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ENFORCEMENT DECREE OF THE ACT ON REGISTRATION AND EVALUATION OF
CHEMICAL SUBSTANCES

Presidential Decree No. 25835, Dec. 9, 2014
Amended by Presidential Decree No. 27434, Aug. 2, 2016
Presidential Decree No. 28502, Dec. 26, 2017
Presidential Decree No. 29413, Dec. 24, 2018
Presidential Decree No. 30229, Dec. 3, 2019
Presidential Decree No. 30256, Dec. 24, 2019
Presidential Decree No. 30849, Jul. 14, 2020
Presidential Decree No. 32061, Oct. 14, 2021

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Decree is to prescribe matters mandated by the Act on Registration and Evaluation of Chemical Substances and matters necessary for the enforcement thereof.

Article 2 (Definitions)

The terms used in this Decree are defined as follows: <Amended on Dec. 26, 2017; Dec. 24, 2018>

1. The term "non-isolated intermediate" means a chemical substance produced in the process of manufacturing other chemical substances and the total quantity of which is used and completely consumed in such chemical process, which is not intentionally removed or isolated from the manufacturing facility;
2. Deleted; <Dec. 24, 2018>
3. The term "polymer" means a chemical substance satisfying all the following requirements. In such cases, where a polymer consisting of monomers excluding monomers whose weight ratio does not exceed two percent falls under phase-in substances, such polymer shall be deemed a phase-in substance:
 - (a) It shall be composed of molecules in which at least one kind of monomer unit is continuously repeated;
 - (b) It shall represent the characteristic distribution of molecular weights in accordance with repetitive numbers of monomer units in each molecule;
 - (c) Its molecules that at least three monomer units form a covalent bond with at least one monomer unit or other reactants shall be at least 50 percent;
 - (d) Its molecules of the same molecular weight shall be not more than 50 percent of the weight ratio;
4. The term "monomer" means a chemical substance that forms a polymer in combination with at least two other molecules and a reactant that forms a part of the polymer engaging in such chemical reaction;
5. The term "monomer unit" means a structure in which monomers are repeated in a polymer where monomers react to form the polymer;

6. The term "number average molecular weight" means the value obtained by dividing the total molecular weight of all molecules consisting of a polymer by the total number of molecules;

7. The term "nanomaterial" means any of the following materials:

(a) A material containing particles where, for 50 percent or more of the particles in the number size distribution, one or more external dimensions is in the size range of 1 to 100 nanometers;

(b) A fullerene, graphene flake, and single-wall carbon nanotube with one or more external dimensions below 1 nanometer.

Article 3 (Standards for Designation of Toxic Substances)

"Standards prescribed by Presidential Decree" in subparagraph 6 of Article 2 and Article 20 of the Act on Registration and Evaluation of Chemical Substances (hereinafter referred to as the "Act") means the standards provided in attached Table 1. <Amended on Dec. 24, 2018>

Article 3-2 (Standards for Public Notice of Substances Subject to Intensive Control)

The Minister of Environment shall comply with the standards provided in attached Table 1-2 to designate and publicly notify substances subject to intensive control as defined in subparagraph 10-2 of Article 2 of the Act.

[This Article Newly Inserted on Dec. 24, 2018]

Article 4 (Matters to Be Deliberated by Chemicals Evaluation Committee)

"Matters prescribed by Presidential Decree" in Article 7 (1) 6 of the Act means the following: <Amended on Dec. 24, 2018>

1. Deleted; <Dec. 24, 2018>

2. Matters concerning the composition and operation of expert committees in each field (hereinafter referred to as "expert committee") under Article 7 (6) of the Act;

3. Matters concerning international cooperation related to the registration and reporting of chemical substances, the review or assessment of hazards or risks of chemical substances, safety control, etc.;

4. Other matters referred for deliberation by the Minister of Environment in relation to the registration and reporting of chemical substances, the review or assessment of hazards or risks of chemical substances, safety control, etc.

Article 5 (Composition of Evaluation Committee)

(1) The term of office of members of the Chemicals Evaluation Committee (hereinafter referred to as the "Evaluation Committee") established under Article 7 (1) of the Act shall be two years.

(2) The Minister of Environment shall commission experts who have extensive knowledge and experience in relevant fields, including chemistry, the environment, and public health, and relevant persons in the industry or non-governmental organizations related to chemical substances, in equal ratios and in consideration of gender equality, as members pursuant to Article 7 (4) of the Act.

(3) Except as otherwise provided in paragraphs (1) and (2), matters necessary for the composition, etc. of the Evaluation Committee shall be prescribed by the chairperson of the Evaluation Committee following its resolution.

Article 5-2 (Disqualification of, Challenge to, or Refrainment by Member)

- (1) A member of the Evaluation Committee (hereafter referred to as "member" in this Article and Article 5-3) shall be disqualified from deliberation or resolution by the Evaluation Committee if he or she falls under any of the following cases:
1. Where a member or the current or former spouse of such member is a party to the relevant agenda (where the party is a corporation, organization, etc., executive officers thereof shall be included; hereafter the same shall apply in this subparagraph and subparagraph 2), or is a joint right holder or joint obligor with a party to such agenda;
 2. Where a member is or was a relative of a party to the relevant agenda;
 3. Where a member or a corporation, organization, etc. to which a member belongs is or was an agent of a party to the relevant agenda;
 4. Where a company, etc. for which a member is working as an executive officer or employee or has worked in the previous three years has provided advice, conducted research, delivered services (including subcontracts), or performed appraisal and surveys with regard to the relevant agenda.
- (2) Where a party to the relevant agenda finds it difficult to expect a fair deliberation or resolution by a member, he or she may file an application for challenge to the member with the Evaluation Committee, which shall render a decision thereon by resolution. In such cases, the member against whom the application for challenge is filed shall not take part in such resolution.
- (3) Where a member finds that he or she is subject to disqualification for the reasons provided in the subparagraphs of paragraph (1), he or she shall voluntarily refrain from deliberation or resolution on the relevant agenda.

[This Article Newly Inserted on Aug. 2, 2016]

Article 5-3 (Dismissal or Decommission of Members)

The Minister of Environment may dismiss or decommission a member if he or she falls under any of the following cases:

1. Where a member becomes unable to perform his or her duties due to mental disorder;
2. Where a member commits misconduct in connection with his or her duties;
3. Where a member is deemed unsuitable to be a member due to neglect of duty, injury to dignity, or any other reason;
4. Where a member fails to refrain voluntarily even though he or she falls under any of the subparagraphs of Article 5-2 (1);
5. Where a member expresses that it is impracticable to perform his or her duties.

[This Article Newly Inserted on Aug. 2, 2016]

Article 6 (Operation of Evaluation Committee)

- (1) The chairperson of the Evaluation Committee shall represent the Evaluation Committee and exercise general supervision over its affairs: Provided, That where the chairperson is unable to perform his or her duties due to unavoidable circumstances, the vice chairperson shall perform such duties on behalf of the chairperson.
- (2) Meetings of the Evaluation Committee shall be held if the chairperson deems necessary or upon the request of 1/5 or more of the members of the Evaluation Committee for such purposes as deliberating on any matter provided in the subparagraphs of Article 7 (1) of the Act. <Amended on Dec. 24, 2018>

- (3)The chairperson of the Evaluation Committee shall convene a meeting by giving notification to each member by not later than seven days prior to the date of the meeting, specifying the following:
- 1.The date, time, and place of the meeting;
 - 2.Objectives and agendas of the meeting;
 - 3.Other necessary matters in relation to the meeting.
- (4)Where necessary for deliberations or resolutions, the chairperson of the Evaluation Committee may require persons related to the relevant agenda or experts to attend its meetings to make inquiries thereof or have them make statements.
- (5)Except as provided in paragraphs (1) through (4), matters necessary for the operation, etc. of the Evaluation Committee shall be prescribed by the chairperson of the Evaluation Committee following its resolution.

