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SAFETY CONTROL AND BUSINESS OF LIQUEFIED PETROLEUM GAS ACT

Wholly Amended by Act No. 8358, Apr. 11, 2007

Amended by Act No. 8459, May 17, 2007

Act No. 8486, May 25, 2007

Act No. 8769, Dec. 21, 2007

Act No. 8852, Feb. 29, 2008

Act No. 8863, Feb. 29, 2008

Act No. 9020, Mar. 28, 2008

Act No. 9235, Dec. 26, 2008

Act No. 9534, Mar. 25, 2009

Act No. 10219, Mar. 31, 2010

Act No. 10350, Jun. 8, 2010

Act No. 10711, May 24, 2011

Act No. 11690, Mar. 23, 2013

Act No. 11998, Aug. 6, 2013

Act No. 12297, Jan. 21, 2014

Act No. 12442, Mar. 18, 2014

Act No. 13089, Jan. 28, 2015

Act No. 13738, Jan. 6, 2016

Act No. 14476, Dec. 27, 2016

Act No. 14671, Mar. 21, 2017

Act No. 14995, Oct. 31, 2017

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to ensure public safety by prescribing matters concerning the export and import, filling, storage, sale, and use of liquefied petroleum gas, and the safety control of gas appliances and to ensure proper supply and use of liquefied petroleum gas by rationally regulating liquefied petroleum gas business.

Article 2 (Definitions)

The definitions of terms used in this Act shall be as follows:

1. The term "liquefied petroleum gas" means liquefied gas (including vaporized gas) primarily composed of propane or butane;
2. The term "liquefied petroleum gas export or import business" means the business of exporting or importing liquefied petroleum gas;
3. The term "liquefied petroleum gas exporter or importer" means a person who conducts the business of exporting or importing liquefied petroleum gas after registration (including where registration is exempted) pursuant to Article 17;
4. The term "liquefied petroleum gas filling business" means the business of supplying liquefied petroleum gas by filling containers (including the transportation of liquefied petroleum gas to other storage tanks through pipelines; hereinafter the same shall apply) or tanks fitted to motor vehicles with liquefied petroleum gas stored in a storage facility;
5. The term "liquefied petroleum gas filling business entity" means a person who has obtained permission to conduct liquefied petroleum gas filling business pursuant to

- Article 5;
6. The term "business of collectively supplying liquefied petroleum gas" means the business of supplying liquefied petroleum gas as a fuel through pipelines according to the demand of general consumers;
 7. The term "collective supplier of liquefied petroleum gas" means a person who has obtained permission to conduct the business of collectively supplying liquefied petroleum gas pursuant to Article 5;
 8. The term "liquefied petroleum gas sales business" means the business of selling liquefied petroleum gas filled in containers or supplying liquefied petroleum gas filled in tanks fitted to motor vehicles (referring to tanks the size, etc. of which meet standards prescribed by Ordinance of the Ministry of Trade, Industry and Energy) to storage facilities not exceeding the size prescribed by Ordinance of the Ministry of Trade, Industry and Energy;
 9. The term "liquefied petroleum gas dealer" means a person who has obtained permission to conduct liquefied petroleum gas sales business pursuant to Article 5;
 10. The term "entrusted business of transporting liquefied petroleum gas" means the business of transporting liquefied petroleum gas to supply it to small storage tanks by using tanks fitted to motor vehicles prescribed by Ordinance of the Ministry of Trade, Industry and Energy after having been entrusted with the transportation of liquefied petroleum gas by a liquefied petroleum gas filling business entity or liquefied petroleum gas dealer prescribed by Ordinance of the Ministry of Trade, Industry and Energy;
 11. The term "business entity entrusted with transporting liquefied petroleum gas" means a person who has obtained registration of the entrusted business of transporting liquefied petroleum gas pursuant to Article 9;
 12. The term "gas appliance manufacturing business" means the business of manufacturing appliances to use liquefied petroleum gas or other fuel gases under the Urban Gas Business Act;
 13. The term "gas appliance manufacturer" means a person who has obtained permission to conduct gas appliance manufacturing business pursuant to Article 5;
 14. The term "liquefied petroleum gas storage facility" means a specific place where liquefied petroleum gas of not less than a certain amount prescribed by Ordinance of the Ministry of Trade, Industry and Energy is stored in containers or storage tanks;
 15. The term "person who stores liquefied petroleum gas" means a person who has obtained permission to build a liquefied petroleum gas storage facility pursuant to Article 8;
 16. The term "liquefied petroleum gas business entity, etc." means a liquefied petroleum gas filling business entity, a collective supplier of liquefied petroleum gas, a liquefied petroleum gas dealer, a business entity entrusted with transporting liquefied petroleum gas, a gas appliance manufacturer, and a person who stores liquefied petroleum gas;
 17. The term "precise safety diagnosis" means that an institution specializing in gas safety control detects potential risk factors and the causes thereof in gas supply facilities using equipment and technology in order to prevent gas accidents.

