") under the jurisdiction of the Minister of Trade, Industry and Energy to deliberate on matters concerning major energy policies and energy-related plans. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) The Committee shall be comprised of 25 or fewer members, including one chairperson, and its members shall be comprised of ex officio members and commissioned members.

(3) The Minister of Trade, Industry and Energy shall serve as the chairperson of the Committee. *<Amended by Act No. 11690, Mar. 23, 2013>*

(4) Public officials of vice-ministerial level of related central administrative agencies who are determined by Presidential Decree shall serve as the ex officio members of the Committee.

(5) Persons with abundant knowledge and experience in the field of energy who are commissioned by the Minister of Trade, Industry and Energy shall serve as commissioned members of the Committee. In such cases, at least five persons recommended by energy-related civil organizations shall be included in the commissioned members, as prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013>*

(6) The term of office of the commissioned members shall be two years, which may be renewed consecutively.

(7) Specialized committees by area may be established to examine agenda items to be brought before the Committee or to investigate and study agenda items delegated by the Committee.

(8) Other necessary matters concerning the organization, operation, etc. of the Committee and the specialized committees shall be determined by Presidential Decree.

#### **Article 10 (Roles of Committee)**

The Committee shall deliberate on the following:

1. Matters concerning prior deliberation on formulation and modifications of the master plan for energy under Article 41 (2) of the Framework Act on Low Carbon, Green Growth;
2. Matters concerning the contingency plan;
3. Matters concerning energy development in the Republic of Korea and overseas;
4. Matters concerning plans on energy-related transportation or logistics;
5. Matters concerning the adjustment of major energy policies and energy projects;
6. Matters concerning the prevention of social conflicts concerning energy and the settlements thereof;
7. Matters concerning the efficient use, etc. of energy-related budgets;
8. Matters concerning atomic energy development policies;

9. Matters concerning energy in the measures for the United Nations Framework Convention on Climate Change;
10. Matters subject to deliberation by the Committee under other Acts;
11. Other major policy matters concerning energy, brought before by the chairperson.

#### **Article 11 (Energy Technology Development Plans)**

(1) The Government shall, every five years, formulate an energy technology development plan with a plan period of at least ten years (hereinafter referred to as "energy technology development plan") to facilitate the development and dissemination of energy-related technologies, and shall formulate and implement annual action plans accordingly.

(2) An energy technology development plan shall be formulated, following consultations with the heads of related central administrative agencies and deliberation by the National Science and Technology Council under Article 9 of the Framework Act on Science and Technology, as prescribed by Presidential Decree. In such cases, it shall be deemed undergone deliberation by the Committee. *<Amended by Act No. 11713, Mar. 23, 2013>*

(3) An energy technology development plan shall include the following:

1. Matters concerning technology development for the efficient use of energy;
2. Matters concerning technology development related to environmentally friendly energy, such as new and renewable energy;
3. Matters concerning technology development for the reduction of environmental pollution caused by energy use;
4. Matters concerning technology development for the reduction of greenhouse gas emissions;
5. Matters concerning the facilitation of commercializing developed energy technologies;
6. Matters concerning the facilitation of international cooperation for energy technologies;
7. Matters concerning the expansion and efficient use of technology development resources, such as energy technology-related human resources, information, and facilities.

#### **Article 12 (Development of Energy Technology)**

(1) To efficiently promote energy technology development, the head of a related central administrative agency may cause any of the following persons to conduct energy technology development activities, as prescribed by Presidential Decree: *<Amended by Act No. 10445, Mar. 9, 2011; Act No. 13082, Jan. 28, 2015; Act No.14079, Mar. 22, 2016>*

1. A public institution under Article 4 of the Act on the Management of Public Institutions;
2. A national or public research institution;
3. A specific research institute governed by the Specific Research Institutes Support Act;
4. A specialized manufacturing technology research institute under Article 42 of the Industrial Technology Innovation Promotion Act;
5. An enterprise specialized in developing technologies for materials and components under the Act on Special Measures for the Promotion of Specialized Enterprises, Etc. For Materials and Components;

6. A government-funded research institution under the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutions, Etc.;
7. A government-funded research institution in the areas of science and technology under the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutions, Etc.;
8. An enterprise specialized in R&D business under the Special Act on Support of Scientists and Engineers for Strengthening National Science and Technology Competitiveness;
9. A university or college, industrial university, or junior college under the Higher Education Act;
10. An industrial technology research cooperative under the Industrial Technology Research Cooperatives Support Act;
11. A research institute annexed to an enterprise recognized under Article 14 (2) 1 of the Basic Research Promotion and Technology Development Support Act;
12. Other research institutions or organizations in the area of science and technology, determined by Presidential Decree.

