

ENFORCEMENT DECREE OF THE ACT ON RESOURCE CIRCULATION OF ELECTRICAL AND ELECTRONIC EQUIPMENT AND VEHICLES

Presidential Decree No. 24155, Oct. 29, 2012
Amended by Presidential Decree No. 25046, Dec. 30, 2013
Presidential Decree No. 25050, Dec. 30, 2013
Presidential Decree No. 26400, Jul. 13, 2015
Presidential Decree No. 27049, Mar. 22, 2016
Presidential Decree No. 29843, Jun. 11, 2019
Presidential Decree No. 29950, Jul. 2, 2019
Presidential Decree No. 30293, Dec. 31, 2019
Presidential Decree No. 31184, Nov. 24, 2020
Presidential Decree No. 31874, Jul. 6, 2021
Presidential Decree No. 32528, Mar. 8, 2022
Presidential Decree No. 33026, Dec. 6, 2022
Presidential Decree No. 33187, Dec. 30, 2022

Article 1 (Purpose)

The purpose of this Decree is to prescribe matters mandated by the Act on Resource Circulation of Electrical and Electronic Equipment and Vehicles and those necessary for the enforcement thereof.

Article 2 Deleted. <Dec. 30, 2011>

Article 3 Deleted. <Dec. 30, 2011>

Article 4 Deleted. <Dec. 30, 2011>

Article 5 Deleted. <Dec. 30, 2011>

Article 6 Deleted. <Dec. 30, 2011>

Article 7 Deleted. <Dec. 30, 2011>

Article 8 (Electrical and Electronic Equipment and Vehicles Subject to Restrictions on Use of Hazardous Substances)

(1)"Electrical and electronic equipment specified by Presidential Decree" in the main clause of Article 9 (1) of the Act on Resource Circulation of Electrical and Electronic Equipment and Vehicles (hereinafter referred to as the "Act") means those listed in Appendix 1: Provided, That any of the following equipment shall be excluded herefrom: <Amended on Dec. 30, 2013; Nov. 24, 2020>

1. Electrical and electronic equipment used as parts of a vehicle;
2. Electrical and electronic equipment determined and publicly notified by the Minister of Environment, used as military supplies under the Act on the Management of Military Supplies or in areas related to national security;
3. Electrical and electronic equipment determined and publicly notified by the Minister of Environment, used as large fixed industrial equipment or large fixed facilities;
4. Electrical and electronic equipment which are medical devices manufactured or imported by a person who has obtained manufacturing or import business permission under Article

6 or 15 of the Medical Devices Act.

(2)"Vehicles specified by Presidential Decree" in the main clause of Article 9 (1) of the Act means the following vehicles: <Amended on Nov. 24, 2020>

- 1.Passenger motor vehicles under Article 3 (1) of the Motor Vehicle Management Act;
- 2.Motor vehicles for passengers and freight with seating capacity for up to nine persons, among motor vehicles for passengers and freight, under Article 3 (1) of the Motor Vehicle Management Act;
- 3.Freight motor vehicles under Article 3 (1) of the Motor Vehicle Management Act (limited to compact vehicles and small vehicles).

[Title Amended on Dec. 30, 2013]

Article 9 (Maximum Levels of Hazardous Substances Subject to Restrictions on Use)

(1)"Maximum levels of hazardous substances specified by Presidential Decree" in the main clause of Article 9 (1) of the Act means the maximum levels specified in Appendix 1-2.

<Amended on Dec. 30, 2013; Nov. 24, 2020>

(2)"Products specified by Presidential Decree" in the proviso of Article 9 (1) of the Act means cases specified in Appendix 2. <Amended on Nov. 24, 2020>

Article 10 (Annual Recyclability Rate)

"Annual recyclability rates prescribed by Presidential Decree" in Article 10 (2) of the Act means the following:

- 1.On and before December 31, 2009: The aggregate recycled materials and recovered energy per unit by weight shall be at least 85/100: Provided, That only up to 5/100 of recovered energy shall be recognized;
- 2.On and after January 1, 2010: The aggregate recycled materials and recovered energy per unit by weight shall be at least 95/100: Provided, That only up to 10/100 of recovered energy shall be recognized.

Article 11 (Methods for Public Disclosure of Compliance with Restrictions on Use of Hazardous Substances)

(1)A person who manufactures or imports electrical and electronic equipment (hereinafter referred to as "manufacturer or importer of electrical and electronic equipment") or a person who manufactures or imports vehicles (hereinafter referred to as "manufacturer or importer of vehicles") under Article 11 of the Act shall publicly disclose whether he or she complies with the maximum levels of hazardous substances under Article 9 (1) of the Act or the annual recyclability rate under Article 10 (2) of the Act by either of the following methods:

- 1.Posting it on the operation management information system under Article 38 (1) of the Act (hereinafter referred to as "operation management information system");
- 2.Posting it on the website operated and managed by the manufacturer or importer of electrical and electronic equipment or the manufacturer or importer of vehicles. In such cases, the head of an operating institution of the operation management information system under Article 38 (2) of the Act shall be notified of such posting.

(2)A manufacturer of electrical and electronic equipment or a manufacturer of vehicles shall publicly disclose whether he or she complies with the maximum levels of hazardous substance or the annual recyclability rate under paragraph (1) within three months from the date of release to the market, whereas an importer of electrical and electronic equipment or an importer of vehicles shall disclose the compliance within three months from the import declaration date (referring to the date of initial import declaration, as defined in Articles 241 and 244 of the Customs Act; hereinafter referred to as "import declaration date"). <Amended on Dec. 30, 2013>

Article 12 (Recyclers)

"Person specified by Presidential Decree" in the main clause of Article 12 (1) of the Act means any of the following: <Amended on Jan. 7, 2010; Dec. 30, 2013>

- 1.A business entity manufacturing recycled products defined in subparagraph 9 of Article 2 of the Act on the Promotion of Saving and Recycling of Resources;
- 2.A designated recycler running a type of business specified in subparagraph 3 of Article 32 of the Enforcement Decree of the Act on the Promotion of Saving and Recycling of Resources;
- 3.Deleted; <Mar. 22, 2016>
- 4.A person specified in subparagraph 5 of Article 8 of the Enforcement Decree of the Wastes Control Act;
- 5.Deleted. <Mar. 22, 2016>

Article 13 (Provision of Information about Recycling)

(1)If any of the following persons intends to request a manufacturer or importer of electrical and electronic equipment or a manufacturer or importer of vehicles to provide information about recycling under Article 12 (1) of the Act, the person shall make such request six months after the date of market release of the relevant products or the import declaration date: <Amended on Dec. 30, 2013; Mar. 22, 2016; Jun. 11, 2019>

- 1.A recycler specified in the main clause of Article 12 (1) of the Act (hereinafter referred to as "recycler");
- 2.An automotive-dismantling recycler referred to in Article 25 (1) 2 of the Act (hereinafter referred to as "automotive dismantling-recycler");
- 3.A person operating a business recycling end-of-life vehicles under the subparagraphs of Article 32 (2) of the Act;
- 4.A person who has registered his or her waste gas treatment business under Article 32-2 (1) (hereinafter referred to as "waste gas treatment business operator").

(2)Upon receipt of a request from any of the persons specified in the subparagraphs of paragraph (1) to provide information about recycling under paragraph (1), a manufacturer or importer of electrical and electronic equipment or a manufacturer or importer of vehicles shall provide information about recycling by either of the following means within one month after receipt of such request, unless there is a compelling reason not to do so: <Amended on Dec. 30, 2013; Mar. 22, 2016>

- 1.Documents (including electronic documents);

2. Electronic medium in which information about recycling is stored.

(3) If a manufacturer or importer of electrical and electronic equipment or a manufacturer or importer of vehicles provides information about recycling by either of the following means within six months from the date of market release of relevant products or the date of importation, he or she shall be deemed to have provided information about recycling pursuant to paragraph (1):

1. Posting the recycling information on the operation management information system;

2. Posting the recycling information on the website operated and managed by the manufacturer or importer of electrical and electronic equipment or the manufacturer or importer of vehicles. In such cases, the head of an operating institution of the operation management information system under Article 38 (2) of the Act shall be informed of such posting.

(4) Recycling information, which shall be provided pursuant to paragraph (2), shall include the following:

1. The product name, the year of market release, the model name, and the process of disassembly or dismantling;

2. The component materials of synthetic polymers (excluding where the name of each material is indicated in parts manufactured with synthetic resin of at least 25 grams, in cases of electrical and electronic equipment, or parts manufactured with synthetic resin of at least 100 grams and parts manufactured with synthetic rubber of at least 200 grams, in cases of vehicles) and the location at which a hazardous substance that shall be removed from relevant products is contained and the method for removing such hazardous substance;

3. The methods that the manufacturer or importer of electrical and electronic equipment or the manufacturer or importer of vehicles knows for the efficient disposal and recycling of parts.