Article 3 (Forecasts of Conditions of Supply and Demand of Liquefied Petroleum Gas)
The Minister of Trade, Industry and Energy shall every year forecast the conditions of supply and demand of liquefied petroleum gas for the following five years for stable supply and demand of liquefied petroleum gas in the whole country, as prescribed by Presidential Decree. In such cases, he/she shall take into account the following:

1. Demand for liquefied petroleum gas;
2. Production and exports and imports of liquefied petroleum gas;
3. Capacity of storage facilities of liquefied petroleum gas;
4. Other important matters that could affect the supply and demand of liquefied petroleum gas.

Article 3-2 (Policy regarding Use and Supply of Liquefied Petroleum Gas)

The Minister of Trade, Industry and Energy shall formulate and implement policy regarding the use and supply of liquefied petroleum gas every two years based on forecasts of supply and demand conditions under Article 3.

[This Article Newly Inserted by Act No. 14995, Oct. 31, 2017]

Article 4 (Relationship to other Acts)

- (1) The High-Pressure Gas Safety Control Act and the Urban Gas Business Act shall apply to matters not prescribed in this Act concerning liquefied petroleum gas.
- (2) Where a liquefied petroleum gas filling business entity or liquefied petroleum gas dealer sells liquefied petroleum gas, Article 10 of the Petroleum and Alternative Fuel Business Act shall not apply thereto.

CHAPTER II LIQUEFIED PETROLEUM GAS BUSINESS, ETC.

Article 5 (Permission to Conduct Business, etc.)

- (1) Any person who intends to conduct liquefied petroleum gas filling business, gas appliance manufacturing business, or business of collectively supplying liquefied petroleum gas shall obtain permission for each place of business from the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of a Si/Gun/Gu (in the case of the head of a Gu, referring to the head of an autonomous Gu; hereinafter referred to as "head of a Si/Gun/Gu").
- (2) Any person who intends to conduct liquefied petroleum gas sales business shall obtain permission for each store from the head of a Si/Gun/Gu. In such cases, where any liquefied petroleum gas dealer who has obtained permission sells liquefied petroleum gas filled in containers, he/she may sell liquefied petroleum gas filled in containers only in areas of the Special Metropolitan City, a Metropolitan City, Special Self-Governing City, Do or Special Self-Governing Province (hereinafter referred to as "City/Do") having jurisdiction over areas in a Special Self-Governing City, Special Self-Governing Province, or Si/Gun/Gu (in the case of a Gu, referring to an autonomous Gu; hereinafter referred to as "Si/Gun/Gu") in which he/she has obtained permission to sell liquefied petroleum gas filled in containers: Provided, That even in the case of a Si/Gun/Gu within the jurisdiction of another City/Do, where such Si/Gun/Gu abuts on a Si/Gun/Gu in which he/she has obtained permission to sell liquefied petroleum gas filled in containers, he/she may sell liquefied petroleum gas filled in containers.
- (3) Where any person intends to change any important matter prescribed by Ordinance of the Ministry of Trade, Industry and Energy, among matters permitted pursuant to

paragraph (1), (2) or (6), he/she shall obtain permission therefor from the head of a Si/Gun/Gu: Provided, That where he/she intends to change any insignificant matter prescribed by Ordinance of the Ministry of Trade, Industry and Energy, among permitted matters, he/she shall report thereon.