Article 7 (Composition and Operation of Expert Committees)

- (1)The following expert committees shall be established pursuant to Article 7 (6) of the Act: <Amended on Dec. 24, 2018>
- 1.A risk assessment committee;
 - 2.An information provision review committee;
 - 3.A socio-economic analysis committee.
- (2)Each expert committee shall be comprised of up to 30 members in consideration of gender equality, including 1 chairperson. <Amended on Dec. 24, 2018>
- (3)The chairperson of the Evaluation Committee shall appoint or commission the chairperson of each expert committee from among those with extensive knowledge and experience in the relevant field.
- (4)The Minister of Environment shall commission members of each expert committee from among any of the following:
- 1.Experts who have knowledge and experience in the relevant fields, such as chemistry, the environment, public health, toxicity, economics, or policy;
 - 2.Persons recommended by the industry or non-governmental organizations related to chemical substances and chemical products;
 - 3.Persons recommended by members of the Evaluation Committee from among those provided in subparagraph 1.
- (5)The chairperson of each expert committee shall report matters deliberated on by the relevant expert committee to the Evaluation Committee.
- (6)Except as otherwise provided in paragraphs (1) through (5), matters necessary for the composition, operation, etc., of expert committees shall be prescribed by the chairperson of the Evaluation Committee following its resolution.

CHAPTER II REGISTRATION OF CHEMICAL SUBSTANCES

Article 8 Deleted. <Dec. 24, 2018>

Article 9 Deleted. <Dec. 24, 2018>

Article 10 (Registration Grace Period for Phase-In Substances)

“Period prescribed by Presidential Decree” in Article 10 (2) 3 of the Act means the periods classified as follows:

- 1.Where a phase-in substance is manufactured or imported in quantities of at least 10 tons but less than 100 tons per year: By December 31, 2027;

2. Where a phase-in substance is manufactured or imported in quantities of at least 1 ton but less than 10 tons per year: By December 31, 2030.

[This Article Wholly Amended on Dec. 24, 2018]

Article 10-2 (Matters to Be Reported regarding Changes in Phase-In Substances)

"Where the matters prescribed by Presidential Decree are changed" in the provisions, with the exception of the subparagraphs, of Article 10 (3) of the Act means any of the following cases:

1. Where any of the following tonnage bands for annual quantities manufactured or imported is changed to another one:

(a) At least 1 ton but less than 10 tons;

(b) At least 10 tons but less than 100 tons;

(c) At least 100 tons but less than 1,000 tons;

(d) At least 1,000 tons;

2. Where any change is made in the classification or labeling of the chemical substance;

3. Where any change is made in the use of the chemical substance according to the chemical substances classifications by uses provided in attached Table 2 (only applicable to a change resulting from a newly-identified consumer use);

4. Where any change is made in the trade name, location or contact details of the reporter under Article 10 (3) of the Act;

5. Where any change is made in the composition of chemical substance importers (only applicable where such change is reported by a person appointed by an overseas manufacturer or producer under Article 38 of the Act);

6. Where any change is made in the composition of persons who manufacture the chemical substance under entrustment (only applicable where such change is reported by a person who manufactures the chemical substance under entrustment).

[This Article Newly Inserted on Dec. 24, 2018]

Article 10-3 (Criteria for Total Quantities Domestically Manufactured or Imported per Year)

(1) "Criteria prescribed by Presidential Decree" in Article 10 (5) of the Act means the following:

1. The total quantity of a non-phase-in substance domestically manufactured or imported in quantities of less than 100 kilograms per manufacturer or importer per year: 1 ton;

2. The total quantity of a phase-in substance domestically manufactured or imported in quantities of less than 1 ton per manufacturer or importer per year: 10 tons.

(2) "Period prescribed by Presidential Decree" in Article 10 (5) of the Act means the period determined and publicly notified by the Minister of Environment within a 3-year period from the date when the relevant chemical substance is designated and publicly notified, taking account of factors, including the hazards, risks and volume of domestic distribution of such chemical substance.

[This Article Newly Inserted on Dec. 24, 2018]

Article 11 (Exemption from Registration of Chemical Substances)

(1) "Chemical substances prescribed by Presidential Decree, such as a chemical substance manufactured or imported to export the whole amount thereof" in Article 11 (1) 3 of the Act means any of the following chemical substances: <Amended on Dec. 24, 2018>

1. A chemical substance manufactured or imported to export the whole amount thereof;
 2. A chemical substance manufactured or imported for manufacturing other chemical substances to export the whole amount of such other chemical substances;
 3. A chemical substance for scientific experiments, analysis or research, such as reagents;
 4. A chemical substance for any of the following research and development purposes:
 - (a) Developing chemical substances, products, etc.;
 - (b) Improving or developing manufacturing processes;
 - (c) Testing application fields of chemical substances at the place of business;
 - (d) Pilot manufacturing of chemical substances or pilot production of products, etc.;
 5. Any of the following polymers:
 - (a) A polymer whose number average molecular weight is at least 10,000, in which the content of molecules whose weight is less than 1,000 is less than 5 percent and the content of molecules whose weight is less than 500 is less than 2 percent;
 - (b) A polymer whose number average molecular weight is at least 1,000 but less than 10,000, in which the content of molecules whose weight is less than 1,000 is less than 25 percent and the content of molecules whose weight is less than 500 is less than 10 percent;
 6. A chemical substance formed by reacting functional groups on the surface of a substance subject to surface treatment with another substance that treats the surface of the substance where both the substance subject to surface treatment and another substance that treats the surface of the substance fall under any of the following:
 - (a) A chemical substance registered pursuant to Article 10 (1) or (5) of the Act;
 - (b) A chemical substance reported pursuant to Article 10 (3) of the Act, which is a phase-in substance and where the registration grace period of which has not expired under Article 10 (2) of the Act;
 - (c) A chemical substance reported pursuant to Article 10 (4) of the Act;
 - (d) A chemical substance not subject to registration pursuant to Article 10 (1) or (5) of the Act or not subject to reporting pursuant to Article 10 (4) of the Act;
 7. A non-isolated intermediate;
 8. An on-site isolated intermediate (which means a chemical substance that does not meet the criteria of a non-isolated intermediate and is created in the manufacturing process of another chemical substance and is used and completely consumed in the subsequent process on the same manufacturing site under controlled conditions complying with the procedure and manner prescribed by Ordinance of the Ministry of Environment; hereinafter the same shall apply), the leakage or exposure of which is blocked by technical means.
- (2) Notwithstanding paragraph (1) 5, any of the following polymers is not included in those subject to confirmation of exemption from registration or reporting under Article 11 (1) 3 of the Act: <Amended on Dec. 26, 2017; Dec. 24, 2018>
1. A cationic polymer (excluding a polymer that is used only in solid state and not soluble or dissolved in water);
 2. A polymer whose number average molecular weight is less than 10,000, in which an unreacted monomer, which is any of the following chemical substances, constitutes more than 0.1 percent by weight:

- (a) A hazardous chemical substance;
- (b) A substance subject to intensive control;
- (c) A non-phase-in substance (excluding any non-phase-in substance that is to be manufactured or imported in quantities of 1 ton or more per year and has undergone a hazard review under Article 18 of the Act).