Article 14 (Electrical and Electronic Equipment Subject to Mandatory Collection, Transfer, or Recycling)

"Electrical and electronic equipment prescribed by Presidential Decree" in the former part of Article 15 of the Act means the equipment listed in Appendix 3: Provided, That any of the equipment referred to in Article 8 (1) shall be excluded. <Amended on Nov. 24, 2020>

[This Article Wholly Amended on Dec. 30, 2013]

Article 14-2 (Places of Business Subject to Mandatory Collection, Transfer or Recycling)

"Place of business, the size of which is stipulated by Presidential Decree" in the former part of Article 15 of the Act means a place of business manufacturing or importing electrical and electronic equipment referred to in Article 14 which meets either of the following criteria:

1. The sales turnover from electrical and electronic equipment during the year preceding the year of mandatory collection, transfer, or recycling: At least one billion won;

2. The quantity of electrical and electronic equipment imported during the year preceding the year of mandatory collection, transfer, or recycling: At least 300 million won.

[This Article Added on Dec. 30, 2013]

Article 15 (Calculation and Public Notice of Recycling Targets)

- (1) Where the Minister of Environment intends to calculate long-term recycling targets under Article 16 (1) of the Act (hereinafter referred to as "long-term recycling target"), the Minister shall first refer the relevant matter to the Central Environment Policy Committee under Article 58 (1) of the Framework Act on Environmental Policy for deliberation.
- (2) The Minister of Environment shall calculate annual recycling target under Article 16 (1) of the Act (hereinafter referred to as "annual recycling target") according to guidelines for calculation stipulated in Appendix 3-2, and publicly notify such targets annually before the beginning of the pertinent year.

[This Article Wholly Amended on Dec. 30, 2013]

Article 15-2 (Guidelines for Calculation of Mandatory Recycling Quantities)

- (1) The mandatory recycling quantity (hereinafter referred to as "mandatory recycling quantity") referred to in Article 16 (3) of the Act shall be calculated by aggregating the mandatory recycling quantity based on the following formula for each category of equipment: <Amended on Jun. 11, 2019>

Mandatory recycling quantity for each category of equipment = annual recycling targets × the number of populations × ratio of the quantity for each category of equipment released to the market by the relevant electrical and electronic equipment manufacturer subject to mandatory recycling referred to in the former part of Article 15 of the Act (hereinafter referred to as "manufacturer of electrical and electronic equipment subject to mandatory recycling") during the year preceding the year of mandatory recycling (including import volumes; hereinafter the same shall apply), to the total quantity for each category of equipment released to the market by all electrical and electronic equipment manufacturers subject to mandatory recycling during the year preceding the year of mandatory recycling

- (2) The Minister of Environment may readjust the mandatory recycling quantity for each category of equipment by weighing each category of equipment based on the conditions for collecting and in accordance with Appendix 3-3, within the scope of maintaining the total amount of mandatory recycling quantity required for the electrical and electronic equipment manufacturers subject to mandatory recycling under paragraph (1). <Added on Jul. 13, 2015>
- (3) Where an electrical and electronic equipment manufacturer subject to mandatory recycling uses recycled waste synthetic resin materials in the process of manufacturing electrical and electronic equipment, the Minister of Environment may reduce the quantity of the recycled waste synthetic resin materials used during the year preceding the year of mandatory recycling for the relevant category of equipment, from the mandatory recycling quantity for each category of equipment specified in paragraph (1) (including readjustment made under paragraph (2)). <Added on Mar. 22, 2016; Dec. 30, 2022>
- (4) Each electrical and electronic equipment manufacturer subject to mandatory recycling shall submit data on the quantity of each type of electrical and electronic equipment released to the market in the preceding year, and data on the mandatory recycling quantity of recycled waste synthetic resin materials used for each category of equipment

in the preceding year, which are necessary for computing the mandatory recycling quantity, to the Minister of Environment by April 15 each year, as prescribed by Ministerial Decree of Environment. <Amended on Jul. 13, 2015; Mar. 22, 2016; Dec. 30, 2022>

- (5)The Minister of Environment shall publicly notify data (including weight given to each category of equipment and total quantity released after being weighed, if the mandatory recycling quantity for each category of equipment is readjusted under paragraph (2)) about the total quantity of such equipment released to the market and the population in the preceding year, which are necessary to calculate the mandatory recycling quantity, by June 30 each year. <Amended on Jul. 13, 2015; Mar. 22, 2016>

[This Article Added on Dec. 30, 2013]

Article 15-3 (Specific Controlled Products)

- (1)"Electrical and electronic equipment specified by Presidential Decree" in Article 16 (4) of the Act (hereinafter referred to as "specific controlled products") means solar panels referred to in subparagraph 5 of Appendix 3.
- (2)Pursuant to Article 16 (4) of the Act, the Minister of Environment shall publicly notify the total quantity that shall be mandatorily recycled (hereinafter referred to as "mandatory recycling quantity of specific controlled products") by electrical and electronic equipment manufacturers subject to mandatory recycling, out of the annual quantity of specific controlled products released to the market, by January 15 each year.
- (3)Where an electrical and electronic equipment manufacturer subject to mandatory recycling uses recycled waste synthetic resin materials in the process of manufacturing specific controlled products, the Minister of Environment may reduce the quantity of the recycled waste synthetic resin materials used in the year preceding the year of mandatory recycling of specific controlled products, from the mandatory recycling quantity of specific controlled products.
- (4)An electrical and electronic equipment manufacturer subject to mandatory recycling shall submit to the Minister of Environment data relating to the quantity of specific controlled products released to the market in the preceding year and the quantity of recycled waste synthetic resin materials used in the production of specific controlled products in the preceding year, which are necessary for determining the mandatory recycling quantity of specific controlled products, by April 15 each year, as determined and publicly notified by the Minister of Environment.
- (5)In determining the mandatory recycling quantity of specific controlled products, the Minister of Environment shall publicly notify data on the total quantity of specific controlled products released to the market in the preceding year, which are necessary for determining the mandatory recycling quantity of specific controlled products, by June 30 each year.

[This Article Added on Dec. 30, 2022]

[Previous Article 15-3 moved to Article 15-4 <Dec. 30, 2022>]

Article 15-4 (Climate/Ecosystem-Changing Substances)

"Substances prescribed by Presidential Decree" in Article 16-3 of the Act means the following:

- 1.Chloro fluoro carbon (CFC);
- 2.Hydro chloro fluoro carbon (HCFC);
- 3.Hydro fluoro carbon (HFC);
- 4.Sulphur hexafluoride (SF6);
- 5.Perfluorocarbon (PFC);
- 6.Other substances designated and publicly notified by the Minister of Environment, in consideration of their global warming potential, etc.

[This Article Added on Jun. 11, 2019]

[Moved from Article 15-3; previous Article 15-4 moved to Article 15-5 <Dec. 30, 2022>]
Article 15-5 (Electrical and Electronic Equipment Subject to Mandatory Collection)

"Electrical and electronic equipment prescribed by Presidential Decree" in Article 16-4 (1) of the Act means the equipment listed in Appendix 3: Provided, That the equipment referred to in any subparagraph of Article 8 (1) shall be excluded herefrom. <Amended on Nov. 24, 2020>

[This Article Added on Dec. 30, 2013]

[Moved from Article 15-4; previous Article 15-5 moved to Article 15-6 <Dec. 30, 2022>]
Article 15-6 (Places of Business Subject to Mandatory Collection)

"Place of business, the size of which is prescribed by Presidential Decree" in Article 16-4 (1) of the Act means a place of business that sells electrical and electronic equipment under Article 15-5, with sales turnover of at least five billion won during the year preceding the year of mandatory collection: Provided, That the following places of business shall be excluded herefrom: <Amended on Jun. 11, 2019; Dec. 30, 2022>

- 1.A place of business financed directly by an electrical and electronic equipment manufacturer subject to mandatory recycling for selling electrical and electronic equipment;
- 2.A place of business which purchases the whole quantity of electrical and electronic equipment from a person other than a manufacturer or importer of electrical and electronic equipment, and sells such equipment.

[This Article Added on Dec. 30, 2013]

[Moved from Article 15-5; previous Article 15-6 moved to Article 15-7 <Dec. 30, 2022>]
Article 15-7 (Guidelines for Calculating Mandatory Collection Quantity)

- (1)The mandatory collection quantity of waste electrical and electronic equipment referred to in the provisions, with the exception of the subparagraphs, of Article 16-4 (2) of the Act (hereinafter referred to as "mandatory collection quantity") shall be calculated by aggregating the mandatory collection quantity for each category of equipment based on the calculation standards specified in Appendix 3-4: <Amended on Dec. 30, 2022>
- (2)A distributor of electrical and electronic equipment under Article 16-4 (1) of the Act (hereinafter referred to as "distributor of electrical and electronic equipment") shall submit data on the purchase and sales quantity of each type of electrical or electronic equipment, which are necessary for calculating the mandatory collection quantity, to the

Minister of Environment by April 15 each year, as prescribed by Ministerial Decree of Environment. <Amended on Dec. 30, 2022>

- (3)The Minister of Environment shall publicly notify data about the total quantity of equipment purchased and the population during the preceding year, which are necessary to calculate the mandatory collection quantity, by June 30 each year. <Amended on Jul. 13, 2015>

[This Article Added on Dec. 30, 2013]

[Moved from Article 15-6 <Dec. 30, 2022>]

Article 16 (Submission of Plan to Recycle, or Collect)