- (4) Types of permission and the scope of business subject to permission under paragraphs (1) and (2) shall be prescribed by Presidential Decree, and facility standards and technical standards with regard to the filling, collective supply, or sale of liquefied petroleum gas and the manufacturing of gas appliances shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
- (5) Any liquefied petroleum gas filling business entity may establish a place of business to supply liquefied petroleum gas filled in containers. In such cases, a liquefied petroleum gas filling business entity which intends to establish a place of business shall meet the requirements for facilities, etc., prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
- (6) Where a liquefied petroleum gas filling business entity intends to establish places of business pursuant to paragraph (5), he/she shall obtain permission for each place of business from the head of a Si/Gun/Gu, and facility standards and technical standards of a container storage facility built in a place of business shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
- (7) Where the head of a Si/Gun/Gu grants permission or receives a report of making any change pursuant to paragraphs (1) through (3) or paragraph (6), he/she shall notify the chief of a fire station having jurisdiction over the location of the place of business, store or business office within seven days from the date on which he/she grants permission or receives the report.
- (8) Where any liquefied petroleum gas dealer sells liquefied petroleum gas filled in containers to general consumers, the head of a Si/Gun/Gu having jurisdiction over the sales area shall supervise his/her sale, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy, and order him/her to take necessary measures following the results of his/her supervision.

Article 6 (Criteria for Permission)

- (1) Where an application for permission or an application for permission to make any change under Article 5 (1) through (3) or (6) is filed, the head of a Si/Gun/Gu shall grant permission except where the contents of such application fall under any of the following:
1. Where he/she deems that the commencement of business or any change in business interferes with the protection of the life of the people and the prevention of property damage and the occurrence of accidents;
 2. Where an applicant lacks funds and technical ability necessary to appropriately conduct business;
 3. Where an applicant builds a facility in an area where the building of the relevant facility is prohibited in consideration of access roads, urban planning, population density, etc.;
 4. Where safety is not deemed ensured as a result of technical review conducted by the Korea Gas Safety Corporation under Article 28 of the High-Pressure Gas Safety Control Act (hereinafter referred to as the "Korea Gas Safety Corporation");
 - 5.

Where an applicant fails to meet any of the following requirements, in cases of the business of collectively supplying liquefied petroleum gas:

- (a) He/she shall own a supply facility prescribed by Ordinance of the Ministry of Trade, Industry and Energy (hereinafter referred to as "supply facility");
- (b) He/she shall have the right to use and manage a supply facility for at least five years pursuant to a lease agreement, etc.;
- (c) Where he/she intends to supply liquefied petroleum gas to a multi-unit dwelling newly built for sale, he/she shall have the right to use and manage a supply facility pursuant to a lease agreement, etc. concluded with the project owner of such multi-unit dwelling during the period in which the project owner constructs and manages the multi-unit dwelling;

6. Where an applicant violates any restriction under other statutes.

(2) Detailed matters regarding the requirements under paragraph (1) 1 through 3 shall be prescribed by ordinance of the relevant local government.

Article 7 (Grounds for Disqualification)

None of the following persons shall obtain permission under Article 5 or registration under Article 9: <Amended by Act No. 13738, Jan. 6, 2016>

- 1. A person under adult guardianship;
- 2. A person declared bankrupt who has not been reinstated;
- 3. A person sentenced to imprisonment without labor or greater punishment for violating Article 172, 172-2, 173, 173-2, 174 (excluding an attempted crime under Article 164 (1), 165, or 166 (1)), or 175 (excluding any person who has prepared or conspired for the purpose of committing a crime under Article 164 (1), 165, or 166 (1)) of the Criminal Act, the High-Pressure Gas Safety Control Act, the Urban Gas Business Act, or this Act in whose case two years have not passed since the execution of his/her punishment was completed (including where his/her punishment is deemed completed) or was exempted;
- 4. A person who is under suspension of the execution of imprisonment without labor or greater punishment declared by a court for having committed a crime provided in subparagraph 3;
- 5. A person in whose case two years have not passed since permission or registration was revoked (excluding cases where permission or registration was revoked because he/she fell under grounds for disqualification under subparagraph 1 or 2) pursuant to Article 13;
- 6. A corporation whose representative falls under any of subparagraphs 1 through 5.

Article 8 (Permission to Build Storage Facilities)

- (1) Any person who intends to build liquefied petroleum gas storage facilities shall obtain permission from the head of a Si/Gun/Gu for each liquefied petroleum gas storage facility.
- (2) Where any person intends to change any important matter prescribed by Ordinance of the Ministry of Trade, Industry and Energy, among matters permitted pursuant to paragraph (1), he/she shall obtain permission from the head of a Si/Gun/Gu; Provided, That where he/she intends to change any insignificant matter prescribed by Ordinance

of the Ministry of Trade, Industry and Energy, among permitted matters, he/she shall report such matters to the head of a Si/Gun/Gu.