(2) The head of a related central administrative agency may fully or partially contribute funds for expenses incurred in technology development pursuant to paragraph (1).

#### **Article 13 (Establishment of Korea Institute of Energy Technology Evaluation and Planning)**

(1) The Korea Institute of Energy Technology Evaluation and Planning (hereinafter referred to as the "KETEP") shall be established to efficiently support the planning, evaluation, management, etc. of the energy technology development-related projects described in Article 12 (1) (hereinafter referred to as "energy technology development projects").

(2) The KETEP shall be a juristic person.

(3) The KETEP shall be duly formed when it completes the registration for its establishment with the registry office having jurisdiction over its principal place of business.

(4) The KETEP shall conduct the following projects:

1. Planning, evaluation, and management of energy technology development projects;
2. Support for projects to nurture experts in the area of energy technology;
3. Support for international cooperation and international joint research projects in the area of energy technology;
4. Other projects determined by Presidential Decree in connection with energy technology development.

(5) The Government may contribute funds for the establishment and operation of the KETEP within budgetary limits.

(6) The heads of related central administrative agencies and the heads of local governments may cause the KETEP to perform any of the projects referred to in the subparagraphs of paragraph (4) and may contribute funds to fully or partially cover expenses incurred in relation thereto, as prescribed by Presidential Decree.

(7) The KETEP may conduct profit-making projects to raise money necessary to achieve its objectives under paragraph (1), as prescribed by Presidential Decree.

(8) Matters necessary for the operation, supervision, etc. of the KETEP shall be determined by Presidential Decree.

(9) Deleted. <by Act No. 12931, Dec. 30, 2014>

(10) The Civil Act pertaining to incorporated foundations shall apply mutatis mutandis to matters concerning the KETEP, except as prescribed in this Act.

#### **Article 14 (Energy Technology Development Project Fund)**

(1) The head of a related central administrative agency may raise an energy technology development project fund necessary for the implementation of annual action plans referred to in Article 11 (1) to promote energy technology development projects in a comprehensive and efficient manner.

(2) The energy technology development project fund referred to in paragraph (1) shall be raised with contributions and loans from the Government or energy-related project operators, etc. and other financial resources determined by Presidential Decree.

(3) The head of related central administrative agencies may cause the KETEP to take charge of affairs concerning the raising and management of the energy technology development project fund.

(4) The energy technology development project fund shall be used to support the following projects:

1. Matters concerning the research and development of energy technologies;
2. Matters concerning the investigation of demand for energy technologies;
3. Matters concerning technology development for energy-using apparatuses or materials, energy supply facilities, and the components thereof;
4. Matters concerning the dissemination and publicity of the results of energy technology development;
5. Matters concerning international cooperation in energy technology;
6. Matters concerning the nurturing of key personnel engaged in energy research;
7. Matters concerning technology development for the reduction of air pollution caused by energy use;
8. Matters concerning technology development for the reduction of greenhouse gas emissions;
9. Matters concerning the collection, analysis and provision of information on energy technology and academic activities related thereto;
10. Matters concerning the management of the KETEP's energy technology development projects.

(5) Matters necessary for the management and use of the energy technology development project fund under paragraphs (1) through (4) shall be determined by Presidential Decree.

#### **Article 15 (Recommendation for Investment, etc. in Energy Technology Development)**

The head of a related central administrative agency may recommend investment in, or contributions to, projects for developing energy technologies to energy-related project operators if necessary for facilitating energy technology development.