Pursuant to Article 17 (1) or 23 (3) of the Act, every electrical and electronic equipment manufacturer subject to mandatory recycling, distributor of electrical and electronic equipment, and mutual aid association for recycling business under Article 21 of the Act (hereinafter referred to as "mutual aid association") shall submit a plan of mandatory recycling or collection, along with the documents specified by Ministerial Decree of Environment, to the Minister of Environment by not later than January 31 each year: Provided, That an electrical and electronic equipment manufacturer subject to mandatory recycling may submit such plan within one month from the date of initial release of electrical and electronic equipment to the market or the import declaration date during the same year, whereas a distributor of electrical and electronic equipment may submit such plan within one month from the date of initial purchase of electrical and electronic equipment during the same year (or by not later than December 31, if electrical and electronic equipment is initially released to the market or imported on or after December 1). <Amended on Dec. 30, 2011; Dec. 30, 2013>

[Title Amended on Dec. 30, 2011]

Article 17 (Approval of Plans of Mandatory Recycling or Collection)

- (1)Upon receipt of a plan of mandatory recycling or collection pursuant to Article 16, the Minister of Environment shall determine whether to approve the plan within one month and issue a letter of approval, if the Minister approves the plan, or notify the relevant electrical and electronic equipment manufacturer subject to mandatory recycling, the relevant distributor of electrical and electronic equipment, or the relevant mutual aid association of the decision to disapprove the plan and the grounds for disapproval, if the Minister disapproves the plan. <Amended on Dec. 30, 2011; Dec. 30, 2013>
- (2)Upon receipt of notice of disapproval under paragraph (1) from the Minister of Environment with respect to a plan of mandatory recycling or collection, the relevant electrical and electronic equipment manufacturer subject to mandatory recycling, distributor of electrical and electronic equipment, or mutual aid association shall supplement the plan of mandatory recycling or collection, and shall re-submit it to the Minister of Environment within three weeks after receipt of such notice. <Amended on Dec. 30, 2011; Dec. 30, 2013>
- (3)When an electrical and electronic equipment manufacturer subject to mandatory recycling, a distributor of electrical and electronic equipment, or a mutual aid association

revises the approved plan of mandatory recycling or collection with regard to an essential matter specified by Ministerial Decree of Environment, the manufacturer, distributor, or mutual aid association shall submit the revised plan of mandatory recycling or collection to the Minister of Environment within one month from the date of revision, along with a document certifying the revision. <Amended on Dec. 30, 2011; Dec. 30, 2013>

[Title Amended on Dec. 30, 2011]

Article 18 (Submission of Reports on Results of Mandatory Recycling or Collection)

(1) Pursuant to Article 17 (2) or 23 (3) of the Act, every electrical and electronic equipment manufacturer subject to mandatory recycling, distributor of electrical and electronic equipment, or mutual aid association, whose plan of mandatory recycling or collection is approved under Article 17, shall submit a report on the result of mandatory recycling or collection to the Minister of Environment by not later than April 30 of the following year, along with documents specified by Ministerial Decree of Environment. <Amended on Dec. 30, 2013>

(2) When the Minister of Environment recognizes results of mandatory recycling or of mandatory collection after reviewing the plan of mandatory recycling or collection approved pursuant to Article 17 and the control records submitted pursuant to Article 39 of the Act, or after reviewing the report on the performance records of mandatory recycling or mandatory collection submitted pursuant to paragraph (1) and evidentiary materials, the Minister shall comply with the standards prescribed in Appendix 4.

<Amended on Dec. 30, 2013>

[This Article Wholly Amended on Dec. 30, 2011]

Article 19 (Basic Expense to Impose Recycling Charges)

(1) Basic expense for recycling waste electrical and electronic equipment (hereinafter referred to as "basic expenses for recycling charges"), based on which charges for recycling electrical and electronic equipment under Article 18 (1) of the Act (hereinafter referred to as "recycling charges") are to be calculated, shall be calculated by multiplying the unit cost for recycling each category of equipment listed in Appendix 5 by the index for the calculation of recycling expenses publicly notified by the Minister of Environment.

<Amended on Dec. 30, 2013>

(2) The index for the calculation of recycling expenses under paragraph (1) shall be determined each year using the value calculated by multiplying the index for the calculation of recycling expenses for the preceding year by the price index for the preceding year determined according to the price increase rate during the preceding year.

Article 19-2 (Calculation and Imposition of Recycling Charges)

(1) Recycling charges shall be the value calculated by adding the additional amount calculated according to Appendix 6 to the amount computed by multiplying the quantity not recycled, out of the mandatory recycling quantity (including the mandatory recycling quantity of specific controlled products; hereafter in this Article and Appendix 6 the same shall apply), by the basic expenses for recycling charges. <Amended on Dec. 30, 2022>

- (2) If the quantity recycled by an electrical and electronic equipment manufacturer subject to mandatory recycling or a mutual aid association exceeds the mandatory recycling quantity, the excess of the recycled quantity may be included in the quantity recycled during the following year or the year after that. <Amended on Dec. 30, 2013>
- (3) If an electrical and electronic equipment manufacturer subject to mandatory recycling or a mutual aid association fails to fulfill the mandatory recycling quantity, the Minister of Environment shall give notice demanding the manufacturer or mutual aid association to pay the recycling charge calculated under paragraph (1) by July 31 each year, as prescribed by Ministerial Decree of Environment. In such cases, payment of the recycling charge in installments may be allowed as prescribed by Ministerial Decree of Environment. <Amended on Oct. 29, 2012; Dec. 30, 2013; Mar. 22, 2016>
- (4) Upon receipt of notice demanding payment of a recycling charge under paragraph (3), a person shall pay it by August 31 of the same year: Provided, That a person allowed to pay a recycling charge in installments pursuant to the latter part of paragraph (3) shall pay the charge by the deadline specified by Ministerial Decree of Environment. <Amended on Oct. 29, 2012; Mar. 22, 2016>
- (5) Deleted. <Jun. 11, 2019>
- (6) Deleted. <Jun. 11, 2019>

[Moved from Article 20 <Dec. 30, 2013>]

Article 20 (Basic Expenses to Impose Collection Charges)

- (1) Basic expenses incurred in collecting waste electric and electronic equipment (hereinafter referred to as "basic expenses for collection charges") based on which charges for collecting electrical and electronic equipment under Article 18-2 (1) of the Act (hereinafter referred to as "collection charges") are calculated, shall be calculated by multiplying the unit cost incurred in collecting each category of equipment listed in Appendix 5 by the index for calculation of collection expenses determined and publicly notified by the Minister of Environment. <Amended on Dec. 30, 2013>
- (2) The index for calculation of collection expenses under paragraph (1) shall be determined each year with the value calculated by multiplying the index for calculation of collection expenses for the preceding year by the price index for the preceding year determined according to the inflation rate during the preceding year.

[This Article Added on Dec. 30, 2011]

[Moved from Article 21-4; previous Article 20 moved to Article 19-2 <Dec. 30, 2013>]

Article 20-2 (Calculation and Imposition of Collection Charges)

- (1) Collection charges shall be determined based on the value calculated by adding the additional amount calculated according to Appendix 6 to the amount calculated by multiplying the quantity not collected, out of the mandatory collection quantity, by basic expenses for collection charges.
- (2) If the quantity collected by a distributor of electrical and electronic equipment or a mutual aid association exceeds the mandatory collection quantity, the excess may be included in the quantity collected during the following year or the year after that.

- (3) If a distributor of electrical and electronic equipment or a mutual aid association fails to fulfill the mandatory collection quantity, the Minister of Environment shall give notice demanding the distributor or mutual aid association to pay the collection charge calculated under paragraph (1) by July 31 each year, as prescribed by Ministerial Decree of Environment. In such cases, payment of the collection charge in installments may be allowed, as prescribed by Ministerial Decree of Environment. <Amended on Dec. 30, 2013; Mar. 22, 2016>
- (4) Upon receipt of notice demanding payment of a collection charge under paragraph (3), a person shall pay it by August 31 of the same year: Provided, That a person who pays the collection charge in installments pursuant to the latter part of paragraph (3) shall pay it by the deadline specified by Ministerial Decree of Environment. <Amended on Dec. 30, 2013; Mar. 22, 2016>

(5) Deleted. <Jun. 11, 2019>

(6) Deleted. <Jun. 11, 2019>

[This Article Added on Dec. 30, 2011]

[Moved from Article 21-5 <Dec. 30, 2013>]

Article 21 (Payment of Fees for Collecting Recycling Charges and Collection Charges)

- (1) If the Minister of Environment entrusts the Korea Environment Corporation under the Korea Environment Corporation Act (hereinafter referred to as the "Corporation") with the collection of recycling charges and collection charges (including surcharges respectively; hereinafter the same shall apply) pursuant to Article 18-3 (5) of the Act, the Minister shall pay an amount equivalent to 10/100 of the recycling charges and collection charges collected by the Corporation to the Corporation as a collection fee. <Amended on Dec. 24, 2009; Dec. 30, 2011; Dec. 30, 2013>
- (2) The Minister of Environment shall calculate collection fees referred to in paragraph (1) each month for recycling charges and collection charges paid to the Special Accounts for Environmental Improvement under the Act on Special Accounts for Environmental Improvement and shall pay them to the Corporation by not later than the end of the following month. <Amended on Dec. 24, 2009; Dec. 30, 2013>

[Title Amended on Dec. 30, 2013]

Article 21-2 (Payment of Charges by Credit Cards)

- (1) "Institution prescribed by Presidential Decree" in Article 18-4 (1) of the Act means any of the following institutions (hereafter in this Article referred to as "service provider for payment of charges, etc."), as an institution providing services for payment by credit cards, debit cards, etc. (hereafter in this Article referred to as "credit cards, etc.") using the information and communications network:
1. The Korea Financial Telecommunications and Clearings Institute established with the permission of the Financial Services Commission pursuant to Article 32 of the Civil Act;
 2. An institution designated and publicly notified by the Minister of Environment as a service provider for payment of charges, etc. in consideration of its facilities, capacity to perform duties, size of capital, etc.

