

WEATHER ACT

Wholly Amended by Act No. 7804, Dec. 30, 2005

Amended by Act No. 8221, Jan. 3, 2007

Act No. 8852, Feb. 29, 2008

Act No. 9309, Dec. 31, 2008

Act No. 9771, Jun. 9, 2009

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to contribute to the protection of the life and property of citizens from meteorological disasters and the enhancement of public welfare by providing for basic matters necessary for the efficient execution of the national meteorological services and by promoting the sound development of meteorological services.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 2 (Definitions)

For the purposes of this Act:

1. The term "atmospheric phenomena" means various phenomena in the atmosphere;
2. The term "terrestrial phenomena" means various phenomena that occur on or under the earth's surface, such as earthquake, volcanic phenomena, and other phenomena closely related to weather;
3. The term "hydro-meteorological phenomena" means various phenomena that occur in inland rivers, lakes, or seas and that are closely related to atmospheric or terrestrial phenomena;
4. The term "meteorological phenomena" means atmospheric, terrestrial, and hydro-meteorological phenomena;
5. The term "weather observation" means the observation and measurement of weather on land and sea and in the upper atmosphere by scientific methods;
6. The term "climate" means average conditions of the atmosphere in a specific region during a given period;

WEATHER ACT

7. The term "climate change" means that the atmosphere deviates from its average conditions due to human activities or natural causes;
8. The term "meteorological services" means the following services:
 - (a) Observations and forecasts of meteorological phenomena;
 - (b) Establishment of countermeasures against climate change, surveys on impact of climate change, surveillance of climate change, and prediction of climate;
 - (c) Exchange, surveys, analysis, and research of statistics and information about meteorological phenomena and climate and services incidental to such services;
9. The term "forecast" means the announcement of prediction on the basis of results of observations of meteorological phenomena;
10. The term "severe weather alert" means a forecast for calling attention to, or warning of, an anticipated severe disaster, when weather phenomenon is anticipated to cause a severe disaster;
11. The term "meteorological instrument" means a machine, instrument, or device used for observations of meteorological phenomena;
12. Deleted. *<by Act No. 9771, Jun. 9, 2009>*
13. The term "meteorological facilities" means observation facilities necessary for the execution of meteorological services, forecasting facilities, telecommunications facilities, and other facilities incidental to such facilities;
14. The term "weather information system" means a systematically integrated and combined system of machines, programs, and databases to collect, process, store, search, display, transmit, receive, and utilize domestic and overseas data for meteorological services.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 3 (Relationship to other Acts)

- (1) Except as otherwise provided for by other Acts, meteorological services shall be governed by this Act.
- (2) Matters necessary for the standardization of weather observations shall be provided for by a separate Act.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 4 (Responsibility of State)

The State shall realize that providing information about meteorological services in a sustainable manner is an essential element for the stability

of the life of citizens and shall prepare and implement the following policies:

1. Matters concerning the maintenance of the system for producing and delivering appropriate information about meteorological services;
2. Matters concerning cooperation between national agencies and local governments to secure the optimum environment for weather observations;
3. Matters concerning the expansion of meteorological organizations, human resources, and facilities for preventing meteorological disasters.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

CHAPTER II FORMULATION, ETC. OF BASIC PLAN FOR METEOROLOGICAL SERVICES

Article 5 (Formulation, etc. of Basic Plans for Meteorological Services)

(1) The Administrator of the Korea Meteorological Administration shall formulate and implement a basic plan for meteorological services (hereinafter referred to as "basic plan") every five years, subject to consultation with heads of appropriate central administrative agencies, in order to systematically and efficiently achieve the purposes of this Act, such as the sound development of meteorological services.

(2) The Administrator of the Korea Meteorological Administration shall, when he/she intends to formulate or revise a basic plan, undergo deliberation by the National Science and Technology Council under Article 9 (1) of the Framework Act on Science and Technology: *Provided*, That the foregoing shall not apply to an insignificant modification as prescribed by Presidential Decree.