[Title Amended on Dec. 24, 2018]

Article 12 (Measures against Non-Compliance of Duty to Register)

"Necessary measures prescribed by Presidential Decree" in Article 13 (2) of the Act means the following measures: <Amended on Dec. 24, 2018>

1. Deleted; <Dec. 24, 2018>
2. Destroying the relevant chemical substance which harms or is likely to harm human health or the environment;
3. Reporting an implementation plan for registering a chemical substance under Article 10 of the Act.

Article 13 (Omission of Data to Be Submitted When Applying for Registration of Chemical Substances)

"Non-phase-in substance or phase-in substance prescribed by Presidential Decree" in the provision, with the exception of the subparagraphs, of Article 14 (1) of the Act means the following substances: <Amended on Dec. 26, 2017; Dec. 24, 2018; Oct. 14, 2021>

1. A non-phase-in substance manufactured or imported, satisfying the standards provided in attached Table 3;
 - 1- A chemical substance to be manufactured or imported by any of the following persons,
 2. which has been designated and publicly notified pursuant to Article 10 (5) of the Act because the total quantity domestically manufactured or imported per year exceeds the level provided in Article 10-3 (1):
 - (a) A person who intends to manufacture or import less than 10 kilograms of a non-phase-in substance per year;
 - (b) A person who intends to manufacture or import less than 100 kilograms of a phase-in substance per year;
 - 1- A phase-in substance whose human health or environmental hazards, as contained in
 3. data submitted for the registration, etc. thereof, satisfy the level prescribed by Ordinance of the Ministry of Environment (excluding any phase-in substance to be manufactured or imported for use by consumers);
 - 1-4. A polymer manufactured or imported in quantities of less than 1,000 tons per year;
 2. An on-site isolated intermediate: Provided, That any on-site isolated intermediate provided in Article 11 (1) 8 is excluded;
 - 2- A transported isolated intermediate (which means a chemical substance that does not
 2. meet the criteria of a non-isolated intermediate and is created in the manufacturing process of another chemical substance; transported to other sites; and is used and completely consumed in the subsequent process on such manufacturing sites under controlled conditions complying with the procedure and manner prescribed by Ordinance of the Ministry of Environment);
 3. A chemical substance whose human health or environmental hazards may be determined based on the results obtained from internationally recognized qualitative or

- quantitative structure activity relationship models (QSAR models), the quantity of which to be manufactured or imported is less than 10 tons per year;
4. A chemical substance whose human health or environmental hazards may be determined based on the results obtained by internationally recognized in vitro testing methods;
 5. A chemical substance whose human health or environmental hazards may be determined based on the results obtained from a chemical substance with similar structure or similar physical and chemical properties, such as metallic compounds containing same metals;
 6. A chemical substance whose human health or environmental hazards may be determined based on the reliable results equivalent to those obtained by internationally recognized testing methods;
 - 6- A chemical substance whose human health or environmental hazards may be determined based on the results of the hazard assessment published by a foreign government or an international organization;
 7. A chemical substance the test of which is technically impossible;
 8. A chemical substance that may be determined based on data to apply for registration under Article 14 (1) 7 or 9 of the Act that such chemical substance will not be exposed to humans or the environment;
 9. A chemical substance for which an application for approval of the substance is filed under Article 13 (1) or (3) of the Consumer Chemical Products and Biocides Safety Control Act with the data prescribed in the subparagraphs of Article 13 (1) of that Act. Article 14 (Grounds for Individual Submission of Data When Applying for Registration of Phase-In Substances)

"Where any ground prescribed by Presidential Decree exists" in Article 15 (1) 3 of the Act means any of the following cases: <Amended on Dec. 26, 2017; Dec. 24, 2018>

1. Where the classification and labeling of a chemical substance is different on the same test item;
2. Where the opinion of a person disagrees with an opinion of a representative in choosing test data for the same test item;
3. Where a person has all data that he or she shall submit to apply for registration of a phase-in substance pursuant to the main clause, with the exception of the subparagraphs, of Article 15 (1) of the Act and has consented the use of such data for applying for registration free of charge by another manufacturer or importer who intends to register the same phase-in substance.

[Title Amended on Dec. 24, 2018]

Article 14-2 (Grounds for Repeating Vertebrate Animal Testing)

"Cases prescribed by Presidential Decree, such as where new findings suggest that the relevant chemical substance poses a risk on humans, animals or the environment" in Article 16-2 of the Act means any of the following:

1. Where existing data obtained by an alternative to vertebrate animal testing is insufficient to assess the hazards or risks of the relevant chemical substance because such chemical substance's hazards or risks to humans, animals or the environment have

- been newly identified or a new hazard or risk is likely to be identified by the internationally recognized test results or by other means;
2. Where existing data recording the results of testing on vertebrate animals (hereinafter referred to as "vertebrate animal test data") is not sufficiently reliable to assess the risks to humans, animals or the environment;
 3. Where it is impracticable to determine the hazards or risks of the relevant chemical substance based on existing data obtained by an alternative to vertebrate animal testing;
 4. Where generating and retaining new vertebrate animal test data is deemed appropriate for managing information on the hazards or risks of the relevant chemical substance, taking into account the cost and terms and conditions of purchasing existing vertebrate animal test data available locally or internationally;
 5. Where the Minister of Environment orders vertebrate animal test data to be submitted as he or she deems it necessary for a hazard review under Article 18 of the Act or a risk assessment under Article 24 of the Act.

[This Article Newly Inserted on Dec. 24, 2018]

Article 15 (Grounds for Refusing Consent to Use Vertebrate Animal Test Data)

"Good reasons prescribed by Presidential Decree" in Article 17 (4) of the Act means where the price a person who has requested consent to use vertebrate animal test data intends to pay to the owner of the relevant data is not equivalent to the amount to be paid for the use of vertebrate animal test data. <Amended on Dec. 24, 2018>

[Title Amended on Dec. 24, 2018]

Article 15-2 (Criteria for Calculation of Penalty Surcharges)

(1) Criteria for the calculation of penalty surcharges imposed under Article 17-2 (1) of the Act are as provided in attached Table 4.

(2) "Cases prescribed by Presidential Decree" in the proviso, with the exception of the subparagraphs, of Article 17-2 (1) of the Act means either of the following:

1. Where a person who manufactures or imports a chemical substance has no operating results because he or she has not commenced or has suspended business or for other reasons;
2. Where it is impracticable to calculate sales objectively because the data based on which the sales are calculated is destroyed or damaged by a disaster or for other reasons.

[This Article Newly Inserted on Dec. 24, 2018]

Article 15-3 (Payment of Penalty Surcharges)

(1) Where the Minister of Environment imposes a penalty surcharge pursuant to Article 17-2 (1) of the Act, he or she shall issue a payment notice in writing stating the type of the violation and the amount of the penalty surcharge.

(2) A person issued a payment notice pursuant to paragraph (1) (hereinafter referred to as "person obliged to pay a penalty surcharge") shall pay a penalty surcharge to any collecting agency determined by the Minister of Environment within 60 days of receipt of the payment notice.