- (3) Criteria for permission and the scope of business subject to permission under paragraph (1) shall be prescribed by Presidential Decree, and facility standards and technical standards of liquefied petroleum gas storage facilities shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
- (4) When the head of a Si/Gun/Gu grants permission pursuant to paragraph (1) or grants permission to make any change or receives a report pursuant to paragraph (2), he/she shall notify the chief of a fire station having jurisdiction over the location of the liquefied petroleum gas storage facility of matters permitted or reported within seven days from the date on which he/she grants permission or permission to make any change or receives a report.

Article 9 (Registration of Business Entities Entrusted with Transporting Liquefied Petroleum Gas)

- (1) Any person who intends to conduct the entrusted business of transporting liquefied petroleum gas shall obtain registration from the head of a Si/Gun/Gu.
- (2) Where any person intends to change any important matter prescribed by Ordinance of the Ministry of Trade, Industry and Energy, among matters registered pursuant to paragraph (1), he/she shall obtain registration of such changes from the head of a Si/Gun/Gu: Provided, That he/she intends to change any insignificant matter prescribed by Ordinance of the Ministry of Trade, Industry and Energy, he/she shall report such matter to the head of the Si/Gun/Gu.
- (3) Criteria for registration and the scope of matters subject to registration under paragraph (1) shall be prescribed by Presidential Decree.
- (4) Except as otherwise provided in paragraphs (1) through (3), matters necessary to conduct the entrusted business of transporting liquefied petroleum gas shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

Article 10 (Registration of Manufacturing of Foreign Gas Appliances)

- (1) Any person who intends to manufacture gas appliances in a foreign country to export them to the Republic of Korea shall obtain registration from the Minister of Trade, Industry and Energy.
- (2) Where any person intends to change any important matter prescribed by Ordinance of the Ministry of Trade, Industry and Energy, among matters registered pursuant to paragraph (1), he/she shall obtain registration of such change from the Minister of Trade, Industry and Energy: Provided, That he/she intends to change any insignificant matter prescribed by Ordinance of the Ministry of Trade, Industry and Energy, he/she shall report such matter to the Minister of Trade, Industry and Energy.
- (3) Any person who has obtained registration pursuant to paragraph (1) (hereinafter referred to as "foreign gas appliance manufacturer") shall regularly renew registration for each period prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
- (4) Criteria for registration and the scope of matters subject to registration, such as technical ability of persons who intend to obtain registration under paragraph (1) or renew registration under paragraph (3) shall be prescribed by Presidential Decree.
- (5) Except as otherwise provided in paragraphs (1) through (4), facility standards and technical standards concerning the manufacturing of gas appliances, and other

matters necessary for registration shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

Article 11 (Reporting on Commencement, etc. of Business)

In any of the following cases, a liquefied petroleum gas business entity, etc. shall file a report with the head of a Si/Gun/Gu under Article 5 or 8 (hereinafter referred to as "authority that grants permission") or the head of a Si/Gun/Gu under Article 9 (hereinafter referred to as "authority that allows registration"), as prescribed by Ordinance of the Ministry of Trade, Industry and Energy:

1. Where they intend to commence business or the use of their liquefied petroleum gas storage facilities or close their business;
2. Where they intend to suspend business or the use of their liquefied petroleum gas storage facilities for a specific period or resume their business or the use of their liquefied petroleum gas storage facilities after the suspension thereof.

Article 12 (Succession to Status of Business Entity, etc.)