(3) The basic plan shall include the following matters:

1. Matters concerning the development goals of technology for and administration of meteorological services and the basic direction of policies thereon;
2. Matters concerning the expansion of investment in technology for meteorological services;
3. Matters concerning the enhancement of technological research and development for meteorological services and the facilitation of

WEATHER ACT

collaborative research and development;

4. Matters concerning the dissemination of results of research on meteorological services and the facilitation of transfer and commercialization of technology;
5. Matters concerning the establishment and management of a weather information system and the joint use of information about meteorological services;
6. Matters concerning the enhancement of international cooperation and inter-Korean cooperation in meteorological services;
7. Matters concerning the enhancement of development of technology for meteorological instruments and standardization of observation methods.

(4) The Administrator of the Korea Meteorological Administration shall notify heads of appropriate central administrative agencies of the established basic plan without delay.

(5) Matters necessary for the procedure for the formulation of the basic plan and other relevant matters shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 6 (Formulation, etc. of Annual Execution Plans)

(1) Heads of appropriate central administrative agencies and the Administrator of the Korea Meteorological Administration shall formulate and implement annual execution plans (hereinafter referred to as "execution plan") in accordance with the basic plan.

(2) The head of each appropriate central administrative agency shall, when he/she prepares an execution plan, consult in advance with the Administrator of the Korea Meteorological Administration.

(3) Matters necessary for the formulation and implementation of execution plans shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

CHAPTER III OBSERVATION

Article 7 (Observation of Meteorological Phenomena through Establishment of Observation Network)

The Administrator of the Korea Meteorological Administration shall establish an observation network for the observation of meteorological

phenomena at necessary places in order to produce information about meteorological phenomena.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 8 (Operation, etc. of Observation Network of Weather Satellites)

(1) The Administrator of the Korea Meteorological Administration may establish and operate an observation network of weather satellites for weather observations from outer space.

(2) Matters necessary for the establishment and operation of the observation network of weather satellites under paragraph (1) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 9 (Request for Supply of Extraordinary Observation Data)

(1) The Administrator of the Korea Meteorological Administration may, if necessary in making forecasts and severe weather alerts for the safe navigation of ships or aircraft pursuant to Article 14, request the owner of any of the following ships or aircraft (referring to a charterer, if a ship or aircraft is chartered for operation) to furnish him/her with observation data concerning meteorological phenomena:

1. Ships designated by the Administrator of the Korea Meteorological Administration, subject to consultation with the Minister of Land, Transport and Maritime Affairs, from among ships equipped with a radio system pursuant to Article 29 of the Ship Safety Act and meteorological instruments;
2. Aircraft specified by Presidential Decree, which are equipped with a radio system pursuant to Article 40 of the Aviation Act.

(2) The Administrator of the Korea Meteorological Administration may fully or partially subsidize, within budgetary limits, expenses incurred in supplying observation data pursuant to paragraph (1).

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 10 (Observations on Board Ship or Aircraft)

(1) The Administrator of the Korea Meteorological Administration may assign public officials under his/her control to observe meteorological phenomena, or verify forecasts, on board a ship or aircraft under Article 9 (1).

(2) Matters necessary for boarding ships or aircraft under paragraph (1) shall be prescribed by Presidential Decree.

WEATHER ACT

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 11 (Announcement of Results of Observations, etc.)

The Administrator of the Korea Meteorological Administration shall, if considered necessary to making a prompt announcement of results of observations or information on meteorological phenomena for the enhancement of public safety and welfare, make an announcement immediately through broadcasting stations, newspapers, news agencies, and other appropriate news media (hereinafter referred to as "news media") or by other appropriate means.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

CHAPTER IV MANAGEMENT AND JOINT USE OF INFORMATION ON METEOROLOGICAL SERVICES

Article 12 (Establishment, etc. of System for Management and Joint Use of Information on Meteorological Services)

(1) The Administrator of the Korea Meteorological Administration shall establish and operate a weather information system (including auxiliary facilities) to facilitate the dissemination and use of information on meteorological services.