(2) In return for providing services for payment of recycling charges and collection charges by credit cards, etc., a service provider for payment of charges, etc. may receive payment service fees of up to 10/1,000 of the relevant recycling charges and collection charges from payers, as prescribed by the Minister of Environment.

[This Article Added on Jun. 11, 2019]

Article 21-3 (Deferment of Collection, Payment in Installments of Charges for Recycling Electric and Electronic Equipment)

(1) The period of deferment of collection prescribed in Article 18-5 (1) of the Act shall be within nine months from the day following the payment deadline of recycling charges and collection charges; the period of payment in installments and the amount of installment payments during the collection deferment period may be determined by the Minister of Environment.

(2) Where the Minister of Environment deems it impractical to collect recycling charges and collection charges by the collection deferment period referred to in paragraph (1) as the reasons under the subparagraphs of Article 18-5 (1) of the Act continue to exist, the Minister may extend the collection deferment period once: In such cases, the extended period shall be within nine months from the day following the expiration of the collection deferment period.

(3) Any person who intends to be granted deferment of collection or to make payment in installments pursuant to Article 18-5 (1) of the Act, or who intends to be granted extension of the collection deferment period pursuant to paragraph (2) shall apply to the Minister of Environment at least seven days before the payment deadline.

(4) Upon receiving any application under paragraph (3), the Minister of Environment shall notify the relevant applicant of the outcome of his or her application for the deferment of collection, payment in installments, or extension of the collection deferment period, as prescribed by Ministerial Decree of Environment.

(5) Where a person required to pay recycling charges and collection charges falls under any of the following, the Minister of Environment may revoke his or her decision to allow the deferment of collection or payment in installments prescribed in Article 18-5 (1) of the Act, and collect the relevant recycling charges and collection charges at once:

1. Where the person granted the deferment of collection by means of payment in installments fails to pay the amount of an installment payment by the prescribed deadline;
2. Where the person fails to comply with an order of the Minister of Environment issued for the change or perpetuation of security;
3. Where the deferment of collection is deemed unnecessary due to changes in property status or other circumstances.

(6) Where the Minister of Environment revokes the decision allowing the deferment of collection or payment in installments pursuant to paragraph (5), the Minister shall notify such fact to the person obliged to pay recycling charges and collection charges, as prescribed by Ministerial Decree of Environment.

[This Article Added on Jun. 11, 2019]

Article 21-4 (Exceptions to Collection of Charges for Recycling Electric and Electronic Equipment)

(1)“Amount prescribed by Presidential Decree” in Article 18-5 (3) of the Act means 10,000 won.

(2)Where the Minister of Environment sets a new payment deadline pursuant to Article 18-5 (5) of the Act, the Minister may set the deadline differently, in consideration of the reasons under the subparagraphs of paragraph (4) of that Article.

[This Article Added on Jun. 11, 2019]

Article 21-5 (Raising Objections to Charges for Recycling Electric and Electronic Equipment)

(1)A person in receipt of any of the following notices may raise an objection to the Minister of Environment within 30 days after the date of receiving the relevant notice, as prescribed by Ministerial Decree of Environment:

- 1.Notice of payment of recycling charges referred to in Article 19-2 (3);
- 2.Notice of payment of collection charges referred to in Article 20-2 (3);
- 3.Notice of rejection of an application for the deferment of collection, payment in installments, or extension of the deferment of collection prescribed in Article 21-3 (4);
- 4.Notice of revocation of a decision allowing the deferment of collection or payment in installments prescribed in Article 21-3 (5).

(2)Upon receiving an objection raised pursuant to paragraph (1), the Minister of Environment shall give written notice to the applicant on the outcome of processing the objection within 30 days from the date on which the relevant objection is raised.

[This Article Added on Jun. 11, 2019]

Article 21-6 Deleted. <Dec. 30, 2013>

Article 22 (Inspection of Performance Records of Recycling or Collection)

(1)In any of the following cases, the Minister of Environment may direct relevant public officials, etc. to inspect and verify the quantities released to the market, purchase and sales quantity, and performance records of recycling or collection by an electrical and electronic equipment manufacturer subject to mandatory recycling, a distributor of electrical and electronic equipment, a mutual aid association, or a recycler, pursuant to Article 37 of the Act: <Amended on Dec. 30, 2011; Dec. 30, 2013; Jul. 13, 2015; Mar. 22, 2016; Jun. 11, 2019; Dec. 30, 2022>

- 1.Where an electrical and electronic equipment manufacturer subject to mandatory recycling fails to submit data on the quantity of each type of electrical and electronic equipment released to the market pursuant to Article 15-2 (4) or the quantity of specific controlled products released to the market under Article 15-3 (4);
- 2.Where an electrical and electronic equipment manufacturer subject to mandatory recycling, distributor of electrical and electronic equipment or mutual aid association fails to submit a report on the results of mandatory recycling or collection pursuant to Article 18 (1);
- 3.Where a distributor of electrical and electronic equipment fails to submit data on the purchase and sales quantity of each type of electrical and electronic equipment pursuant

to Article 15-7 (2);

4. Where the Minister of Environment deems it necessary to conduct an inspection and verification, including the case that the recycling or collection results reported by an electrical and electronic equipment manufacturer subject to mandatory recycling, distributor of electrical and electronic equipment, or mutual aid association pursuant to Article 18 differs from actual results of recycling or collection.

(2) If it is found, as a result of an inspection and verification conducted under paragraph (1), that an electrical and electronic equipment manufacturer subject to mandatory recycling, a distributor of electrical and electronic equipment, or a mutual aid association has a recycling charge or collection charge to pay or the amount already paid is less than the amount to pay, the Minister of Environment shall give notice demanding the payment of the recycling charge or collection charge to pay or the difference thereof to the manufacturer of electrical and electronic equipment subject to mandatory recycling, the distributor of electrical and electronic equipment, or the mutual aid association. In such cases, Article 19-2 (1) or 20-2 (1) shall apply mutatis mutandis to the calculation of a recycling charge or collection charge to pay or a difference, and the period for payment thereof shall be 30 days from the date on which the notice demanding payment is given.
<Amended on Dec. 30, 2011; Dec. 30, 2013; Mar. 22, 2016>

[Title Amended on Dec. 30, 2011; Dec. 30, 2013]

Article 23 (Recycling Rate of End-of-Life Vehicles)

(1) "Recycling rate prescribed by Presidential Decree" in the provisions, with the exception of the subparagraphs, of Article 25 (1) of the Act means either of the following rates:

1. From January 1, 2009 before December 31, 2014: The aggregate of the recycled materials and recovered energy per unit by weight shall be at least 85/100: Provided, That only up to 5/100 of the recovered energy shall be recognized;
2. On and after January 1, 2015: The aggregate of recycled materials and recovered energy per unit by weight shall be at least 95/100: Provided, That only up to 10/100 of the recovered energy shall be recognized.

(2) The weight per unit referred to in paragraph (1) shall be determined with the actual weight of a vehicle when the vehicle is scrapped.

Article 24 (Determination of Prices of End-of-Life Vehicles and Calculation of Expenses for Disposal and Recycling)

A manufacturer or importer of vehicles and a party to a contract specified in the subparagraphs of Article 25 (3) may determine the prices of end-of-life vehicles and expenses for treatment and recycling of end-of-life vehicles, as defined in Article 25 (3) of the Act, in consideration of the profits from recovering used parts and scrap metal left over after recovering used parts and expenses incurred in treating and recycling end-of-life vehicles, such as expenses incurred in treating climate/ecosystem-changing substances referred to in Article 16-3 of the Act (hereinafter referred to as "climate/ecosystem-changing substances"), automotive shredder residue, and liquid waste, and expenses incurred in gathering end-of-life vehicles. <Amended on Jun. 11, 2019>

Article 25 (Free-of-Charge Collection by Manufacturers and Importers of Vehicles)

(1) In order for a person to request a manufacturer or importer of vehicles, pursuant to the main clause of Article 25 (3) of the Act, to collect and scrap a vehicle for recycling, such vehicle shall not fall under any of the following subparagraphs:

1. A vehicle with no engine, transmission, body, chassis, catalytic converter, or wheels (excluding tires);
2. A vehicle into which waste irrelevant to driving or maintenance of the vehicle is intentionally dumped.

(2) Upon receipt of a request to dismantle a vehicle, a manufacturer or importer of vehicles shall immediately inform the requesting person of the place to which a vehicle can be collected free of charge and the method of delivery.