- (1) Where a liquefied petroleum gas business entity, etc. dies or transfers its business or liquefied petroleum gas storage facilities, and a liquefied petroleum gas business entity, etc. which is a corporation is merged, its heir or a person who takes over its business or liquefied petroleum gas storage facilities, or a corporation surviving after the merger or a corporation incorporated through the merger shall succeed to the status of the liquefied petroleum gas business entity, etc.
- (2) Any person who takes over all business facilities or liquefied petroleum gas storage facilities according to any of the following procedures shall succeed to the status of the former liquefied petroleum gas business entity, etc. In such cases, permission granted to or registration obtained by the former liquefied petroleum gas business entity, etc. shall become null and void: <Amended by Act No. 14476, Dec. 27, 2016>

1. Auction under the Civil Execution Act;
2. Liquidation under the Debtor Rehabilitation and Bankruptcy Act;
3. Sale of seized property under the National Tax Collection Act, the Customs Act, or the Local Tax Collection Act;
4. Other procedures corresponding to the provisions of subparagraphs 1 through 3.
- (3) Any person who succeeds to the status of a liquefied petroleum gas business entity, etc. pursuant to paragraph (1) or (2) shall report such fact to the authority that grants permission or the authority that allows registration, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

- (4) Article 7 shall apply mutatis mutandis to grounds for disqualification of a person who succeeds to the status under paragraph (1) or (2) (excluding a person who has succeeded to the status of a person who stores liquefied petroleum gas).

Article 13 (Revocation, etc. of Permission or Registration)

- (1) Where a liquefied petroleum gas business entity, etc. falls under any of the following, the authority that grants permission or the authority that allows registration may revoke permission granted to them or registration obtained by them, or require them to suspend business or the use of their liquefied petroleum gas storage facilities or impose restrictions on their business or the use of their liquefied petroleum gas storage facilities for a fixed period not exceeding six months: Provided, That where it

falls under subparagraph 1, 2, or 7, the authority that grants permission or the authority that allows registration shall revoke such permission or registration:

1. Where it obtains permission under Article 5 or 8 or obtains registration under Article 9 by fraud or other improper means;
 2. Where it fails to commence business or the use of their liquefied petroleum gas storage facilities within one year from the date on which it obtained permission or obtain registration without good cause or fails to conduct business activities or to use its liquefied petroleum gas storage facilities for at least one year;
 3. Where it causes significant harm to the public or users by intention or negligence;
 4. Where it fails to meet any criteria for permission under Article 5, 6, or 8 or any criteria for registration under Article 9;
 5. Where it sells liquefied petroleum gas outside its sales areas under Article 5 (2) or violates an order under paragraph (8) of the same Article;
 6. Where it fails to obtain permission to make any change, in violation of the main sentence of Article 5 (3) or the main sentence of Article 8 (2) or to obtain registration of any changes, in violation of the main sentence of Article 9 (2);
 7. Where it falls under any of the grounds for disqualification under Article 7;
 8. Where it refuses to supply gas, or requests or recommends another business entity to refuse to supply gas without good cause;
 9. Where it violates any of the provisions of Article 23 (1) through (3);
 10. Where it violates any supply regulation under Article 25 (1);
 11. Where it sells or delivers liquefied petroleum gas, or stores, transports, or keeps liquefied petroleum gas for sale or delivery, in violation of Article 26 (3);
 12. Where it refuses, interferes with, or evades quality inspections under Article 27 (2);
 13. Where it violates Article 30 (1) or (2);
 14. Where it violates Article 32 (1) or (2);
 15. Where it violates an order under Article 33 (1);
 16. Where it fails to comply with any request of a consumer, in violation of Article 33 (3);
 17. Where it violates Article 34 (1) or (2);
 18. Where it violates Article 36 (1) or (2);
 19. Where it fails to undergo a regular inspection or occasional inspection, in violation of Article 37 (1);
 20. Where it fails to undergo any inspection, in violation of Article 39 (1);
 21. Where they fail to comply with an order to recall or order to disclose, in violation of Article 40 (2);
 22. Where it refuses an order to make adjustments under Article 53;
 23. Where it sells liquefied petroleum gas at a price higher than the maximum selling price under Article 23 of the Petroleum and Alternative Fuel Business Act applied mutatis mutandis pursuant to Article 64 (2);
 24. Where it transfers, leases, or uses (including filling gas) containers, etc. not inspected or reinspected, or displays such containers, etc. for sale, in violation of Article 17 (5) of the High-Pressure Gas Safety Control Act.
- (2) Where a liquefied petroleum gas business entity, etc. falls under any of the following, the authority that grants permission or the authority that allows registration shall not

apply paragraph (1) for six months from the date on which the corporation falls under subparagraph 6 of Article 7 or the succession of the successor who has succeeded to the status begins:

1. Where the successor who has succeeded to the status of a liquefied petroleum gas business entity, etc. falls under any of subparagraphs 1 through 5 of Article 7;
 2. Where the corporation falls under subparagraph 6 of Article 7.
- (3) Criteria for dispositions on each offense under paragraph (1) shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy, in consideration of the cause and degree of an offense.