(2) The Administrator of the Korea Meteorological Administration may ask for cooperation under paragraph (1) by national agencies, local governments, and persons specified by Ordinance of the Ministry of Environment, which produce and manage information on meteorological services.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

CHAPTER V FORECAST AND SEVERE WEATHER ALERT

Article 13 (Forecasts and Severe Weather Alerts for General Public)

(1) The Administrator of the Korea Meteorological Administration shall issue necessary forecasts and severe weather alerts of meteorological phenomena so that the general public can use such information.

(2) The Administrator of the Korea Meteorological Administration shall, when he/she issues forecasts or severe weather alerts pursuant to paragraph (1), inform the general public of the forecast or severe weather alert through news media or mobile telecommunications service providers or by other appropriate means.

(3) Matters necessary for the kinds and details of forecasts and severe weather alerts under paragraph (1) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 14 (Forecasts and Severe Weather Alerts for Ships or Aircraft)

(1) The Administrator of the Korea Meteorological Administration shall issue forecasts and severe weather alerts necessary for the safe navigation of ships or aircraft.

(2) Matters necessary for the kinds and details of forecasts and severe weather alerts under paragraph (1) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 15 (Notification of Severe Weather Alerts)

(1) The Administrator of the Korea Meteorological Administration shall, when he/she issues or lifts a severe weather alert pursuant to Article 13 (1) or 14 (1), notify the following agencies of the fact immediately: *Provided*, That severe weather alerts for aviation shall notify only aviation-related agencies specified by Presidential Decree:

1. The Ministry for Food, Agriculture, Forestry and Fisheries;
2. The Ministry of Land, Transport and Maritime Affairs;
3. The National Emergency Management Agency;
4. Other agencies specified by Presidential Decree that require the notification of severe weather alerts for preventing disasters.

(2) Every agency to whom a notice is given pursuant to paragraph (1) shall take other necessary measures, such as making details of the notice as widely available as possible immediately.

(3) Matters concerning the procedure for receiving severe weather alerts by agencies that are entitled to the notification under paragraph (1) and the designation of officers in charge shall be prescribed by Presidential Decree.

WEATHER ACT

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 16 (Requests for Emergency Broadcasts on Meteorological Phenomena)

(1) The Administrator of the Korea Meteorological Administration may, if necessary to urgently deliver a severe weather alert or similar to citizens in order to prevent weather disasters from occurring in advance or if an event that meets the requirements prescribed by Presidential Decree occurs, request a broadcasting station designated as a main institution for disaster broadcasting by the Korea Communications Commission pursuant to Article 75 (3) of the Broadcasting Act to provide swift broadcasting services.

(2) The main institution for disaster broadcasts shall, upon receiving a request pursuant to paragraph (1), comply with such request, unless exceptional circumstances exist to the contrary.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 17 (Restrictions on Forecasts and Severe Weather Alerts)

No one, except the Administrator of the Korea Meteorological Administration, may issue a forecast or a severe weather alert: *Provided*, That the foregoing shall not apply to cases for special purposes specified by Presidential Decree and cases where a person who registered a weather forecast business pursuant to Article 6 of the Weather Industry Promotion Act (hereinafter referred to "meteorological business entity") issues forecasts. *<Amended by Act No. 9771, Jun. 9, 2009>*

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 18 (Prohibition of Weather Control)

No one, except the Administrator of the Korea Meteorological Administration, shall engage in any activity conducted for the purpose of changing or controlling meteorological phenomenon, such as rain, snow, hailstorm, and fog, by manipulating weather conditions: *Provided*, That the foregoing shall not apply to cases where such activity is conducted for the prevention of weather disasters and meteorology research with approval of the Administrator of the Korea Meteorological Administration, as prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 19 (Collection of Information on Meteorological Phenomena and Announcement of such Information through Telecommunications Systems)

(1) The Administrator of the Korea Meteorological Administration shall announce the following matters collected and integrated with respect to domestic and overseas meteorological phenomena through telecommunications systems so that domestic and overseas institutions that carry out meteorological services, ships, or aircraft can receive such information:

1. Results of weather observations;
 2. Forecasts and severe weather alerts;
 3. Other information on weather conditions.
- (2) Matters necessary for coverage areas and methods of announcements under paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

CHAPTER VI CLIMATE

Article 20 (Duty to Endeavor for Climate Surveillance, etc.)