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

(4) Where the Minister of Environment deems it impracticable for a person obliged to pay a penalty surcharge to pay the penalty surcharge in full by lump sum on any of the following grounds, he or she may extend the payment deadline by up to 2 years after the expiration of the payment deadline specified in paragraph (2) or may permit the person to pay the penalty surcharge in no more than 6 installments at less than 6-month intervals. In such cases, the Minister of Environment may require the person obliged to pay a penalty surcharge to provide security if deemed necessary:

1. Where the person obliged to pay a penalty surcharge suffers substantial damage to his or her property due to a natural disaster or other accident;
2. Where the business of the person obliged to pay a penalty surcharge is in critical crisis due to deteriorating business conditions;
3. Where the person obliged to pay a penalty surcharge is expected to suffer a substantial financial crisis if he or she pays the penalty surcharge in a lump sum;
4. Where the person obliged to pay a penalty surcharge has a net loss consecutively for the immediately preceding three business years at the time he or she applies for an extension of the payment deadline or installment payments;
5. Where total liabilities held by the person obliged to pay a penalty surcharge exceed 2 times the total capital at the time he or she applies for an extension of the payment deadline or installment payments;
6. Where any other grounds equivalent to those referred to in subparagraphs 1 through 5 exist.

(5) Where a person obliged to pay a penalty surcharge applies for an extension of the payment deadline or installment payments pursuant to paragraph (4), he or she shall file an application with the Minister of Environment within 30 days of receipt of the payment notice of the penalty surcharge under paragraph (1).

(6) The Minister of Environment may revoke an extension of the payment deadline or a determination permitting installment payments and may collect a penalty surcharge in lump sum, if a person obliged to pay a penalty surcharge who is granted an extension of the payment deadline or is permitted to make installment payments under paragraph (4) falls under any of the following cases:

1. Where the person obliged to pay a penalty surcharge fails to pay an installment of the penalty surcharge by the payment deadline;
2. Where the person obliged to pay a penalty surcharge fails to comply with the imposing authority's request to change security or other request necessary for preserving security;
3. Where it is deemed impossible to collect the penalty surcharge in full or the remaining amount for such reasons as compulsory execution, commencement of auction, declaration of bankruptcy, dissolution of a corporation, or disposition on delinquent national or local taxes;
4. Where the person obliged to pay a penalty surcharge is deemed able to pay the penalty surcharge in a lump sum as any of the grounds provided in the subparagraphs of paragraph (4) has ceased to exist.

(7) Except as otherwise provided in paragraphs (1) through (6), matters necessary for the imposition of penalty surcharges, extensions of the payment deadline of penalty

surcharges, installment payments and other necessary matters shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Newly Inserted on Dec. 24, 2018]

Article 15-4 (Additional Charge for Delinquent Penalty Surcharge and Urging)

- (1) An additional charge for a delinquent penalty surcharge collected pursuant to Article 17-3 (1) of the Act shall be the amount obtained by multiplying the delinquent penalty surcharge by 3/100 per annum.
- (2) Urging under Article 17-3 (2) of the Act shall be done in writing within 7 days after the expiration of the payment deadline.
- (3) The payment deadline for a delinquent penalty surcharge, when a notice of urging is issued under paragraph (2), shall be within 10 days from the date the notice of urging is issued.
- (4) An additional charge for refunding paid under Article 17-3 (3) of the Act shall be the amount obtained by multiplying a penalty surcharge to be refunded by the interest rate provided in Article 43-3 (2) of the Enforcement Decree of the Framework Act on National Taxes (if the court has ruled that the imposition of a penalty surcharge must be revoked and a penalty surcharge is newly imposed based on such ruling, it means that the penalty surcharge initially paid minus the newly imposed penalty surcharge).

[This Article Newly Inserted on Dec. 24, 2018]

CHAPTER III HAZARD REVIEW AND RISK ASSESSMENT OF CHEMICAL SUBSTANCES

Article 16 (Chemical Substance Whose Hazard Assessment Is Deemed Necessary)

"Chemical Substances prescribed by Presidential Decree as a hazard assessment of which is deemed necessary, such as chemical substances that the Republic of Korea assesses by itself, among chemical substances that their hazard assessment is conducted by international organizations" in Article 19 (1) of the Act means the following chemical substances: <Amended on Dec. 24, 2018>

1. A chemical substance that the Republic of Korea assesses by itself, among chemical substances that their hazard assessment is conducted by international organizations, such as the Organization for Economic Cooperation and Development (OECD);
2. A chemical substance for the implementation of international conventions;
3. A chemical substance manufactured or imported to export the whole quantity thereof;
4. A chemical substance under subparagraphs 3 through 6 of Article 13;
5. A chemical substance to develop test methods concerning physical and chemical properties and hazards of chemical substances;
6. A chemical substance that harms or is likely to harm human health or the environment;
7. A chemical substance manufactured by small and medium enterprises defined in the subparagraphs of Article 2 (1) of the Framework Act on Small and Medium Enterprises;
8. Nanomaterials.

Article 17 (Research Institutions)

"Research institutions prescribed by Presidential Decree" in the former part of Article 22 (1) of the Act means the following:

1. National or public testing and research institutes or inspection agencies;
2. Schools defined in Article 2 of the Higher Education Act;

3. Specific research institutes established under Article 2 of the Specific Research Institutes Support Act;
 4. Business-affiliated research institutes under Article 14 (1) 2 of the Basic Research Promotion and Technology Development Support Act;
 5. Government-funded research institutes under the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutes, or the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes;
 6. Testing and research institutes designated or recognized by other statutes.
- Article 18 (Measures Based on Findings of Risk Assessment)
- (1) The Minister of Environment may take the following measures pursuant to Article 24 (3) of the Act:
1. Recommending related administrative agencies, public institutions, etc., to implement risk management measures, including measures that can prevent risks (hereinafter referred to as "risk management measures") in the process of handling the relevant chemical substances;
 2. Recommending manufacturers, importers, and downstream users of chemical substances to implement risk management measures;
 3. Other measures deemed necessary by the Minister of Environment to minimize risks of chemical substances.

- (2) Where the Minister of Environment takes the measures referred to in paragraph (1), he or she shall formulate risk management measures in advance.

CHAPTER IV DESIGNATION AND CHANGE OF SUBSTANCES SUBJECT TO PERMISSION

Article 19 (Designation and Public Notice of Substance Subject to Permission)

- (1) Where the Minister of Environment intends to designate a substance subject to permission under Article 25 (1) of the Act, he or she shall select a candidate substance subject to permission in advance and make a public announcement of such candidate substance on the website of the Ministry of Environment, as prescribed by Ordinance of the Ministry of Environment. <Amended on Oct. 14, 2021>
- (2) The Minister of Environment shall conduct a risk review of a candidate substance subject to permission selected under paragraph (1) (hereinafter referred to as "candidate substance subject to permission") in consideration of the following matters: Provided, That the Minister of Environment may elect to omit a risk review where such candidate substance subject to permission is a chemical substance that has already been, or is determined to be, regulated by a foreign government, international organization, or similar agency; meets the criteria provided in attached Table 1-2; and there is sufficient information proving the risks of the candidate substance: <Newly Inserted on Oct. 14, 2021>
1. Hazards of the relevant candidate substance subject to permission;
 2. Uses of and exposure information on the relevant candidate substance subject to permission;
 3. Socio-economic impacts expected where the relevant candidate substance subject to permission is designated as a substance subject to permission.