#### **Article 16 (Fostering of Experts in Energy and Energy Resource Technology)**

(1) The Minister of Trade, Industry and Energy may conduct projects necessary to foster experts in the areas of energy and energy resource technology. <Amended by Act No. 11690, Mar. 23, 2013>

(2) The Minister of Trade, Industry and Energy may provide financial and other necessary support for undertaking projects referred to in paragraph (1). In such cases, necessary matters concerning the subject matter of, procedures for, etc. of such support shall be determined by Ordinance of the Ministry of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>

#### **Article 16-2 (Conducting Energy Welfare Projects)**

For the universal supply of energy to all people, the Government may conduct projects to support the following matters (hereinafter referred to as "energy welfare projects"):

1. Supply of energy to vulnerable classes in energy use, such as low-income classes (hereinafter referred to as "vulnerable class in energy use");
2. Improvement of effectiveness of energy use for vulnerable classes in energy use;
3. Other matters concerning the improvement of welfare and benefits concerning energy use by vulnerable classes in energy use.

#### **Article 16-3 (Issuance, etc. of Energy Vouchers)**

(1) The Minister of Trade, Industry and Energy may issue energy vouchers upon request by a person belonging to a vulnerable class in energy use and meeting requirements prescribed by Presidential Decree.

(2) The Minister of Trade, Industry and Energy may request heads of relevant administrative agencies of the central government or heads of local governments to provide him/her with data prescribed by Presidential Decree, such as a family relationship certificate, and national tax and local tax data under the consent of the person concerned, for the purpose of confirming matters concerning the selection of persons eligible for energy vouchers and maintenance of eligibility. In such cases, the heads of the relevant administrative agencies of the central government or the heads of the local governments in receipt of such request shall comply therewith unless there exist special reasons to the contrary.

(3) For the confirmation of data referred to in paragraph (2), the Minister of Trade, Industry and Energy may use the information system referred to in Article 6-2 (2) of the Social Welfare Services Act.

(4) The Minister of Trade, Industry and Energy may request energy suppliers, or other energy-related institutions or organization to provide him/her with the following data. In such case, energy suppliers, institutions or organizations in receipt of such request shall comply therewith unless there exist special reasons to the contrary:

1. Current state of energy supply;
2. Current state of energy use;
3. Other data necessary for the formulation of standards for eligibility for energy vouchers.

(5) Necessary matters concerning application for, issuance, etc. of energy vouchers other than those provided for in paragraphs (1) through (4) shall be prescribed by Presidential Decree.

#### **Article 16-4 (Use, etc. of Energy Vouchers)**



(1) A person who has been issued an energy voucher (hereinafter referred to as "user") may be provided with energy upon presenting the energy voucher to an energy supplier.

(2) No energy supplier to whom an energy voucher is presented may refuse to supply energy without any justifiable ground.

(3) No person shall sell, lend, nor unlawfully use any energy voucher.

(4) When a user sells, lends, or unlawfully uses an energy voucher, the Minister of Trade, Industry and Energy may recover the energy voucher or recover the entire amount or some of the face-value of the energy voucher.

(5) Matters necessary for the use, etc. of energy vouchers other than those provided for in paragraphs (1) through (4) shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

#### **Article 16-5 (Designation of Institution Fully in Charge)**

(1) The Minister of Trade, Industry and Energy may designate an institution or organization specialized in energy-related business as an institution fully in charge of energy welfare projects (hereinafter referred to as "institution fully in charge") to conduct duties concerning energy welfare projects, such as issuance and management of energy vouchers.

(2) The Minister of Trade, Industry and Energy may fully or partially subsidize institutions fully in charge expenses incurred in conducting the business provided for in paragraph (1), within budgetary limits.

(3) Detailed matters concerning standards, procedures, etc. for designation of institutions fully in charge shall be prescribed by Presidential Decree.

#### **Article 16-6 (Cancellation of Designation of Institutions Fully in Charge)**

(1) Where any institution fully in charge falls under any of the following subparagraphs, the Minister of Trade, Industry and Energy may revoke the designation thereof or suspend all or some of its business for a specified period not exceeding six months: Provided, That when subparagraph 1 applies to such institution, the Minister shall revoke such designation:

1. Where the institution fully in charge has obtained designation by false or other unjust means;
2. Where the institution fully in charge ceases to comply with any of the standards for designation provided for in Article 16-5 (3).

(2) Detailed standards for administrative dispositions provided for in paragraph (1) shall be prescribed by Presidential Decree in consideration of the motive for and degree of violation concerned.

#### **Article 16-7 (Dispositions to Impose Penalty Surcharge)**

(1) Where the issuance of an order to suspend business under Article 16-6 (1) is feared to cause substantial inconvenience to users, etc. or impair public interest, the Minister of Trade, Industry and Energy may impose a penalty surcharge not exceeding ten million won in lieu of the disposition to suspend business, as prescribed by Presidential Decree.