The Administrator of the Korea Meteorological Administration shall endeavor to survey the climate, improve abilities to conduct research on climate and forecast weather, and facilitate the utilization of information on climate.

Article 21 (Climate Surveillance and Impact Assessment, etc.)

(1) The Administrator of the Korea Meteorological Administration shall survey the atmosphere and climate, collect, analyze, and manage data of surveillance and observations of the atmosphere (referring to observations conducted for the surveillance of the atmosphere on the ozone layer in the stratosphere, concentrations of major greenhouse gases in the atmosphere, and gaseous and particulate matter that affect the quality of air in each region; the same shall apply hereinafter), and publicly notify results thereof on a regular basis.

(2) The Administrator of the Korea Meteorological Administration shall engage in impact assessment about climate and predict the trends of climate change in order to support the preparation of countermeasures against climate change.

(3) Matters concerning the collection, analysis, and management of data from surveillance and observations of the atmosphere, and the cycle and method of public notification thereof under paragraph (1), and matters

WEATHER ACT

necessary for the impact assessment and the prediction of the trends of change under paragraph (2) shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 22 (Announcement of Climate Outlook)

(1) The Administrator of the Korea Meteorological Administration shall announce the outlook of the climate so that the general public can rely on such outlook.

(2) Matters necessary for the cycles and methods of announcements on the outlook of the climate under paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 23 (Management, etc. of Data on Climate)

(1) The Administrator of the Korea Meteorological Administration shall collect and manage data on the climate, produce various applied data, and publicly notify statistics from such data on a regular basis.

(2) Matters necessary for the collection and management of data on the climate, the production method of applied data, and the cycle and method of public notification of statistics under paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 24 (Establishment of Climate Advisory Organization)

(1) The Administrator of the Korea Meteorological Administration may establish and operate an advisory organization in order to promote activities in the area of climate and to systematically cope with issues related to the climate. *<Amended by Act No. 9309, Dec. 31, 2008>*

(2) Matters necessary for the organization and operation of the advisory organization under paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment. *<Amended by Act No. 9309, Dec. 31, 2008>*

CHAPTER VII Deleted.

Articles 25 through 29 Deleted. *<by Act No. 9771, Jun. 9, 2009>*

CHAPTER VIII Deleted.

Articles 30 and 31 Deleted. <by Act No. 9771, Jun. 9, 2009>

CHAPTER IX RESEARCH AND DEVELOPMENT PROJECTS AND INTERNATIONAL METEOROLOGICAL COOPERATION

Article 32 (Implementation of Projects for Research and Development of Meteorological Services)

(1) The Administrator of the Korea Meteorological Administration shall implement projects for research and development of meteorological services (hereinafter referred to as "research and development projects") in order to concentrate on the development of technology for meteorological services and may select subjects for the research and development every year and assign any of the following institutions and organizations to carry out research under agreement. In such cases, if an institution under subparagraph 4 has no representative authority, an agreement may be reached with the representative of the legal entity to which the institution belongs:

1. A national or public research institute;
2. A government-funded research institution under the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutions or the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutions;
3. A specific research institute under the Support of Specific Research Institutes Act;
4. A research institute attached to a company or a department exclusively dedicated to research and development in a company, which continually retain researchers exclusively dedicated to research on meteorological services, among research institutes attached to an enterprise and departments exclusively dedicated to research and development in a company under Article 7 (1) 2 of the Technology Development Promotion Act.

WEATHER ACT

5. A college, industrial college, junior college, or technical college under the Higher Education Act;
 6. A nonprofit corporation established for meteorological services pursuant to the Civil Act or any other Act.
- (2) The Administrator of the Korea Meteorological Administration may contribute funds to any institution or organization that carries out research and development project under paragraph (1) for covering expenses incurred in such research.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 32-2 (Collaborative Projects for Joint Use of Weather Information, etc.)