(3)Where necessary to conduct a risk review under the main clause of paragraph (2), the Minister of Environment may investigate the following matters: <Newly Inserted on Oct. 14, 2021>

- 1.The name, type of business, and location of a place of business of a business entity or downstream user who manufactures, imports, or uses the relevant candidate substance subject to permission;
- 2.Uses and handled quantities of a candidate substance subject to permission which is manufactured, imported, or used;
- 3.Information on a substance or technology that can replace the relevant candidate substance subject to permission (limited to where such substance or technology exists).

(4)Where the Minister of Environment designates the uses of a substance subject to permission that can be manufactured, imported, or used without his or her permission under the latter part of Article 25 (1) of the Act (hereafter in this Article referred to as "uses exempted from permission") or determines the period during which the substance can be manufactured, imported, or used without his or her permission pursuant to Article 25 (2) of the Act (hereafter in this Article referred to as "permission grace period"), he or she shall take into account the following: <Amended on Dec. 26, 2017; Dec. 24, 2018; Oct. 14, 2021>

- 1.Results of a risk review of the relevant chemical substance (only applicable where such risk review is conducted under the main clause of paragraph (2));
- 2.Deleted; <Oct. 14, 2021>
- 3.Risk management measures for the relevant chemical substance;
- 4.Information on a substance or technology that can replace the relevant chemical substance and on the time of introduction thereof.

(5)Where necessary to designate uses exempted from permission or grant the permission grace period under the latter part of Article 25 (1) of the Act, the Minister of Environment may request the head of an association relating to the control of chemical substances established pursuant to Article 53 (1) of the Chemical Substances Control Act (hereinafter referred to the "Chemical Substances Control Association") to prepare and submit a review report on the uses exempted from permission and permission grace period of the relevant chemical substance. <Amended on Oct. 14, 2021>

(6)Where the Minister of Environment intends to designate a chemical substance as a substance subject to permission under Article 25 (1) of the Act, he or she shall in advance make a public announcement of the following matters on the website of the Ministry of Environment: <Amended on Oct. 14, 2021>

- 1.The name and identification number of the relevant chemical substance;
- 2.The reasons for designating the chemical substance as a substance subject to permission;
- 3.The permission grace period;
- 4.Other matters prescribed by Ordinance of the Ministry of Environment as necessary to designate a chemical substance as a substance subject to permission.

(7)Where the Minister of Environment intends to designate a chemical substance as a substance subject to permission under Article 25 (1) of the Act, he or she shall undergo

the procedures for gathering opinions from manufacturers, importers, users, etc. of the relevant chemical substance. <Amended on Oct. 14, 2021>

(8)Where the Minister of Environment designates and publicly notifies a chemical substance as a substance subject to permission pursuant to Article 25 (1) of the Act, the following matters shall be included: <Amended on Dec. 24, 2018; Oct. 14, 2021>

- 1.The name and identification number of the relevant chemical substance;
- 2.Uses exempted from permission;
- 3.The permission grace period.

(9)Except as provided in paragraphs (1) through (8), matters necessary for designating a chemical substance as a substance subject to permission and for procedures for gathering opinions, and other matters shall be determined and publicly notified by the Minister of Environment. <Newly Inserted on Oct. 14, 2021>

Article 20 (Designation and Public Notice of Restricted Substance or Prohibited Substance)

(1)Where the Minister of Environment intends to designate a chemical substance as a restricted substance or prohibited substance pursuant to Article 27 (1) of the Act, he or she shall take into consideration the possibility of replacement, such as a substance or new technology that can replace the relevant chemical substance, and socio-economic impacts generated from the uses of the relevant chemical substance.

(2)Where the Minister of Environment intends to designate a chemical substance as a restricted substance or prohibited substance pursuant to Article 27 (1) of the Act, he or she shall undergo the procedure for gathering opinions from manufacturers, importers, users, etc., of the relevant chemical substance.

(3)Where the Minister of Environment designates a chemical substance as a restricted substance or prohibited substance pursuant to Article 27 (1) of the Act, he or she shall, in advance, prepare a socio-economic analysis which analyzes the socio-economic impacts of the use of the relevant chemical substance (hereinafter referred to as "socio-economic analysis"), and shall also conduct a risk assessment if no risk assessment of the chemical substance has been conducted: Provided, That the Minister of Environment may elect to omit a socio-economic analysis or risk assessment if a chemical substance that he or she intends to designate as a restricted substance or prohibited substance has already been, or is determined to be, regulated by a foreign government, international organization, or similar agency and there is sufficient information proving the risks of the chemical substance. <Amended on Dec. 26, 2017; Oct. 14, 2021>

(4)Where the Minister of Environment designates and publicly notifies a chemical substance as a restricted substance or prohibited substance pursuant to Article 27 (1) of the Act, the following matters shall be included:

- 1.The name and identification number of the relevant chemical substance;
- 2.Uses for which the restriction or prohibition is required and the details thereof.

Article 20-2 (Provision of Information on Chemical Substance)

"Level prescribed by Presidential Decree" in the main clause, with the exception of the subparagraphs, of Article 29 (1) of the Act means the following:

1. In the case of Article 29 (1) 1 of the Act: A registered or reported chemical substance shall be contained;
2. In the case of Article 29 (1) 2 of the Act: A hazardous chemical substance shall be contained in at least the level prescribed by Ordinance of Ministry of Environment.

[This Article Newly Inserted on Dec. 24, 2018]

CHAPTER V SUPPLEMENTARY PROVISIONS

Article 21 (Affairs of Person Appointed by Overseas Manufacturer or Producer)

"Affairs prescribed by Presidential Decree" in Article 38 (1) 5 of the Act means the following: <Amended on Dec. 24, 2018>

1. Affairs regarding individual submission of data to apply for registration of phase-in substances under the proviso, with the exception of its subparagraphs, of Article 15 (1) of the Act;
2. Affairs regarding inquiry about whether chemical substances have been registered under the former part of Article 16 (2) of the Act;
3. Affairs regarding confirmation of whether the owner of vertebrate animal test data has consented to use it under the main clause of Article 17 (3) of the Act;
4. Affairs regarding provision of information on chemical substances pursuant to Article 29 of the Act;
5. Affairs regarding provision of information under Article 30 (2) of the Act;
6. Affairs regarding provision of information on chemical substances contained in products under Article 35 of the Act;
7. Affairs regarding requests for data protection under the main clause of Article 45 (1) of the Act and requests for termination of data protection under Article 45 (3) of the Act;
8. Deleted; <Dec. 24, 2018>
9. Deleted; <Dec. 24, 2018>
10. Deleted; <Dec. 24, 2018>
11. Deleted. <Dec. 24, 2018>

Article 21-2 (Notification by Person Appointed by Overseas Manufacturer or Producer)

"Matters prescribed by Presidential Decree, such as the fact of appointment and affairs entrusted" in Article 38 (3) of the Act means the following:

1. Fact of appointment;
2. Affairs entrusted and results of performing the affairs;
3. Information on chemical substances under the main clause, with the exception of the subparagraphs, of Article 29 (1) of the Act;
4. Information on products containing substances subject to intensive control under Article 35 (1) of the Act.