Article 14 (Penalty Surcharges)

- (1) Where a liquefied petroleum gas business entity, etc. falls under any of Article 13 (1) 3 through 6 or 8 through 24, but the suspension of or restriction on their business is likely to cause serious inconvenience to consumers or serious harm to the public interest, the authority that grants permission or the authority that allows registration may impose a penalty surcharge not exceeding 40 million won on them in lieu of an order to suspend business or impose restrictions on the business.
- (2) The amounts of penalty surcharges based on the types and degree of offences subject to penalty surcharges under paragraph (1) or other necessary matters shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
- (3) Where a person liable to pay a penalty surcharge under paragraph (1) fails to pay it by the payment deadline, the authority that grants permission or the authority that allows registration shall collect it pursuant to the Act on the Collection, etc. of Local Non-Tax Revenue.

Article 15 (Revocation of Registration of Foreign Gas Appliance Manufacturers, etc.)

Where a foreign gas appliance manufacturer or a person who renews his/her registration pursuant to Article 10 (3) falls under any of the following, the Minister of Trade, Industry and Energy may revoke his/her registration or impose restrictions on the importation of foreign gas appliances into the Republic of Korea for a fixed period not exceeding six months: Provided, That where he/she falls under subparagraph 1, the Minister of Trade, Industry and Energy shall revoke his/her registration:

1. Where he/she obtains registration under Article 10 (1) by fraud or other improper means;
2. Where he/she fails to meet criteria for registration under Article 10 (4);
3. Where he/she sells or uses foreign gas appliances without having undergone an inspection, in violation of the main sentence of Article 39 (1);
4. Where he/she violates an order to recall, exchange, or refund and an order to disclose such fact under Article 40 (2);
5. Where he/she fails to mark matters that should be marked on gas appliances manufactured, in violation of Article 40 (4).

Article 16 (Succession to Effect of Disposition)

Where a person succeeds to the status of a liquefied petroleum gas business entity, etc. pursuant to Article 12, he/she shall succeed to the effect of the suspension of business or the imposition of restrictions under Article 13 (including a penalty surcharge imposed in lieu of an order to suspend business or impose restrictions pursuant to Article 14) on the

former liquefied petroleum gas business entity, etc., and where the procedures for the disposition are being performed, such procedures may be taken in relation to the person who succeeds to the status: Provided, That the foregoing shall not apply where the person who succeeds to the status (excluding a person who succeeds to the status by inheritance) proves that he/she is unaware of such disposition or offense when he/she succeeds to the status.

CHAPTER III LIQUEFIED PETROLEUM GAS EXPORT OR IMPORT BUSINESS

Article 17 (Registration of Liquefied Petroleum Gas Export or Import Business)

- (1) Any person who intends to conduct liquefied petroleum gas export or import business shall obtain registration from the Minister of Trade, Industry and Energy, as prescribed by the Ministry of Trade, Industry and Energy: Provided, That the foregoing shall not apply where he/she falls under any of the subparagraphs of Article 9 (1) of the Petroleum and Alternative Fuel Business Act.
- (2) Where any person who has obtained registration under paragraph (1) intends to change any matter prescribed by Presidential Decree, such as the size of a liquefied petroleum gas storage facility, among matters registered, he/she shall have obtained registration of any changes from the Minister of Trade, Industry and Energy, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
- (3) Requirements for registration of liquefied petroleum gas export or import business under paragraph (1), such as facility standards, shall be prescribed by Presidential Decree.
- (4) Articles 7, 12, and 16 shall apply mutatis mutandis to grounds for disqualification, succession to the status, and succession to the effect of disposition of liquefied petroleum gas exporters or importers. In such cases, "liquefied petroleum gas business entity, etc." shall be construed as "liquefied petroleum gas exporter or importer", "Article 13" and "permission or registration" in subparagraph 5 of Article 7 shall be construed as "Article 21" and "registration", respectively.