- (1) The Administrator of the Korea Meteorological Administration may implement collaborative projects for the joint use of human resources, facilities, equipment, materials, and information with academic circles, research institutes, or industries.
- (2) The Administrator of the Korea Meteorological Administration may fully or partially subsidize, within budgetary limits, expenses incurred in implementing collaborative projects under paragraph (1).
- (3) Matters necessary for the subjects eligible for collaborative projects under paragraph (2), schemes for implementation of such projects, and other relevant matters shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Newly Inserted by Act No. 9309, Dec. 31, 2008]

Article 33 (Promotion of International Meteorological Cooperation)

- (1) The Administrator of the Korea Meteorological Administration shall promote the following activities through cooperation with international organizations related to meteorological services and other countries and actively participate in global efforts for the development of technology for meteorological services:
 1. Establishment of a cooperative entity in the Republic of Korea for international meteorological services under agreement between member states of international organizations;
 2. Exchange of information and technology for meteorological services;
 3. Exchange of human resources;
 4. Joint survey and research.
- (2) The Administrator of the Korea Meteorological Administration shall

endeavor to promote inter-Korean exchange and cooperation in meteorological services.

(3) The Administrator of the Korea Meteorological Administration may fully or partially subsidize, within budgetary limits, expenses incurred in promoting collaborative projects under paragraphs (1) and (2).

(4) Matters necessary for subjects eligible for international cooperation and inter-Korean cooperation under paragraphs (1) and (2), schemes for the promotion of such cooperation, and other relevant matters shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

CHAPTER X DISSEMINATION OF KNOWLEDGE OF METEOROLOGICAL SERVICES, EDUCATION AND TRAINING

Article 34 (Dissemination of Knowledge of Meteorological Phenomena and Climate)

The Administrator of the Korea Meteorological Administration shall endeavor to obtain knowledge on meteorological phenomena and climate widely disseminated and utilized for the life of citizens to enhance the understanding of citizens on meteorological services.

Article 35 (Education and Training of Workers in Meteorological Services, etc.)

(1) The Administrator of the Korea Meteorological Administration may conduct educational and training courses for persons who engage in any job related to meteorological services and who are specified by Ordinance of the Ministry of Environment, such as public officials, employees of organizations, and weather business entities, in order to standardize meteorological services, prevent weather disasters, and enhance international cooperation under Article 33 (1).

(2) The Administrator of the Korea Meteorological Administration may designate an institution to be in charge of carrying out education and

WEATHER ACT

training under paragraph (1).

(3) The Administrator of the Korea Meteorological Administration shall, if an institution designated pursuant to paragraph (2) for education and training has shown poor performance in providing education and training and is found incapable of performing such services, order such institution to impose an order for correction within a given period not exceeding two months, clearly stating grounds therefor.

(4) The Administrator of the Korea Meteorological Administration may, if an education or training institution designated pursuant to paragraph (2) falls under any of the following subparagraphs, cancel such designation or issue an order to fully or partially suspend its business for a prescribed period of not more than six months: *Provided*, That such designation must be cancelled in cases of subparagraph 1:

1. If an institution obtained designation by fraud or other wrongful means;
2. If an education or training institution has not complied with orders to take corrective measures three times or more in one year.

(5) Matters necessary for the designation of education and training institutions for meteorological services under paragraph (2) shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

CHAPTER XI SUPPLEMENTARY PROVISIONS

Article 36 (Certification of Meteorological Phenomena, etc.)

(1) Any person who intends to have a certificate issued or data provided with respect to a weather phenomenon shall file an application with the Administrator of the Korea Meteorological Administration, as prescribed by Ordinance of the Ministry of Environment. *<Amended by Act No. 9771, Jun. 9, 2009>*

(2) Matters necessary for the procedure for issuing certificates or providing data with respect to weather phenomenon under paragraph (1) and fees therefor shall be prescribed by Ordinance of the Ministry of Environment. *<Amended by Act No. 9771, Jun. 9, 2009>*

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 37 (Collection, etc. of Charges for Aviation Weather Information)

(1) The head of an agency that was installed as a responsible administrative agency pursuant to Article 4 of the Act on the Establishment and Operation of Responsible Administrative Agencies and that undertakes aviation meteorological services may collect charges for aviation weather information from persons who use aviation weather information.