[This Article Newly Inserted on Dec. 24, 2018]

Article 22 (Affairs Processed by Chemical Data Processing System)

"Affairs prescribed by Presidential Decree" in Article 39 (1) of the Act means the following affairs: <Amended on Dec. 24, 2018>

1. Deleted; <Dec. 24, 2018>
2. Affairs regarding registration and reporting of chemical substances, and reporting changes thereof under Article 10 of the Act;

3. Affairs regarding exemption from registration and reporting of chemical substances under Article 11 of the Act;
4. Affairs regarding registration and reporting of changes, etc., under Article 12 of the Act;
5. Affairs regarding provision of information on chemical substances under Article 29 of the Act;
6. Affairs regarding notification, etc. for provision of information on chemical substances under Article 31 of the Act;
7. Affairs regarding reporting of products containing substances subject to intensive control under Article 32 of the Act;
8. Affairs regarding applications for registration filed or other affairs conducted by persons appointed by overseas manufacturers or producers under Article 38 of the Act;
9. Affairs regarding disclosure of information on chemical substances under Article 42 of the Act;
10. Affairs regarding data protection pursuant to Article 45 of the Act.

Article 23 (Operation of Chemical Data Processing System)

- (1) Where a chemical data processing system established under Article 39 (1) of the Act (hereinafter referred to as "chemical data processing system") malfunctions, the Minister of Environment shall first handle the affairs provided in Article 22 through other methods, and supplement such affairs handled when the chemical data processing system operates normally.
- (2) Where the affairs provided in Article 22 are handled through the chemical data processing system, electronic documents or other methods may be used in lieu of documents to be attached. In such cases, an electronic signature may take the place of a name and seal or signature of a person who handles such affairs through electronic documents.
- (3) The Minister of Environment may permit the inspection of relevant data contained in the chemical data processing system on a non-phase-in substance, including registered data and the results of the hazard review, if requested by the Minister of Employment and Labor as necessary for investigating the hazards and dangers of the non-phase-in substance pursuant to Article 108 (1) of the Occupational Safety and Health Act. <Newly Inserted on Dec. 24, 2018; Dec. 24, 2019>

Article 24 (Designation of Green Chemical Center)

"Institution prescribed by Presidential Decree" in Article 40 (1) of the Act means the following institutions: <Amended on Aug. 2, 2016; Oct. 14, 2021>

1. The Korea Environment Corporation established pursuant to the Korea Environment Corporation Act;
2. The Korea Environmental Industry and Technology Institute established under the Korea Environmental Industry and Technology Institute Act;
3. The Korea Institute of Industrial Technology under Article 8 (1) and subparagraph 7 of the attached Table of the Act on the Establishment, Operation, and Fostering of Government-Funded Science and Technology Research Institutes;
4. The Chemical Substances Control Association;
5. Other institutions deemed by the Minister of Environment to have sufficient human resources, organization, budget, and facilities to conduct affairs concerning the

production of information on chemical substances, reduction of risks, and research, development, dissemination, etc. of technology.

Article 25 (Requirements for Designation of Green Chemical Center)

Any institution that intends to be designated as a green chemical center (hereinafter referred to as "green chemical center") pursuant to Article 40 (1) of the Act shall meet all the following requirements:

1. It shall have an organization exclusively in charge, research tools and materials, research facilities and equipment, etc. to conduct the affairs under the subparagraphs of Article 40 (2) of the Act and prepare operational regulations;
2. It shall have at least eight professionals to conduct the affairs under the subparagraphs of Article 40 (2) of the Act;
3. It shall have track records showing that it has performed the affairs under the subparagraphs of Article 40 (2) of the Act for the last two years.

Article 26 (Procedures for Designation of Green Chemical Center)

- (1) Where the Minister of Environment intends to designate a green chemical center pursuant to Article 40 (1) of the Act, he or she shall publicly announce a designation plan, a schedule, designation requirements, qualifications for professionals, etc. in the Official Gazette or on the website in advance for at least 10 days.
- (2) Any institution which intends to be designated as a green chemical center shall submit an application for designation of green chemical center to the Minister of Environment along with the following documents:
 1. Specialized fields;
 2. The current status of the organization exclusively in charge and professionals in the institution;
 3. The current status of research tools and materials, research facilities and equipment, etc. that it has;
 4. Performance of affairs in the field of green chemicals for the last two years and evidential data;
 5. A business plan and operational regulations.

- (3) Where the Minister of Environment designates an institution as a green chemical center pursuant to Article 40 (1) of the Act, he or she shall issue the relevant institution a written designation as the green chemical center prescribed by Ordinance of the Ministry of Environment and post such fact on the website of the Ministry of Environment.

Article 27 (Operation of Green Chemical Center)

- (1) Each green chemical center shall report the details of its business to the Minister of Environment in accordance with the following classifications:
 1. A business plan for the relevant year: By the end of February every year;
 2. Results of business performance and results of budget execution in the preceding year: By March 31 every year.
- (2) The Minister of Environment shall evaluate a business plan, the results of business performance, and the results of budget execution of each green chemical center based on the report made to him or her pursuant to paragraph (1). In such cases, he or she

may request a green chemical center to submit data or a report necessary for evaluation.

(3)The Minister of Environment or the head of a related central administrative agency may grant a subsidy to cover all or some of the expenses incurred in conducting the business of green chemical centers, such as the development of environmentally friendly chemical substances or new chemical substances, or the development of alternative technology to hazardous chemical substances.

Article 28 (Grounds for Revocation of Designation as Green Chemical Centers)

"Cases prescribed by Presidential Decree" in Article 41 (1) 4 of the Act means where the evaluation under Article 27 (2) shows that business performance is significantly poor.

Article 29 (Criteria for Administrative Disposition)

Criteria for the administrative dispositions imposed under Article 41 (2) of the Act shall be as specified in attached Table 5.

Article 29-2 (Support for Small and Medium Enterprises)

"Matters prescribed by Presidential Decree" in subparagraph 9 of Article 42-2 of the Act means the following: <Amended on Dec. 24, 2018>

- 1.Implementing statutes or regulations, and providing education and publicity;
- 2.Developing, investigating and distributing technology that can substitute for chemical substances with high hazard or high risk;
- 3.Deleted; <Dec. 24, 2018>
- 4.Deleted; <Dec. 24, 2018>
- 5.Operating training programs for small and medium enterprises;
- 6.Supporting the preparation of data to apply for registration when such data is jointly submitted pursuant to the main clause, with the exception of its subparagraphs, of Article 15 (1) of the Act.

[This Article Newly Inserted on Aug. 2, 2016]

Article 29-3 (Requests for Provision of Data)

(1)The Minister of Environment may request the Commissioner of the Korea Customs Service to provide the following data under the former part of Article 43-2 of the Act:

- 1.The trade name, and the name of representative, of a person who declares the export, import, or return of a chemical substance under Article 241 (1) of the Customs Act;
- 2.Data prescribed by the Minister of Environment following consultation with the Commissioner of the Korea Customs Service, which are related to the name, specifications, etc. of a chemical substance, among the matters reported under Article 241 (1) of the Customs Act.

(2)Matters necessary for the time and methods of provision of data under paragraph (1) shall be prescribed by the Minister of Environment following consultation with the Commissioner of the Korea Customs Service.

[This Article Newly Inserted on Oct. 14, 2021]

Article 30 (Data Protection)

(1)The Minister of Environment shall not disclose data submitted to him or her pursuant to the main clause of Article 45 (1) of the Act for five years: Provided, That where a person who has submitted data applies for an extension of the period for data

protection, as prescribed by Ordinance of the Ministry of Environment, the Minister of Environment may permit the extension thereof only twice by five years.