(2) Necessary matters concerning the amount, etc. of penalty surcharges corresponding to the kind, degree, etc. of violations subject to imposition of penalty surcharge under paragraph (1) shall be prescribed by Presidential Decree.

(3) Where a person liable to pay a penalty surcharge under paragraph (1) fails to pay it by the payment due date, such penalty surcharge shall be collected in the same manner as delinquent national taxes are collected.

#### **Article 17 (Administrative and Financial Measures)**

The State and local governments may take administrative and financial measures necessary for academic research and surveys, technology development, etc. to achieve the purpose of this Act.

#### **Article 18 (Support for Civil Activities)**

The State and local governments may provide necessary data or financial support to the private sector to facilitate energy-related activities for the public interest.

#### **Article 19 (Management and Announcement of Energy-Related Statistics)**

(1) The Minister of Trade, Industry and Energy shall compile, analyze, and manage statistics on energy demand and supply domestically and overseas for the efficient formulation and implementation of the master plan and energy-related measures, and announce them within the extent not to violate relevant Acts and subordinate statutes. *<Amended by Act No. 10352, Jun. 8, 2010; Act No. 11690, Mar. 23, 2013>*

(2) The Minister of Trade, Industry and Energy shall, each year, compile and analyze statistics on greenhouse gas emissions generated in the course of energy use and industrial processing and may announce the results thereof. *<Amended by Act No. 10352, Jun. 8, 2010; Act No. 11690, Mar. 23, 2013>*

(3) Deleted. *<by Act No. 9931, Jan. 13, 2010>*

(4) If the Minister of Trade, Industry and Energy deems it necessary in the compilation of statistics under paragraphs (1) and (2), he/she may require energy-related institutions or energy users determined by Ordinance of the Ministry of Trade, Industry and Energy to submit data. *<Amended by Act No. 10352, Jun. 8, 2010; Act No. 11690, Mar. 23, 2013>*

(5) The Minister of Trade, Industry and Energy may, if deemed necessary, conduct an energy census, as prescribed by Presidential Decree. *<Amended by Act No. 10352, Jun. 8, 2010; Act No. 11690, Mar. 23, 2013>*

(6) The Minister of Trade, Industry and Energy may designate a specialized institution to entrust all or some of the affairs concerning the compilation, analysis, and management of statistics under paragraphs (1) and (2) and the energy census under paragraph (5). *<Amended by Act No. 10352, Jun. 8, 2010; Act No. 11690, Mar. 23, 2013>*

#### **Article 20 (Reporting to National Assembly)**

(1) The Government shall report the results of the implementation of major energy policies and the results thereof to the National Assembly each year.

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

1. Matters concerning the trends and prospects of energy demand and supply in the Republic of Korea and overseas;
2. Matters concerning the progress of measures taken for the securement, introduction, supply and management of energy and resources and the plans therefor;

3. Matters concerning the progress of management of energy demand and the plans therefor;
4. Matters concerning the progress of measures taken for the supply and use of environmentally friendly energy and the plans therefor;
5. Matters concerning the current status of greenhouse gas emissions, progress of measures taken for the reduction of greenhouse gas emissions and the plans therefor;
6. Matters concerning the progress of matters concerning international cooperation in energy policies, etc. and the plans therefor;
7. Other matters concerning the promotion of major energy policies.

(3) Matters necessary for reporting under paragraph (1) shall be determined by Presidential Decree.

#### **Article 21 (Inquiries and Investigations)**

In any of the following cases, the Minister of Trade, Industry and Energy may require public officials under his/her jurisdiction to make inquiries of energy suppliers, persons eligible for energy welfare projects, or related persons, or to investigate their books of account and other documents:

1. Where it is necessary for selecting persons eligible for energy welfare projects and confirming eligibility;
2. Where it is necessary for verifying the appropriateness of issuing and use of energy vouchers;
3. Other cases for conducting energy welfare projects, which are prescribed by Presidential Decree.

#### **Article 22 (Hearings)**

The Minister of Trade, Industry and Energy shall hold a hearing before imposing a disposition equivalent to the revocation of designation of the institution fully in charge under Article 16-6 (1).