(2) The head of an agency that undertakes aviation meteorological services may engage in any profitable business related to aviation meteorological services, as prescribed by Presidential Decree.

(3) Matters necessary for the collection of charges for aviation weather information under paragraph (1) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 38 (Requests for Supply of Data on Earthquakes or other Phenomena)

(1) The Administrator of the Korea Meteorological Administration may request a national agency, local government, research institute, or college to furnish him/her with data from observations of earthquake, tsunami, or volcanic phenomena.

(2) The Administrator of the Korea Meteorological Administration may fully or partially subsidize, within budgetary limits, expenses incurred in supplying data from observations under paragraph (1).

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 39 (Protection of Meteorological Facilities)

No one shall destroy any meteorological facility installed and managed by any of the following persons or degrade the utility of such a facility without justifiable grounds:

1. A national agency or a local government;
2. A public institution specified by Presidential Decree;
3. A person to whom the Administrator of the Korea Meteorological Administration entrusts meteorological services pursuant to Article 44.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 40 (Hearings)

The Administrator of the Korea Meteorological Administration shall hold a hearing when he/she intends to impose a disposition falling under any of the following subparagraphs:

1. and 2. Deleted. <by Act No. 9771, Jun. 9, 2009>

WEATHER ACT

3. Cancellation of designation of an education or training institution for meteorological services under Article 35 (4).

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 41 (Access, etc. to Land or other Property)

(1) The Administrator of the Korea Meteorological Administration may, if necessary for meteorological services, authorize public officials under his/her control to enter land or waters owned or occupied by third persons (hereinafter referred to "land, etc.") or use such land, etc. for a temporary period.

(2) Any person who intends to enter land, etc. of third persons or use such land for a temporary period pursuant to paragraph (1) shall obtain prior consent of the owners, occupants, or caretakers of such land, etc.: *Provided*, That the foregoing shall not apply to cases where the domicile or abode of such owner, occupant, or caretaker is unclear or where it is impossible to obtain consent due to any other unavoidable cause or event.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 42 (Compensation for Loss)

(1) The State shall, if any loss is incurred by access or temporary use of land, etc. under Article 41, compensate the injured party for such loss, applying *mutatis mutandis* the Act on the Acquisition of Land, etc. for Public Works and the Compensation therefor.

(2) As to compensation for loss under paragraph (1), the Administrator of the Korea Meteorological Administration shall enter into an agreement with the injured party.

(3) If it fails or is impossible to reach agreement pursuant to paragraph (2), an application for adjudication may be filed with the competent Land Tribunal under the Act on the Acquisition of Land, etc. for Public Works and the Compensation therefor within one month.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 43 (Presentation of Identification Cards)

Every public official who performs his/her duties pursuant to Article 41 shall carry with him/her an identification card certifying his/her authority and show it to interested parties. <Amended by Act No. 9771, Jun. 9, 2009>

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 44 (Entrustment of Meteorological Services)

(1) The Administrator of the Korea Meteorological Administration may, if considered necessary, entrust a national agency, a local government, or a person specified by Presidential Decree with some meteorological services.

(2) The Administrator of the Korea Meteorological Administration may lend meteorological instruments and other equipment as necessary for carrying out meteorological services to a person to whom meteorological services are entrusted pursuant to paragraph (1) free of charge or fully or partially subsidize, within budgetary limits, expenses incurred in the provision of such services.

(3) Matters necessary for the entrustment of meteorological services under paragraph (1) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 45 (Acceptance of Entrustment of Extraordinary Services)

The Administrator of the Korea Meteorological Administration may accept the entrustment of the following services and carry out such services as prescribed by Presidential Decree within the extent that such services do not hinder him/her from carrying out his/her services:

1. Observations, surveys, and research on meteorological phenomena, climate, or matters closely related thereto;
2. Extraordinary forecast of meteorological phenomena, climate, or matters closely related thereto and the guidance therefor;
3. Designing, production, testing, repairing, or calibration of meteorological instruments;
4. Development, surveys, and research on technology for meteorological services or matters closely related thereto;
5. International cooperation, dissemination of knowledge, and education and training for meteorological services or matters closely related thereto.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 46 (Duty to Submit to Competent Standing Committee of National Assembly)

The Administrator of the Korea Meteorological Administration shall submit a report on results of implementation of an annual execution plan to the competent Standing Committee of the National Assembly during the first half of the following year.