(3) Where a manufacturer or importer of vehicles collects end-of-life vehicles free of charge for recycling, the manufacturer or importer may entrust the performance of the duty to collect such vehicles free of charge for recycling to any of the following persons:

<Amended on Jun. 11, 2019>

1. An automotive-dismantling recycler, scrap recycler, or shredder residue recycler;
2. A corporation comprised of automotive-dismantling recyclers, scrap recycler, or automotive shredder residue recycler;
3. A business association under Article 29 of the Act (hereinafter referred to as "business association").

Article 26 (Methods and Standards for Recycling End-of-Life Vehicles)

"Methods and guidelines for recycling of end-of life vehicles as prescribed by Presidential Decree" in Article 26 of the Act means the methods and guidelines specified in Appendix 7.

<Amended on Nov. 24, 2020>

Article 27 (Recovery and Storage of Climate/Ecosystem-Changing Substances)

The standards for the recovery, storage and transfer of climate/ecosystem-changing substances under Article 27 (1) of the Act shall be as specified in Appendix 7-2.

[This Article Wholly Amended on Jun. 11, 2019]

Article 27-2 (Payment of Expenses for Disposal and Recycling of End-of-Life Vehicles)

Where it is intended to pay for the expenses of treating and recycling end-of-life vehicles by subtracting such expenses from the price of end-of-life vehicles pursuant to Article 28 of the Act, Article 24 shall apply mutatis mutandis to the methods of calculating the expenses and price. In such cases, "Article 25 (3) of the Act" shall be construed as "Article 28 of the Act," and "manufacturer or importer of vehicles and a party to a contract specified in the subparagraphs of Article 25 (3)" as "automotive-dismantling recycler, scrap recycler or shredder residue recycler, and waste gas treatment business operator."

[This Article Added on Jun. 11, 2019]

Article 28 (Procedure for Authorization of Business Operators' Organizations)

(1) "Matters specified by Presidential Decree" in Article 30 (1) of the Act means the following:

<Amended on Jun. 11, 2019>

1. The objectives of establishment, the scope of business, and articles of association;

2. An agreement on the participation of a manufacturer or importer of vehicles, an automotive-dismantling recycler, automotive scrap recycler, automotive shredder residue recycler, waste gas treatment business operator, or business operator for promoting the recycling of end-of-life vehicles;
3. Matters regarding the financing plan for the operation of a business association;
4. A business plan for promoting recycling.

(2) Articles of association under Article 30 (1) of the Act shall include the following subparagraphs:

1. Name;
2. Objectives;
3. Place of business office;
4. Matters regarding membership and annual general meetings;
5. Matters regarding executive officers;
6. Matters regarding business affairs;
7. Matters regarding accounting;
8. Matters regarding budget;
9. Other matters regarding the operation of the business association.

Article 29 (Submission of Report on Recycling of End-of-Life Vehicles)

(1) A report submitted by an automotive-dismantling recycler on the results of recycling of end-of-life vehicles pursuant to Article 31 (1) of the Act shall be accompanied by the following documents (including electronic documents): Provided, That where control records are prepared and submitted pursuant to Article 39 of the Act (hereinafter referred to as "control record"), such control records shall be accompanied only by the documents specified in subparagraphs 1 and 2: <Amended on Jun. 11, 2019>

1. A document verifying the compliance with the method and standards for recycling under Article 26;
2. A document evidencing the quantity of end-of-life vehicles reused and recycled;
3. A document evidencing the quantity transferred to automotive scrap recyclers, etc.;
4. A document evidencing the quantity of climate/ecosystem-changing substances, transferred to waste gas treatment business operators.

(2) A report submitted by a recycler of automotive shredder residue on the results of recycling pursuant to Article 31 (2) of the Act shall be accompanied by the following documents (including electronic documents): Provided, That where control records are prepared and submitted, such control records shall be accompanied only by the documents specified in subparagraphs 1 and 2:

1. A document verifying the compliance with the method and standards for recycling under Article 26;
2. A document evidencing the quantity of end-of-life vehicles recycled;
3. A document evidencing the quantity transferred to recyclers of automotive shredder residues.

(3)A report submitted by a recycler of automotive shredder residue on the results of recycling and energy recovery pursuant to Article 31 (3) of the Act shall be accompanied by the following documents (including electronic documents):

- 1.A document verifying the compliance with the method and standards for recycling under Article 26;
- 2.A document evidencing the results of automotive shredder residue recycling and energy recovery.

(4)A report submitted by a waste gas treatment business operator on the results of recycling and disposal of climate/ecosystem-changing substances pursuant to Article 31 (4) of the Act shall be accompanied by the following documents (including electronic documents):
<Amended on Jun. 11, 2019>

- 1.A document verifying the compliance with the method and standards for recycling under Article 26;
- 2.A document evidencing the results of recycling and treatment of climate/ecosystem-changing substances.

(5)When a manufacturer or importer of vehicles submits the results of recycling, treating, and energy recovery pursuant to Article 31 (5) of the Act (including where recycling is performed under a contract pursuant to Article 25 (3) of the Act), the manufacturer or importer shall submit a report on the results of recycling of end-of-life vehicles and other documents under paragraphs (1) through (4).

Article 30 (Standards for Registering End-of-Life Vehicle Recycling Business and Waste Gas Treatment Business)

"Standards for registration, such as facilities and equipment, prescribed by Presidential Decree" in the former part of Article 32 (1) and Article 32-2 (1) of the Act means the registration standards in Appendix 7-3.

[This Article Wholly Amended on Jun. 11, 2019]

Article 31 (Registration of Changes in End-of-Life Vehicle Recycling Business and Waste Gas Treatment Business)

(1)Changes in registered essential details, which shall be registered pursuant to the latter part of Article 32 (1) and Article 32-2 (2) of the Act, shall be as follows: <Amended on Dec. 30, 2013; Jun. 11, 2019>

- 1.Change of the location of the place of business;
- 2.Change of the treatment capacity initially registered or later revised by at least 30/100 (referring to the total sum of changed treatment capacities after registration or a change in the registration);
- 3.Change of a facility or equipment (applicable only where the method for treatment or recycling is changed due to such change of a facility or equipment).

(2)Changes subject to reporting pursuant to the latter part of Article 32 (1) and Article 32-2 (2) of the Act shall be as follows: <Added on Jun. 11, 2019>

- 1.Change of a trade name;

2.Change of a representative (excluding cases of succeeding to the status of a business operator under Article 35 of the Act).

[Title Amended on Jun. 11, 2019]

Article 31-2 (Criteria for Imposition of Penalty Surcharges)

- (1)"Sales turnover prescribed by Presidential Decree" in the main clause, with the exception of the subparagraphs, of Article 34-2 (1) of the Act means the average annual sales turnover for three immediately preceding business years of a relevant end-of-life vehicle recycler or a waste gas treatment business operator (limited to sales turnover resulting from operating a business of recycling end-of-life vehicles or a waste gas treatment business subject to business suspension; hereinafter the same shall apply); Provided, That if three business years have not elapsed since commencement of business based on the first day of the relevant business year, the sales turnover refers to the amount obtained by converting the amount of sales generated from the commencement of business to the last day of the immediately preceding business year into annual average amount of sales, and if business was commenced in the relevant business year, the sales turnover refers to the amount obtained by converting the amount of sales from the date of commencement of business to the date any act of violation is uncovered into the amount of annual sales.
- (2)"Cases prescribed by Presidential Decree" in the proviso, with the exception of the subparagraphs, of Article 34-2 (1) of the Act means any of the following cases:
- 1.Where an end-of-life vehicle recycler or a waste gas treatment business operator has no business performance because business has yet to be commenced or is suspended and due to other reasons;
 - 2.Where it is difficult to objectively compute the sales turnover because data used to calculate them has ceased to exist or has been destroyed due to disasters, etc.
- (3)The amount of a penalty surcharge based on the type and severity of violation under Article 34-2 (2) of the Act shall be as specified in Appendix 7-4.
- (4)In accordance with Article 34-2 of the Act, the Minister of Environment may increase or reduce the amount of penalty surcharges by up to half under paragraph (3), taking into consideration the size of business at the place of business, unique characteristics of the business area, the severity and frequency of violations, and others: Provided, That increased penalty surcharges shall not exceed the upper limit of the amount of penalty surcharges under Article 34-2 (1) of the Act.

[This Article Added on Dec. 6, 2022]

Article 31-3 (Imposition and Payment of Penalty Surcharges)

- (1)When the Minister of Environment intends to impose a penalty surcharge under Article 34-2 of the Act, he or she shall give a written notice calling for the payment of penalty surcharges, stating the kind of relevant violation and the amount of a penalty surcharge.
- (2)A person who receives a notice under paragraph (1) shall pay the penalty surcharge to a collecting agency prescribed by Minister of Environment, within 20 days from the date of receipt of such notice.

(3)A collecting agency that receives the penalty surcharge under paragraph (2) shall issue a receipt to the payer, and notify the Minister of Environment of such fact without delay.