(2)"Data prescribed by Presidential Decree" in the proviso of Article 45 (1) of the Act means any of the following data, which are not trade secrets under subparagraph 2 of Article 2 of the Unfair Competition Prevention and Trade Secret Protection Act:

- 1.Data concerning the commercial names of chemical substances or the names, etc. of products, etc.;
- 2.Data concerning the uses of chemical substances or products;
- 3.Data concerning the safe use, such as matters requiring attention when handling chemical substances or products or methods of destruction;
- 4.Data concerning methods of responding to accidents related to chemical substances;
- 5.Data concerning physical and chemical properties of chemical substances;
- 6.Summary data concerning hazards of chemical substances;
- 7.Summary data concerning risks of chemical substances;
- 8.Other data publicly notified by the Minister of Environment, as he or she deems that the disclosure of such data is necessary to protect human health and the environment.

Article 31 (Delegation of Authority and Entrustment of Affairs)

(1)The Minister of Environment shall delegate to the President of the National Institute of Environmental Research the following authority pursuant to Article 48 (1) of the Act:

<Amended on Aug. 2, 2016; Dec. 26, 2017; Dec. 24, 2018; Oct. 14, 2021>

- 1.Receiving applications for registration pursuant to Article 10 (1) and (5) of the Act, determining as to whether to allow registration and notifying such determination;
 - 1- Receiving reports on non-phase-in substances made under Article 10 (4) of the Act and
 2. notifying the receipt of such reports;
- 2.Receiving applications for registration of changes or reports on changes pursuant to Article 12 (1) through (3) of the Act and notifying the results thereof;
 - 2- Receiving testing plans pursuant to Article 14 (3) of the Act and notifying the results
 2. thereof;
- 3.Confirming individual submission pursuant to the proviso, with the exception of its subparagraphs, of Article 15 (1) of the Act;
- 4.Receiving inquiries about registration and notifying the results thereof pursuant to Article 16 (2) of the Act;
- 5.Confirming refusals of consent to the use of vertebrate animal test data under the main clause of Article 17 (3) of the Act, and ordering the submission of vertebrate animal test data under the proviso of the same paragraph;
- 6.Conducting a hazard review, notifying the results thereof and ordering the submission of data pursuant to Article 18 (1) and (2) of the Act;
- 7.Conducting a hazard assessment under Article 19 (1) of the Act;
- 7-2.Designating and publicly notifying toxic substances under Article 20 of the Act;
- 8.Publicly notifying the results of the hazard review conducted under Article 21 (1) of the Act;
- 9.Evaluating testing institutions under Article 22 (3) of the Act, and receiving reports on operational performance and other information under Article 22 (4) of the Act;

10. Conducting a risk assessment, notifying the findings thereof and ordering the submission of data pursuant to Article 24 (1) and (2) of the Act;
 11. Giving notification, etc. for the provision of information pursuant to Article 31 of the Act;
 12. Deleted; <Dec. 24, 2018>
 13. Deleted; <Dec. 24, 2018>
 14. Receiving a report on appointment or dismissal pursuant to Article 38 (2) of the Act (only applicable where such report has been filed with the President of the National Institute of Environmental Research);
 15. Deleted; <Aug. 2, 2016>
 16. Disclosing information pursuant to Article 42 of the Act;
 - 16- Providing technical support for developing and distributing alternatives to vertebrate animal testing under subparagraph 4 of Article 42-2 of the Act;
 17. Ordering the submission of reports or data, access, inspection, etc. under Article 43 (1) of the Act (only applicable to Article 43 (1) 2 of the Act);
 18. Receiving requests for data protection, notifying data ineligible for data protection (only applicable to data submitted to the President of the National Institute of Environmental Research) and receiving requests for termination of data protection under Article 45 (1) through (3) of the Act;
 - 18- Hearings required under Article 47 of the Act (limited to revocation of approval for use pursuant to Article 19 (3) of the Act);
 19. Receiving reports filed under the latter part of Article 3 (1) of the Addenda to the Act on Registration and Evaluation of Chemical Substances (Act No. 11789) and informing the receipt of such reports;
 20. Formulating risk management measures pursuant to Article 18 (2);
 21. Preparing a socio-economic analysis and conducting a risk assessment pursuant to Article 20 (3);
 22. Receiving data referred to in Article 3 (1) of the Addenda to the Enforcement Decree of the Act on Registration and Evaluation of Chemical Substances (partially amended by Presidential Decree No. 00000).
- (2) The Minister of Environment shall delegate to the heads of river basin environmental offices or the heads of regional environmental offices (hereinafter referred to as "heads of regional environmental agencies") the following authority pursuant to Article 48 (1) of the Act: <Amended on Dec. 26, 2017; Dec. 24, 2018>
1. Deleted; <Dec. 24, 2018>
 2. Issuing orders to take measures under Article 13 (2) of the Act and suspension orders under Article 13 (3) of the Act;
 - 2- Imposing and collecting penalty surcharges and taking disposition on unpaid penalty surcharges under Articles 17-2 and 17-3 of the Act;
 3. Receiving reports on products containing substances subject to intensive control under Article 32 (1) of the Act;
 4. Deleted; <Dec. 24, 2018>
 5. Receiving reports on appointment or dismissal under Article 38 (2) of the Act (only applicable where such reports have been filed with the heads of regional environmental

- agencies);
6. Ordering the submission of reports or data, access, inspection, etc. under Article 43 (1) of the Act (only applicable to Article 43 (1) 1, 2 and 4 of the Act);
 7. Receiving requests for data protection, notifying data ineligible for data protection (only applicable to data submitted to the heads of regional environmental agencies) and receiving requests for termination of data protection under Article 45 (1) through (3) of the Act;
 8. Imposing and collecting administrative fines under Article 54 of the Act (only applicable to matters delegated to the heads of regional environmental agencies).
- (3) The Minister of Environment shall delegate the affair to provide administrative, technical and financial support for controlling products containing substances subject to intensive control under subparagraph 6 of Article 42-2 of the Act to the Korea Environmental Industry and Technology Institute established under the Korea Environmental Industry and Technology Institute Act, pursuant to Article 48 (2) of the Act: <Newly Inserted on Aug. 2, 2016; Dec. 24, 2018>
1. Deleted; <Dec. 24, 2018>
 2. Deleted. <Dec. 24, 2018>
- (4) The Minister of Environment shall delegate to the Korea Environment Corporation established under the Korea Environment Corporation Act (hereinafter referred to as the "Korea Environment Corporation") the following affairs pursuant to Article 48 (2) of the Act: <Newly Inserted on Aug. 2, 2016; Dec. 26, 2017; Dec. 24, 2018; Oct. 14, 2021>
1. Receiving reports on phase-in-substances made under Article 10 (3) of the Act and reports on changes;
 - 1- Confirming exemption from registration, etc. under Article 11 (2) of the Act, receiving
 2. applications for changes under Article 11 (3) of the Act, and notifying the results thereof;
 - 1- Acquiring and providing data to apply for registration and collecting fees under Article
 3. 14 (4) of the Act;
 - 1-4. Providing information under Article 15 (2) of the Act;
 - 1- Approving the use of hazard data and revoking approval under Article 19 (2) and (3) of
 5. the Act;
 - 1- Receiving reports on appointment or dismissal under Article 38 (2) of the Act (only
 6. applicable where such reports are filed with the President of the Korea Environment Corporation);
 - 1- Establishing and operating the chemical data processing system under Article 39 of
 7. the Act;
 - 1-8. Disclosing information on chemical substances under Article 42 of the Act;
 2. Providing administrative, technical and financial support for the matters referred to in subparagraphs 1 and 8 of Article 42-2 of the Act;
 - 2- Receiving requests for data protection, notifying data not eligible for data protection
 2. (only applicable to data submitted to the President of the Korea Environment Corporation) and receiving requests for termination of data protection under Article 45 (1) through (3) of the Act;

3. Providing administrative, technical and financial support relating to preparation of data to apply for registration when such data is jointly submitted under subparagraph 6 of Article 29-2.