Article 18 (Conditional Registration)

- (1) Any person who intends to file an application for registration under Article 17 may file an application for conditional registration with the Minister of Trade, Industry and Energy on condition that he/she has facilities specified in requirements for registration within a period prescribed by Presidential Decree.
- (2) The Minister of Trade, Industry and Energy in receipt of an application for conditional registration under paragraph (1) shall examine such application and notify an applicant whether he/she accepts conditional registration within a period prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
- (3) Where any person who has been conditionally registered under paragraph (2) files an application for registration under Article 17, the Minister of Trade, Industry and Energy shall accept registration after he/she verifies whether the application for registration meets requirements for registration.
- (4) Where any person who has obtained conditional registration under paragraph (2) fails to have facilities specified in requirements for registration within a period under paragraph (1) without good cause, the Minister of Trade, Industry and Energy shall revoke such conditional registration.
- (5) Criteria for conditional registration and other necessary matters shall be prescribed by

Ordinance of the Ministry of Trade, Industry and Energy.

Article 19 (Reporting of Commencement, Suspension, and Closure of Business)

- (1) Any liquefied petroleum gas exporter or importer shall commence business within a period prescribed by Presidential Decree from the date on which he/she obtains registration under Article 17.
- (2) Where any liquefied petroleum gas exporter or importer commences, suspends, or closes business, he/she shall report the commencement, suspension, or closure of his/her business to the Minister of Trade, Industry and Energy, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

Article 20 (Obligation to Store Liquefied Petroleum Gas)

- (1) For the stabilization of supply and demand and the price of liquefied petroleum gas, liquefied petroleum gas exporters or importers shall store liquefied petroleum gas, as prescribed by Presidential Decree.
- (2) A liquefied petroleum gas exporter or importer may have a person who meets requirements prescribed by Presidential Decree, such as facility standards, perform his/her obligation to store liquefied petroleum gas under paragraph (1) on his/her behalf.

Article 21 (Revocation of Registration, etc.)

- (1) Where a liquefied petroleum gas exporter or importer falls under any of the following, the Minister of Trade, Industry and Energy shall revoke the registration of such liquefied petroleum gas exporter or importer:
 1. Where he/she obtains registration under Article 17 (1) by fraud or other improper means;
 2. Where he/she closes liquefied petroleum gas export or import business;
 3. Where he/she fails to commence business within the period prescribed under Article 19 (1) or fails to perform liquefied petroleum gas export or import business for at least one year after the commencement of his/her business without good cause;
 4. Where he/she falls under any of the grounds for disqualification under the subparagraphs of Article 7 (excluding a corporation that replaces its representative by a representative who has no grounds for disqualification within six months).
- (2) Where a liquefied petroleum gas exporter or importer falls under any of the following, the Minister of Trade, Industry and Energy may revoke the registration of such liquefied petroleum gas exporter or importer, or order him/her to fully or partially suspend business for a fixed period not exceeding six months:
 1. Where he/she fails to meet any requirement for registration under Article 17 (3);
 2. Where he/she violates the obligation to store liquefied petroleum gas under Article 20;
 3. Where he/she sells or delivers liquefied petroleum gas falling short of quality standards, or stores, transports, or keeps such liquefied petroleum gas for sale or delivery, in violation of Article 26 (3);
 4. Where he/she sells or delivers liquefied petroleum gas which has not undergone quality inspections under Article 27 (1), or refuses, interferes with, or evades a quality inspection under paragraph (2) of the aforesaid Article;
 5. Where he/she refuses, interferes with, or evades an inspection under Article 55 (1);
 6. Where he/she violates an order under Article 21 (1) of the Petroleum and Alternative

- Fuel Business Act applied mutatis mutandis pursuant to Article 64 (2) or measures under Article 22 (1) of the aforesaid Act;
7. Where he/she commits any act prohibited under Article 39 of the Petroleum and Alternative Fuel Business Act.
- (3) Criteria for disposition on each offense under paragraph (2) shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
- (4) Where any person ordered to suspend business pursuant to paragraph (2) continues to conduct his/her business during the period of suspension, the Minister of Trade, Industry and Energy shall revoke the registration of liquefied petroleum gas export or import business or order him/her to close his/her place of business.