[This Article Added on Dec. 6, 2022]

Article 32 (Keeping and Preservation of Records of Recycling)

(1)Book of account to be kept and preserved by every electrical and electronic equipment manufacturer subject to mandatory recycling, distributor of electrical and electronic equipment, or manufacturer or importer of vehicles pursuant to Article 36 of the Act shall be as follows: <Amended on Dec. 30, 2011; Dec. 30, 2013; Jun. 11, 2019>

1.An electrical and electronic equipment manufacturer subject to mandatory recycling: The following books of account:

(a)A ledger for the management of manufacturing or importation of electrical and electronic equipment subject to mandatory recycling;

(b)A ledger for the management of collection and recycling of electrical and electronic equipment subject to mandatory recycling (this item shall be applicable only where the manufacturer or importer is not a member of a mutual aid association, but in the case of entrustment of recycling, copies of the entrusted person's ledger for the management of collection and recycling of electrical and electronic equipment shall be required instead);

(c)A ledger for the evaluation of improvement of materials and structures;

1-2.A distributor of electrical and electronic equipment: The following books of account:

(a)A ledger for the management of purchase and sale of electrical and electronic equipment subject to mandatory recycling;

(b)A ledger for the management of collection of electrical and electronic equipment subject to mandatory recycling (this item shall be applicable only where the distributor is not a member of a mutual aid association, but in the case of entrustment of collection, copies of the entrusted person's ledger for the management of collection of electrical and electronic equipment shall be required instead);

2.A manufacturer or importer of vehicles: ledgers for management specified in the provisions of subparagraphs 5 through 8 (this item shall apply only where the manufacturer or importer is not a member of a business association, but in the case of entrustment of recycling, copies of the entrusted person's ledgers for management shall be required instead);

3.A recycler to whom the recycling of waste electrical and electronic equipment is entrusted by an electrical and electronic equipment manufacturer subject to mandatory recycling or a mutual aid association: A ledger for the management of collection and recycling of electrical and electronic equipment subject to mandatory recycling;

4.A mutual aid association: A ledger for the management of collection and recycling of electrical and electronic equipment subject to mandatory recycling (in the case of entrustment of collection or recycling, copies of the entrusted person's ledger for management shall be required);

5.An automotive-dismantling recycler: A ledger for the management of acquisition and recycling of end-of-life vehicles;

6. An automotive scrap recycler: A ledger for the management of scrapping and recycling of end-of-life vehicles;
 7. A recycler of automotive shredder residue: A ledger for the management of acquisition and recycling of residual scrap;
 8. A waste gas treatment business operator: A ledger for the management of acquisition and disposal of climate/ecosystem-changing substances.
- (2) The period for preservation of the books of account specified in paragraph (1) shall be five years.
- (3) Books of account to be kept and preserved under paragraph (1) may be kept and preserved in electronic recording media.

Article 33 (Reporting and Inspections)

A person specified in any of the subparagraphs of Article 36 of the Act shall submit a report or data necessary for verifying any of the following matters pursuant to Article 37 (1) of the Act: <Amended on Dec. 30, 2011; Dec. 30, 2013; Jul. 13, 2015; Mar. 22, 2016; Jun. 11, 2019; Dec. 30, 2022>

1. Compliance with the standards for the content of hazardous substances under Article 9 (1) of the Act;
2. Compliance with the guidelines for the improvement of materials and structure under Article 10 (1) of the Act or the annual recyclability rate under paragraph (2) of that Article;
3. Public disclosure of compliance with restrictions on the use of hazardous substances under Article 11 of the Act;
4. Provision of information on recycling under Article 12 (1) of the Act;
- 4- Fulfillment of the duty to collect, transfer, or recycle by an electrical and electronic equipment manufacturer subject to mandatory recycling under Article 15 of the Act, and bearing of various expenses incurred in fulfilling such duty;
5. Compliance with the recycling methods and standards under Article 16-2 of the Act;
- 5- Compliance with the standards for collection, separate storage, and treatment of climate/ecosystem-changing substances under Article 16-3 of the Act;
- 5- Fulfillment of the duty to collect or transfer by distributors of electrical and electronic equipment under Article 16-4 of the Act;
6. Submission of a plan of mandatory recycling or collection and a report of the results of mandatory recycling or collection under Articles 17 and 23 (3) of the Act;
7. Calculation, imposition, and payment of recycling charges of electrical and electronic equipment manufacturers subject to mandatory recycling under Article 18 of the Act;
8. Deleted; <Dec. 30, 2013>
- 8- Calculation, imposition, and payment of collection charges of distributors of electrical and electronic equipment under Article 18-2 of the Act;
9. Compliance with the rate of recycling of end-of-life vehicles under Article 25 (1) of the Act and obligations for attaining the recycling rate under Article 25 (2);
10. Compliance with the methods and standards for recycling under Article 26 of the Act;

11. Compliance with rules on the recovery, storage, and transfer of climate/ecosystem-changing substances under Article 27 of the Act;
12. Whether expenses incurred in treating and recycling end-of-life vehicles are properly appropriated pursuant to Article 28 of the Act;
13. A report on results of recycling of end-of-life vehicles under Article 31 of the Act;
- 13- A report on the suspension of business, closure of business, or resumption of business under Article 33-3 (1) of the Act; and formulation of a plan for treating wastes being stored under paragraph (2) of that Article;
14. Matters regarding the keeping and preservation of books of account under Article 36 of the Act;
- 14- Whether control records are prepared and submitted appropriately under Article 39 of the Act;
- 14- Sales turnover or value of import of electrical and electronic equipment of manufacturers or importers of electrical and electronic equipment under Article 14-2;
15. Quantity of electrical and electronic equipment released to the market by electrical and electronic equipment manufacturers subject to mandatory recycling under Article 15-2 (4);
- 15- Quantity of specific controlled products released to the market by electrical and electronic equipment manufacturers subject to mandatory recycling under Article 15-3 (4);
- 15- Sales turnover of electrical and electronic equipment by distributors of electrical and electronic equipment under Article 15-6;
- 15- Quantity of electrical and electronic equipment purchased and sold by distributors of electrical and electronic equipment under Article 15-7 (2);
- 15- Whether the performance records of recycling or collection under Article 18 (2) are adequate;
16. Expenses incurred in treating and recycling end-of-life vehicles and prices of end-of-life vehicles under Article 24.

Article 34 (Information about Operation and Management)

"Affairs specified by Presidential Decree" in Article 38 (1) of the Act means the following:

<Amended on Dec. 30, 2011; Dec. 30, 2013; Jun. 11, 2019; Nov. 24, 2020; Dec. 30, 2022>

1. Public disclosure of compliance with restrictions, etc. on the use of hazardous substances under Article 11 of the Act;
2. Provision of information about recycling under Article 12 (1) of the Act;
3. Submission of a plan of mandatory recycling or collection and a report of the results of mandatory recycling or collection under Articles 17 and 23 (3) of the Act;
4. Management of calculation, imposition, and collection of recycling charges under Article 18 of the Act;
- 4- Management of calculation, imposition, and collection of collection charges under Article 18-2 of the Act;
5. Reporting on recycling of end-of-life vehicles under Article 31 of the Act;

- 6.Registration of end-of-life vehicle recycling business under Article 32 of the Act;
- 6-2.Registration of waste gas treatment business under Article 32-2 of the Act;
- 7.Preparation and submission of control records under Article 39 of the Act;
- 8.Quantity of each type of electrical and electronic equipment released to the market in the preceding year and quantity of recycled waste synthetic resin materials used for each category of equipment in the preceding year under Article 15-2 (4);
- 8- Quantity of specific controlled products released to the market in the preceding year and
- 2. quantity of recycled waste synthetic resin materials used for specific controlled products in the preceding year under Article 15-3 (4);
- 8- Sales turnover of electrical and electronic equipment by the distributor of electrical and
- 3. electronic equipment under Article 15-6;
- 8- Quantity of electrical and electronic equipment purchased and sold by a distributor of
- 4. electrical and electronic equipment under Article 15-7 (2);
- 9.Education and promotional activities for promoting the recycling of electrical and electronic equipment and vehicles.

Article 35 (Delegation of Authority and Entrustment of Affairs)

- (1)Pursuant to Article 42 (1) of the Act, the Minister of Environment shall delegate the authority to impose and collect administrative fines under Article 45 of the Act to the head of each river basin environmental office or the head of each regional environmental office.
- (2)Pursuant to Article 42 (2) of the Act, the Minister of Environment shall entrust the following affairs to the Corporation: <Amended on Dec. 24, 2009; Mar. 29, 2011; Dec. 30, 2011; Dec. 30, 2013; Jul. 13, 2015; Mar. 22, 2016; Jun. 11, 2019; Nov. 24, 2020; Jul. 6, 2021 Dec. 30, 2022>
- 1.Verification of compliance with the maximum levels of hazardous substances under Article 9 (1) of the Act;
- 2.Verification of compliance with the guidelines for improvement of materials and structure under Article 10 (1) of the Act or the annual recyclability rates under paragraph (2) of that Article;
- 3.Verification of the public disclosure of compliance with restrictions, etc. on the use of hazardous substances under Article 11 of the Act;
- 4.Verification of provision of information about recycling under Article 12 (1) of the Act;
- 4- Verification of whether an electrical and electronic equipment manufacturer subject to
- 2. mandatory recycling fulfills his or her duty to collect, transfer, or recycle, and bears the expenses incurred in fulfilling such duty under Article 15 of the Act ;
- 5.Verification of compliance with the recycling methods and standards under Article 16-2 of the Act;
- 6.Demands for payment of the overdue charges for recycling or collecting electrical and electronic equipment and imposition of surcharges under Article 18-3 (1) of the Act;
- 7.Compulsory collection of charges for recycling or collecting electrical and electronic equipment under Article 18-3 (2) of the Act;