#### **Article 23 (Delegation and Entrustment of Authority)**

(1) Part of the authority of the Minister of Trade, Industry and Energy vested under this Act may be delegated to Mayors/Do Governors or to heads of Sis/Guns/Gus (the heads of Gus means the heads of autonomous Gus), as prescribed by Presidential Decree.

(2) Some of the duties of the Minister of Trade, Industry and Energy under this Act may be entrusted to any or all of the institutions fully in charge, as prescribed by Presidential Decree.

#### **Article 24 (Legal Fictions as Public Officials for Purpose of Penalty Provisions)**

Any person who falls under any of the following subparagraphs shall be deemed a public official for the purpose of Articles 129 through 132 of the Criminal Act:

1. Executive officers and employees of the KETEP;
2. Executive officers and employees of the institution fully in charge (limited to executive officers and employees engaging in the duties referred to in Article 16-5 (1) or Article 23 (2).

#### **Article 25 (Penalty Provisions)**

Any person who falls under any of the following subparagraphs shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding ten million won:

1. Any person who has been issued an energy voucher or causes any other person to receive an energy voucher by false or other unjust means;

2. Any person who sells, lends, or unlawfully uses an energy voucher, in violation of Article 16-4 (3) (excluding the user of the relevant energy voucher).

#### **Article 26 (Administrative Fines)**

- (1) Any energy supplier who refuses to make a statement or makes a false statement with respect to a question asked under Article 21 or refuses, interferes with, or evades an investigation without justifiable cause shall be punished by an administrative fine not exceeding five million won.
- (2) The Minister of Trade, Industry and Energy shall impose and collect administrative fines under paragraph (1) as prescribed by Presidential Decree.

#### **ADDENDA**

#### **Article 1 (Enforcement Date)**

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

#### **Article 2 (Transitional Measures concerning National Energy Master Plan, etc.)**

- (1) The national energy master plan formulated under Article 4 of the former Energy Use Rationalization Act at the time this Act enters into force shall be deemed the master plan under Article 6 of this Act.
- (2) The regional energy plan formulated under Article 5 of the former Energy Use Rationalization Act at the time this Act enters into force shall be deemed the regional energy plan under Article 7 of this Act.
- (3) The contingency plan for energy supply formulated under Article 6 of the former Energy Use Rationalization Act at the time this Act enters into force shall be deemed the contingency plan under Article 8 of this Act.
- (4) The energy technology development plan formulated under Article 37 of the former Energy Use Rationalization Act at the time this Act enters into force shall be deemed the energy technology development plan under Article 11 of this Act.

#### **Article 3 (Transitional Measures concerning Institutions Taking Full Charge of Energy Technology Development Business)**

The institution taking full charge of energy technology development business designated under Article 39 of the former Energy Use Rationalization Act at the time this Act enters into force shall be deemed the institution taking full charge of energy technology development business under Article 13 of this Act.

#### **Article 4 (Transitional Measures concerning Energy Technology Development Business Fund)**

The energy technology development business fund under Article 40 of the former Energy Use Rationalization Act at the time this Act enters into force shall be deemed the energy technology development project fund under Article 14 of this Act.

#### **Article 5 Omitted.**

## **Article 6 (Relations with other Acts)**

Any Act that has cited the provisions of the former Energy Use Rationalization Act at the time this Act enters into force shall, if provisions corresponding thereto exist in this Act, be deemed to have cited this Act or the corresponding provisions of this Act in lieu of the former provisions.

ADDENDA <Act No. 8852, Feb. 29, 2008>

## **Article 1 (Enforcement Date)**

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

## **Articles 2 through 7 Omitted.**

ADDENDA <Act No. 9372, Jan. 30, 2009>

## **Article 1 (Enforcement Date)**

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

## **Article 2 (Preparations for Establishment of KETEP)**

(1) The Minister of Knowledge Economy shall commission no more than five founding members to handle affairs concerning the establishment of the KETEP before this Act enters into force.

(2) The founding members shall prepare each of the following matters and obtain authorization of the Minister of Knowledge Economy for them:

1. Articles of association of the KETEP;
2. A plan for succeeding employees belonging to the institution taking full charge of energy technology development business, designated pursuant to former Article 13 (1).