WEATHER ACT

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 47 (Statutory Treatment as Public Officials for Application of Penal Provisions)

Executives and employees of an education or training institution under Article 35 shall be deemed public officials for the purposes of applying Articles 129 through 132 of the Criminal Act. *<Amended by Act No. 9771, Jun. 9, 2009>*

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

CHAPTER XII PENAL PROVISIONS

Article 48 (Penal Provisions)

A person who issues a severe weather alert in violation of the body of Article 17 shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding ten million won.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 49 (Penal Provisions)

A person falling under any of the following subparagraphs shall be punished by imprisonment with prison labor for not more than one year or by a fine not exceeding five million won:

1. A person who engages in an act aimed at intentionally changing or controlling a meteorological phenomenon in violation of the body of Article 18;
2. Deleted. *<by Act No. 9771, Jun. 9, 2009>*

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 50 (Joint Penal Provisions)

If the representative of a corporation or an agent, employee, or servant of a corporation or a private individual commits an offense under Article 48 or 49 in the scope of the business of the corporation or the private individual, not only shall such offender be punished accordingly, but the corporation or the private individual also shall be punished by the fine prescribed in the applicable Article: *Provided*, That the foregoing shall not apply to cases where a corporation or private individual has not neglected to take reasonable care and supervision in connection with the relevant matter in order to prevent such offense.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

Article 51 (Fines for Negligence)

- (1) A person who issues a weather forecast in violation of the body of

Article 17 shall be punished by a fine for negligence not exceeding one million won.

(2) Fines for negligence under paragraph (1) shall be imposed and collected by the Administrator of the Korea Meteorological Administration, as prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9309, Dec. 31, 2008]

ADDENDA

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measure concerning Basic Plan)

The pre-existing basic plan for meteorological technology established through deliberation by the National Science and Technology Council at the time this Act enters into force shall be deemed the basic plan under the amended provisions of Article 5 (1).

Article 3 (Transitional Measure concerning Weather Business Entities)

Any person whose forecasting business is registered pursuant to former provisions at the time this Act enters into force shall be deemed a weather business entity registered pursuant to the amended provisions of Article 26.

Article 4 (Transitional Measure concerning Supportive Institutions for Weather Information)

Pre-existing supportive institutions for weather information designated pursuant to former provisions at the time this Act enters into force shall be deemed supportive institutions for weather information designated pursuant to the amended provisions of Article 31.

Article 5 (Transitional Measure concerning Administrative Disposition, etc.)

Dispositions, reports, and other acts made or done in relation to an administrative agency pursuant to former provisions at the time this Act enters into force shall be deemed dispositions, reports, and other acts made or done in relation to the administrative agency pursuant to this Act.

Article 6 Omitted.

Article 7 (Relationship to other Acts)

A citation of the Weather Service Act or any provision thereof by any other

WEATHER ACT

Act or subordinate statute in force at the time this Act enters into force shall be deemed a citation of this Act or the corresponding provision hereof in lieu of the former provision, if such a corresponding provision exists in this Act.

ADDENDA <Act No. 8221, Jan. 3, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 16 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDUM <Act No. 9309, Dec. 31, 2008>

This Act shall enter into force on the date of its promulgation: *Provided*, That the provision as to the fact that the registration may be cancelled if a person fails to file for an amendment of registration, in violation of the body of Article 26 (2) in the amended provisions of subparagraph 4 of Article 28 shall enter into force three months after the date of its promulgation, and the amended provisions of Article 21 (2) and (3) shall enter into force six months after the date of its promulgation.

ADDENDA <Act No. 9771, Jun. 9, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 8 Omitted.