(5) The Minister of Environment shall entrust the following affairs to the Chemical Substances Control Association pursuant to Article 48 (2) of the Act: <Amended on Aug. 2, 2016; Dec. 24, 2018; Oct. 14, 2021>

1. Providing administrative, technical and financial support for the matters referred to in subparagraphs 2 through 5 and 7 of Article 42-2 of the Act;
- 1-2. Supporting investigations conducted under Article 19 (3);
2. Implementing statutes or regulations and providing education and publicity under subparagraph 1 of Article 29-2;
3. Developing, investigating and distributing technology under subparagraph 2 of Article 29-2;
4. Operating training programs for small and medium enterprises under subparagraph 5 of Article 29-2;
5. Deleted; <Dec. 26, 2017>
6. Deleted; <Dec. 24, 2018>
7. Deleted; <Dec. 24, 2018>
8. Deleted; <Dec. 24, 2018>
9. Deleted; <Dec. 26, 2017>
10. Deleted. <Dec. 24, 2018>

[Title Amended on Oct. 24, 2021]

CHAPTER VI PENALTY PROVISIONS

Article 32 (Criteria for Imposition of Administrative Fines)

Criteria for imposition of administrative fines pursuant to Article 54 (1) of the Act shall be as specified in attached Table 6.

ADDENDA <Presidential Decree No. 25835, Dec. 9, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2015.

Article 2 Deleted. <by Presidential Decree No. 27434, Aug. 2, 2016>

Article 3 (Reporting Procedures for Person Who Has Undergone Hazard Review)

(1) Any person who intends to report pursuant to the latter part of Article 3 (1) of the Addenda to the Act on Registration and Evaluation of Chemical Substances (Act No. 11789) shall submit a report prescribed by Ordinance of the Ministry of Environment to the Minister of Environment along with the data prescribed by Ordinance of the Ministry of Environment by the deadlines classified as follows:

1. Non-phase-in substances: June 30, 2015;
2. Phase-in substances subject to registration: Six months from the date of designation and public notice of phase-in substances subject to registration.

(2) The Minister of Environment shall review data submitted pursuant to paragraph (1), as prescribed by Ordinance of the Ministry of Environment, and shall notify the results thereof within 30 days after the deadline classified in the subparagraphs of paragraph (1).

Article 4 (Transitional Measures concerning Data Protection)

Where any person who has submitted data pursuant to Articles 10 (2) through (4), 11 (2), and 18 (4) of the previous Toxic Chemical Substances Control Act, as at the time this Decree enters into force, requests data protection pursuant to Article 51 (1) of the same Act, data being protected pursuant to Article 27 of the previous Enforcement Decree of the Toxic Chemical Substances Control Act shall be deemed protected pursuant to Article 30 (1) of this Decree.

Article 5 Omitted.

ADDENDA <Presidential Decree No. 27434, Aug. 2, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of subparagraph 2 of Article 24 shall enter into force on December 2, 2016; and the amended provisions of Article 29-2 and Article 31 (3) through (5) shall enter into force on January 28, 2017.

Article 2 (Effective Period of Entrustment to Association)

The amended provisions of Article 31 (5) 5 and 9 shall remain effective until December 31, 2017.

Article 3 (Transitional Measures concerning Application for Confirmation of Exemption from Registration Received by the Association)

Notwithstanding the amended provisions of Article 31 (5), the previous provisions shall apply to notifying the results of applications for confirmation of exemption from registration or confirmation of exemption from reporting products containing hazardous chemical substances received by the Association pursuant to previous Article 31 (3) 1 or 4 before this Decree enters into force.

ADDENDA <Presidential Decree No. 28502, Dec. 26, 2017>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 31 (4) and (5) shall enter into force on January 1, 2018.

Article 2 (Transitional Measures concerning Entrustment of Duties)

Notwithstanding the amended provisions of Article 31 (4) 2-2, the previous Article 31 (5) 9 shall apply if a request for data protection has been filed with the Association pursuant to the main sentence of Article 45 (1) of the Act before this Decree enters into force, and notice that the data is not eligible for protection is given pursuant to Article 45 (2) of the Act because the proviso of Article 45 (1) of the Act is applicable to such data.

ADDENDA <Presidential Decree No. 29413, Dec. 24, 2018>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2019.

Article 2 (Transitional Measures concerning Reporting Procedures for Person Who Has Undergone Hazard Review)

(1) Any of the following persons who has undergone a hazard review pursuant to the previous Toxic Chemical Substances Control Act shall submit a report prescribed by Ordinance of the Ministry of Environment along with the data prescribed by Ordinance of the Ministry of Environment to the Minister of Environment by the deadlines classified as follows: Provided, That a person who has reported to the Minister of Environment pursuant to Article 3 (1) of the Addenda to the Enforcement Decree of the

Act on Registration and Evaluation of Chemical Substances (Presidential Decree No. 25835) is excluded herefrom:

1. A person who intends to manufacture or import at least 1 ton of a phase-in substance per year designated and publicly notified by the Minister of Environment pursuant to Article 10 (2) 1 of the Act, or at least 1,000 tons of a phase-in substance per year: December 31, 2019;
 2. A person who intends to manufacture or import at least 100 tons and less than 1,000 tons of a phase-in substance per year: December 31, 2022;
 3. A person who intends to manufacture or import at least 10 tons and less than 100 tons of a phase-in substance per year: December 31, 2025;
 4. A person who intends to manufacture or import at least 1 ton and less than 10 tons of a phase-in substance per year: December 31, 2028.
- (2) The Minister of Environment shall examine the data submitted under paragraph (1), as prescribed by Ordinance of the Ministry of Environment, and shall notify the results thereof within 30 days after the deadlines classified in the subparagraphs of paragraph (1).

Article 3 (Transitional Measures concerning Registration of Non-Phase-In Substances)

- (1) A person who has registered less than 100 kilograms of a non-phase-in substance per year to be manufactured or imported pursuant to Article 10 (1) of the previous Act on Registration and Evaluation of Chemical Substances (which was in force prior to the amendment by Act No. 15512) shall submit data on the quantities of the non-phase-in substance manufactured or imported to the Minister of Environment, as prescribed by Ordinance of the Ministry of Environment, within 6 months from the enforcement date of this Decree, if such person manufactures or imports at least 100 kilograms and less than 1 ton of the non-phase-in substance per year as at the time when this Decree enters into force.
- (2) The Minister of Environment may order a person who has submitted data under paragraph (1) to submit data necessary for a hazard review pursuant to Article 18 (2) of the Act.

ADDENDUM <Presidential Decree No. 30229, Dec. 3, 2019>

This Decree shall enter into force on January 1, 2020.

ADDENDA <Presidential Decree No. 30256, Dec. 24, 2019>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 16, 2020. (Proviso Omitted.)

Articles 2 through 33 Omitted.

ADDENDUM <Presidential Decree No. 30849, Jul. 14, 2020>

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

ADDENDUM <Presidential Decree No. 32061, Oct. 14, 2021>

This Decree shall enter into force on October 14, 2021: Provided, That the amended provisions of Articles 19 and 31 (1) 21 and (5) 1-2 shall enter into force one year after the date of its promulgation.

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