- 7- Notice of a changed payment deadline, etc. of charges for recycling or collecting electric
2. and electronic equipment prescribed in Article 18-5 (5) of the Act;
- 7- Operation of a future waste resources base collection center under Article 20-4 (1) of the
3. Act;
- 8.Verification of compliance with the recycling rate under Article 25 of the Act;
- 9.Verification of compliance with the methods and standards for recycling under Article 26 of the Act;
- 10.Verification of whether climate/ecosystem-changing substances are recovered, stored, and transferred pursuant to Article 27 (1) of the Act and whether automotive shredder residue is separated and discharged pursuant to Article 27 (2) of the Act;
- 11.Verification of due appropriation of expenses incurred in treatment and recycling of end-of-life vehicles under Article 28 of the Act;
- 12.Receipt of a report on results of recycling of end-of-life vehicles under Article 31 (2) through (5) of the Act;
- 13.Receipt of the registration of, registration of changes in, and a report on changes in the end-of-life vehicle recycling business under Article 32 of the Act;
- 13- Receipt of the registration of, registration of changes in, and a report on changes in the
2. waste gas treatment business under Article 32-2 of the Act;
- 13- Entering in the registration ledger or issuance and re-issuance of a registration
3. certificate under Article 33-2 of the Act;
- 13- Receipt of a report on the suspension of business, closure of business, or resumption of
4. business under Article 33-3 (1) of the Act;
- 13- Receipt of a report on the succession to the status of an end-of-life vehicle recycler or
5. waste gas treatment business operator under Article 35 (4) of the Act;
- 13- Request for the submission of a report or explanatory materials and inspection thereof
6. (limited to where they are necessary for the performance of entrusted affairs) under Article 37 (1) of the Act;
- 14.Receipt of control records under Article 39 of the Act;
- 14- Verification of whether a person is an electrical and electronic equipment manufacturer
2. subject to mandatory recycling under Article 14-2;
- 15.Receipt and verification of data on the quantity of each type of electrical and electronic equipment released to the market in the preceding year and the quantity of recycled waste synthetic resin materials used for each category of equipment in the preceding year under Article 15-2 (4);
- 15- Receipt and verification of data on the quantity of specific controlled products released
2. to the market in the preceding year and the quantity of recycled waste synthetic resin materials used in the production of specific controlled products in the preceding year under Article 15-3 (4);
- 15- Verification of whether a person is qualified as a distributor of electrical and electronic
3. equipment under Article 15-6;

- 15- Receipt and verification of the quantity of each type of electrical and electronic equipment purchased and sold by a distributor of electrical and electronic equipment under Article 15-7 (2);
16. Receipt of a plan of mandatory recycling or collection under Article 16;
17. Review and approval of a plan of mandatory recycling or collection and receipt and verification of data under Article 17;
18. Receipt and verification of reports on the results of mandatory recycling or collection, etc. under Article 18;
19. Calculation and imposition of recycling charges, and giving notice of payment of recycling charges under Article 19-2;
- 19-2. Deleted; <Dec. 30, 2013>
- 19-3. Deleted; <Dec. 30, 2013>
- 19- Calculation and imposition of collection charges, and giving notice of payment of collection charges under Article 20-2;
20. Receipt of an application for the deferment of collection, payment in installments, or extension of the collection deferment period of recycling charges and collection charges under Article 21-3 (3);
21. Giving notice on the outcome of an application for the deferment of collection, payment in installments, or extension of a period under Article 21-3 (4);
22. Revocation of a decision allowing the deferment of collection and payment in installments under Article 21-3 (5), and giving notice on the revocation under paragraph (6) of that Article;
23. Receipt of an objection raised under Article 21-5, and giving notice on the outcome of processing the objection;
24. Inspection and verification of the electrical and electronic equipment manufacturers subject to mandatory recycling, the distributors of electrical and electronic equipment, etc. under Article 22 (1) and giving notice demanding the payment of a difference in recycling charges and collection charges under Article 22 (2).

[Title Amended on Nov. 24, 2020]

Article 36 (Accounting Authorities for Recycling Charges and Collection Charges)

- (1) The President of the Corporation shall appoint a standing director of the Corporation as the officer responsible for collecting charges and an employee as the assistance officer in charge of collecting charges so as to have them take charge of collecting recycling charges and collection charges as entrusted pursuant to Article 35 (2). <Amended on Dec. 24, 2009; Dec. 30, 2011>
- (2) When the President of the Corporation appoints the officer responsible for collecting charges and the assistance officer in charge of collecting charges pursuant to paragraph (1), he or she shall notify the Minister of Environment, the Chairman of the Board of Audit and Inspection, and the President of the Bank of Korea of appointment. <Amended on Dec. 24, 2009>

[Title Amended on Dec. 30, 2011]

Article 36-2 (Management of Personally Identifiable Information)

The Minister of Environment (including persons entrusted with affairs by the Minister of Environment under Article 35 (2)) may manage data containing resident registration numbers or alien registration numbers under subparagraph 1 or 4 of Article 19 of the Enforcement Decree of the Personal Information Protection Act, where inevitable to perform the following affairs: <Amended on Jun. 11, 2019>

- 1.Imposition and collection of charges for recycling electrical and electronic equipment under Article 18 of the Act:
- 2.Imposition and collection of charges for collecting electrical and electronic equipment under Article 18-2 of the Act:
- 3.Urging and compulsory collection of charges for recycling electrical and electronic equipment and charges for collecting electrical and electronic Equipment under Article 18-3 of the Act;
- 4.Processing the deferment of collection of recycling charges and collection charges, and the payment in installments under Article 18-5 of the Act.

[This Article Added on Jul. 13, 2015]

[Previous Article 36-2 moved to Article 36-3 <Jul. 13, 2015>]

Article 36-3 (Re-Examination of Regulation)

The Minister of Environment shall examine the appropriateness of the following matters every three years, counting from each base date specified in the following subparagraphs (referring to the period that ends on the day before the base date of every third year), and shall take measures, such as making improvements:

- 1.Scope of electrical and electronic equipment and vehicles subject to restrictions on the use of hazardous substances under Article 8: January 1, 2022;
- 2.Maximum levels of hazardous substances subject to restrictions on use under Article 9 (1) and Appendix 1-2; January 1, 2022;
- 3.Scope of electrical and electronic equipment subject to mandatory collection, transfer, or recycling under Article 14 and Appendix 3: January 1, 2022;
- 4.Unit cost incurred in recycling and collection for each category of electrical and electronic equipment under Articles 19 (1) and 20 (1) and Appendix 5: January 1, 2022;
- 5.Standards for recovery, storage, and transfer of climate/ecosystem-changing substances under Article 27 and Appendix 7-2: January 1, 2022.
- 6.Methods for submitting the results of recycling end-of-life vehicles under Article 29: January 1, 2022;
- 7.Details of a report or data to be submitted under Article 33: January 1, 2022;

[This Article Wholly Amended on Mar. 8, 2022]

Article 37 (Criteria for Imposition of Administrative Fines)

The criteria for the imposition of administrative fines under Article 45 of the Act shall be as prescribed in Appendix 8.

[This Article Wholly Amended on Jan. 7, 2010]

ADDENDA <Presidential Decree No. 20480, Dec. 28, 2007>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2008.

Article 2 (Applicability of Standards for Content of Hazardous Substances)

The provisions of Articles 9, 10, and 13 shall apply from the following relevant date:

1. An electrical or electronic product with a different design and different functions, with respect to which a distinct name or code is given or a vehicle self-certified under Article 30 (4) of the Motor Vehicle Management Act, with respect to which the first number in the specification control number is newly allocated or changed: July 1, 2008;
2. An electrical or electronic product or a vehicle continuously released to the market on and after July 1, 2008 since it was initially released to the market before July 1, 2008 (including vehicles released to test the performance and safety of the vehicles. In such cases, the manufacturer or importer shall submit relevant documents certifying that such vehicles were initially released to the market before July 1, 2008 to the President of the Korea Environment Corporation): January 1, 2011.

Article 3 (Transitional Measure concerning Calculation and Notification of Mandatory Recycling Rate)

The mandatory recycling rate calculated and publicly notified under the Enforcement Decree of the Act on the Promotion of Saving and Recycling of Resources before this Act enters into force shall be deemed the mandatory recycling rate calculated and publicly notified under Article 14 (1).

Article 4 (Transitional Measure concerning Charges for Recycling Electrical and Electronic Equipment)

Recycling charges (limited to those on electrical and electronic equipment) imposed or imposable under Article 28 of the Enforcement Decree of the Act on the Promotion of Saving and Recycling of Resources before this Act enters into force shall be imposed and collected under Article 28 of the Enforcement Decree of the Act on the Promotion of Saving and Recycling of Resources.

Article 5 (Relationship to Other Statutes or Regulations)

A citation of any provision (applicable only to electrical and electronic equipment) of the Enforcement Decree of the Act on the Promotion of Saving and Recycling of Resources by any other Act or subordinate statute in force at the time this Decree enters into force shall be deemed a citation of this Decree or the corresponding provision of this Decree in lieu of the previous provision, if such corresponding provision exists in this Decree.