(3) The founding members shall recommend the first officials to be appointed to the KETEP to the Minister of Knowledge Economy under joint signature, and the Minister of Knowledge Economy shall appoint the officials of the KETEP, from among the recommended persons.

(4) The founding members shall, when officials are appointed pursuant to paragraph (3), complete registration for incorporation of the KETEP under joint signature without delay.

(5) The founding members shall transfer affairs to the president of the KETEP without delay after completing registration for incorporation of the KETEP.

(6) The commissioning of founding members shall be deemed terminated at the time the transfer of affairs under paragraph (4) terminates.

## **Article 3 (Transitional Measures concerning Korea Institute of Energy and Resources Technology Evaluation and Planning, etc.)**

(1) The Korea Institute of Energy and Resources Technology Evaluation and Planning (hereinafter referred to as "incorporated foundation") an incorporated foundation established under Article 32 of the Civil Act as at the time this Act enters into force may apply for the approval of Minister of Knowledge Economy to enable the KETEP established pursuant to the amended provisions of Article 13 to succeed to all property, rights and obligations by the resolution of the board of directors.

(2) The incorporated foundation approved pursuant to paragraph (1) shall be deemed dissolved concurrently with the establishment of the KETEP under this Act, notwithstanding the Civil Act, which pertain to the dissolution and liquidation of juristic persons.

(3) All property, rights and obligations of the incorporated foundation dissolved pursuant to paragraph (2) shall be succeeded to by the KETEP by a universal title. In such cases, the value of the property subject to succession shall be the book value on the date immediately preceding the date of registration for incorporation.

(4) The name of the incorporated foundation, entered in registers concerning its property, rights and obligations and other official books as at the time this Act enters into force shall be deemed the name of the KETEP.

(5) With respect to the acts and other legal relations of the incorporated, which were done and established before this Act enters into force, the incorporated foundation shall be deemed the KETEP.

(6) Any agreement concluded between the institution taking full charge of the energy technology development business conducted pursuant to Article 12 (1) and the institution taking full charge of energy technology development business designated pursuant to former Article 13 (1) (excluding the incorporated foundation; hereafter referred to as "institution fully in charge" in this Article) before this Act enters into force shall be deemed an agreement concluded with the KETEP under the amended provisions of Article 13.

(7) The employees of the incorporated foundation dissolved pursuant to paragraph (2) and employees conducting the duty of energy technology development business management at the institution fully in charge as at the time this Act enters into force shall be deemed the employees of the KETEP pursuant to the planned matters under Article 2 (2) 2 of the Addenda.

#### **Article 4 (Transitional Measures concerning Designation of Public Institutions)**

The designation of the incorporated foundation by the Minister of Knowledge Economy as a public institution under the Act on the Management of Public Institutions as at the time this Act enters into force shall be deemed the designation of the KETEP under this Act as a public institution under the Act on the Management of Public Institutions.

#### **Article 5 Omitted.**

ADDENDA <Act No. 9931, Jan. 13, 2010>

#### **Article 1 Enforcement Date**

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

#### **Articles 2 through 4 Omitted.**

ADDENDUM <Act. No. 10352, Jun. 8, 2010>

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

ADDENDA <Act No. 10445, Mar. 9, 2011>

**Article 1 Enforcement Date**

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

**Articles 2 through 4 Omitted.**

ADDENDA <Act No. 10911, Jul. 25, 2011>

**Article 1 Enforcement Date**

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

**Articles 2 through 5 Omitted.**

ADDENDA <Act No. 11690, Mar. 23, 2013>

**Article 1 (Enforcement Date)**

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

(2) Omitted.

**Articles 2 through 7 Omitted.**

ADDENDA <Act No. 11713, Mar. 23, 2013>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 6 Omitted.**

ADDENDA <Act No. 11965, Jul. 30, 2013>

**Article 1 (Enforcement Date)**

This Act shall enter into force three months after promulgation. (Proviso Omitted.)

**Articles 2 through 4 Omitted.**

ADDENDUM <Act No. 12931, Dec. 30, 2014>

This Act shall enter into force six months after promulgation.

ADDENDUM <Act No. 13082, Jan. 28, 2015>

**Article 1 (Enforcement Date)**

This Act shall enter into force three months after promulgation.

**Articles 2 and 3 Omitted.**

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

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after promulgation.

**Articles 2 and 3 Omitted.**