ADDENDA <Presidential Decree No. 20680, Feb. 29, 2008>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 21904, Dec. 24, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2010.

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 21983, Jan. 7, 2010>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measure concerning Guidelines for Imposition of Administrative Fines)

(1) Guidelines for the imposition of administrative fines on offenses committed before this

Decree enters into force shall be governed by the previous provisions.

(2) When guidelines for the imposition of administrative fines apply according to the number of offenses under the amended provisions of Appendix 2, the first offense committed after this Decree enters into force shall be deemed the first offense.

ADDENDUM <Presidential Decree No. 22769, Mar. 29, 2011>

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

ADDENDA <Presidential Decree No. 23463, Dec. 30, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 6, 2012.

Article 2 (Temporary Special Provisions Regarding Application to Distributors of Electrical and Electronic Equipment)

No special telecommunications service provider registered with the Korea Communications Commission pursuant to Article 21 of the Telecommunications Business Act (limited to a special telecommunications service provider that purchases mobile telephone terminals defined in Article 8 (1) 7 directly from a manufacturer or importer of electrical and electronic equipment for distribution) shall be deemed a distributor of electrical and electronic equipment defined by the amended provisions of Article 21-2 until December 31, 2014.

ADDENDA <Presidential Decree No. 23967, Jul. 20, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 22, 2012. (Proviso Omitted.)

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 24155, Oct. 29, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on November 1, 2013: Provided, That ...(Omitted) ... the amended Article 20 shall enter into force on January 1, 2013.

Articles 2 through 11 Omitted.

ADDENDA <Presidential Decree No. 24451, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 25046, Dec. 30, 2013>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2014: Provided, That the amended provisions of Articles 8 (1) and 9 (1) and Appendixs 1, 1-2 and 2 shall enter into force on July 1, 2014.

Article 2 (Applicability to Period for Public Disclosure of Compliance with Standards for Content of Hazardous Substances)

The amended provisions of Article 11 (2) shall also apply to electrical and electronic equipment released to the market, and vehicles, the import declarations of which are made before January 1, 2014.

Article 3 (Applicability to Calculation and Public Notification of Annual Recycling Targets)

The amended provisions of Articles 14, 14-2, 15, 15-2 through 15-5, 16 and 17 and Appendixs 3 and 3-2 shall apply, starting from the calculation and public notification of annual recycling targets for 2014, calculation of the relevant mandatory recycling or collection quantities, submission of plans to fulfill the duty to recycle or collect, etc.

Article 4 (Special Cases concerning Calculation and Public Notification of Annual Recycling Targets)

(1) Notwithstanding the amended provisions of Article 15 (2), annual recycling targets for 2014 may be calculated and notified by January 31, 2014.

(2) Notwithstanding the amended provisions of the main sentence of Article 16, plans to fulfill the duty to recycle or collect for 2014 may be submitted by February 28, 2014.

Article 5 (Transitional Measures concerning Products Subject to Restrictions on Use of Hazardous Substances)

Notwithstanding the amended provisions of Article 8 (1) and Appendixs 1 and 2, the previous provisions shall apply to electrical and electronic equipment and vehicles manufactured or imported before July 1, 2014.

Article 6 (Transitional Measures concerning Submission of Reports on Fulfillment of Duty to Recycle or Collect)

Notwithstanding the amended provisions of Articles 18, 19, 19-2, 20, 20-2 and 21 and Appendixs 4 and 5, the previous provisions shall apply to the submission of reports on fulfillment of the duty to recycle or collect, and the calculation, imposition, etc. of recycling charges and collection charges for 2013.

ADDENDUM <Presidential Decree No. 25050, Dec. 30, 2013>

This Decree shall enter into force on January 1, 2014. (Proviso Omitted.)

ADDENDA <Presidential Decree No. 26400, Jul. 13, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 21, 2015.

Article 2 (Applicability to Calculation of Annual Mandatory Recycling Quantities and Mandatory Collection Quantities)

Article 15-2 (2), 15-5 (1), (3), and the amended provisions of the Appendix 3-3 shall apply beginning with the calculation of annual mandatory recycling quantities and mandatory collection quantities from the year 2016.

Article 3 (Applicability to Recognition of Fulfillment of Duty to Recycle or Collect)

Pursuant to Article 18-2, the amended provisions of subparagraph 4 of the Appendix 4 shall apply from the year 2015 for cases where fulfillment of duty to recycle or collect each category of electrical and electronic equipment is recognized.

ADDENDA <Presidential Decree No. 27049, Mar. 22, 2016>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Calculation of Annual Mandatory Recycling Quantities)

The amended Article 15-2 (3) and (4) shall begin to apply from calculation of annual mandatory recycling quantity for the year 2016.

Article 3 (Applicability to Calculation of Annual Mandatory Recycling Quantities and Mandatory Collection Quantities)

The amended Appendix 3, Appendix 4, and Appendix 5 shall begin to apply from calculation of annual mandatory recycling quantity and mandatory collection quantity for the year 2015, submission of reports on results of the mandatory recycling or collection thereof for the year 2015, and calculation, imposition, etc. of recycling charges and collection charges for the year 2015.

ADDENDA <Presidential Decree No. 29843, Jun. 11, 2019>

Article 1 (Enforcement Date)

This Decree shall enter into force on June 13, 2019.

Article 2 (Transitional Measures concerning Registration of and Report on Changes in End-of-Life Vehicle Recycling Business and Waste Gas Treatment Business)

Notwithstanding the amended provisions of Article 31 (1) and (2), the previous provisions shall apply where changes in the end-of-life vehicle recycling business or waste gas treatment business are registered or reports on changes therein are made before this Decree enters into force.

Article 3 (Transitional Measures concerning Standards for Registering End-of-Life Vehicle Recycling Business)

(1) Notwithstanding the amended provisions of the main sentence of subparagraph 2 (a) 1) (i) or item (b) 2) (i) of Appendix 7-3, any person who has his or his end-of-life vehicle recycling business registered under the previous provisions of Article 32 (1) of the Act as at the time this Decree enters into force shall be deemed to meet the standards for registering the end-of-life vehicle recycling business for three years from the date this Decree enters into force.

(2) Any person who has his or his end-of-life vehicle recycling business registered under the previous provisions of Article 32 (1) of the Act but has filed to obtain permission for the waste treatment business referred to in Article 25 (3) of the Wastes Control Act as at the time this Decree enters into force, shall obtain approval for installing a waste treatment facility or report on the installation thereof pursuant to Article 29 (2) of the Wastes Control Act within three years from the date this Decree enters into force.

ADDENDUM <Presidential Decree No. 29950, Jul. 2, 2019>

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

ADDENDA <Presidential Decree No. 30293, Dec. 31, 2019>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2020: Provided, That the amended provisions of subparagraph 5 of Appendix 3 shall enter into force on January 1, 2023.

Article 2 (Applicability to Electrical and Electronic Equipment Subject to Mandatory Collection, Transfer, or Recycling)

The amended provisions of Appendix 3 shall begin to apply to electrical and electronic equipment released to the market by an electrical and electronic equipment manufacturer subject to mandatory recycling after this Decree enters into force.

Article 3 (Applicability to Electrical and Electronic Equipment Subject to Mandatory Collection or Transfer)

The amended provisions of Appendix 3 shall begin to apply to electrical and electronic equipment sold by a distributor of electrical and electronic equipment after this Decree enters into force.

Article 4 (Special Cases concerning Submission of Plan of Mandatory Recycling or Collection)

An electrical and electronic equipment manufacturer subject to mandatory recycling, a distributor of electrical and electronic equipment, or a mutual aid association that is obligated to submit a plan of mandatory recycling or collection for the year of 2020 regarding the electrical and electronic equipment included in the list of equipment subject to mandatory recycling pursuant to the amended provisions of Appendix 3 may submit such plan until February 29, 2020, notwithstanding Article 16.

ADDENDA <Presidential Decree No. 31184, Nov. 24, 2020>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2021: Provided, That the amended provisions of Appendix 1-2 and subparagraph 1 (f) of Appendix 2 shall enter into force on July 1, 2021.

Article 2 (Transitional Measures concerning Electrical and Electronic Equipment Subject to Restrictions on Use of Hazardous Substances)

The amended provisions of Appendixs 1 and 2 (excluding the amended provisions of subparagraph 1 (f) of Appendix 2) shall begin to apply to equipment manufactured or imported after this Decree enters into force.

Article 3 (Applicability to Maximum Levels of Hazardous Substances)

The amended provisions of Appendix 1-2 and subparagraph 1 (f) of Appendix 2 shall begin to apply to equipment manufactured or imported on or after the enforcement date under the proviso of Article 1 of the Addenda.

ADDENDUM <Presidential Decree No. 31874, Jul. 6, 2021>

This Decree shall enter into force on July 6, 2021.

ADDENDUM <Presidential Decree No. 32528, Mar. 8, 2022>

This Decree shall enter into on the date of its promulgation.

ADDENDUM <Presidential Decree No. 33026, Dec. 6, 2022>

This Decree shall enter into force on December 11, 2022.

ADDENDUM <Presidential Decree No. 33187, Dec. 30, 2022>

This Decree shall enter into force on January 1, 2023.