Article 22 (Penalty Surcharges)

- (1) Where a liquefied petroleum gas exporter or importer falls under any of Article 21 (2) 3 through 7, but the suspension of business is likely to cause serious inconvenience to consumers or harm to the public interest, the Minister of Trade, Industry and Energy may impose a penalty surcharge not exceeding two billion won on him/her, in lieu of such suspension.
- (2) Where a liquefied petroleum gas exporter or importer fails to meet requirements for registration under Article 17 (3), but the suspension of business is likely to cause serious inconvenience to consumers or harm to the public interest, the Minister of Trade, Industry and Energy may impose a penalty surcharge of not more than the amount equivalent to the exports or imports of liquefied petroleum gas during the period in which he/she fails to meet any requirement for registration on him/her, in lieu of suspension of business under Article 21 (2).
- (3) Where a liquefied petroleum gas exporter or importer violates his/her obligation to store liquefied petroleum gas under Article 20, but the suspension of business is likely to cause serious inconvenience to consumers or harm to the public interest, the Minister of Trade, Industry and Energy may impose a penalty surcharge of not more than the amount equivalent to the quantity less than the quantity of liquefied petroleum gas he/she is obligated to store during the period in which he/she fails to perform his/her obligation to store liquefied petroleum gas in lieu of the suspension of business under Article 21 (2).
- (4) Types of offenses on which penalty surcharges are imposed pursuant to paragraph (1), amounts of penalty surcharges based on the degree of offenses, methods of calculation of penalty surcharges under paragraphs (2) and (3), and other necessary matters shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
- (5) Where any person liable to pay a penalty surcharge under paragraphs (1) through (3) fails to pay the penalty surcharge by the payment deadline, the Minister of Trade, Industry and Energy shall collect the penalty surcharge in the same manner as delinquent national taxes are collected, or revoke the disposition of imposition of the penalty surcharge under paragraphs (1) through (3) and impose the disposition of the suspension of liquefied petroleum gas export or import business pursuant to Article 21 (2).
- (6) Amounts imposed and collected pursuant to paragraphs (1) through (3) shall be vested in special accounts for energy and resources-related projects under the Act on the

Special Accounts for Energy and Resources-Related Projects.

CHAPTER IV SUPPLY AND QUALITY MANAGEMENT

Article 23 (Indication of Quantity of Liquefied Petroleum Gas Filled, etc.)

- (1) Where a liquefied petroleum gas filling business entity fills a container with liquefied petroleum gas, he/she shall indicate the quantity of liquefied petroleum gas filled and his/her trade name on the container. In such cases, necessary matters concerning the types of containers on which such indication should be made, methods of making the indication, the details of the indication, etc. shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
- (2) Where a liquefied petroleum gas filling business entity measures the quantity of liquefied petroleum gas filled to make an indication under paragraph (1), he/she shall not exceed any tolerance prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
- (3) No liquefied petroleum gas dealer shall deface any indication under paragraph (1) or reduce the quantity of liquefied petroleum gas filled in a container.

Article 24 (Methods of Sale, etc.)

Where a liquefied petroleum gas filling business entity or liquefied petroleum gas dealer sells liquefied petroleum gas to general consumers, or a business entity entrusted with transporting liquefied petroleum gas transports and supplies liquefied petroleum gas to general consumers, he/she shall comply with methods of supply prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

Article 25 (Supply Regulations)

- (1) Each collective supplier of liquefied petroleum gas shall establish supply regulations concerning the rates of liquefied petroleum gas and other terms of supply, and report such supply regulations to the authority that grants permission. The foregoing shall also apply where he/she intends to change any important matter prescribed by Ordinance of the Ministry of Trade, Industry and Energy among matters reported.
- (2) Necessary matters concerning the matters to be included in supply regulations under paragraph (1) shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

Article 26 (Maintenance of Quality of Liquefied Petroleum Gas)

- (1) The Minister of Trade, Industry and Energy may establish quality standards of liquefied petroleum gas to ensure appropriate quality of liquefied petroleum gas. In such cases, where he/she establishes quality standards that has an effect on the atmospheric environment, he/she shall consult with the Minister of Environment in advance.
- (2) Where the Minister of Trade, Industry and Energy formulates quality standards of liquefied petroleum gas pursuant to paragraph (1), he/she shall publicly announce such quality standards.
- (3) Each liquefied petroleum gas exporter or importer, liquefied petroleum gas filling business entity, collective supplier of liquefied petroleum gas, liquefied petroleum gas dealer, and petroleum refining business entity and dealer of petroleum by-products under the Petroleum and Alternative Fuel Business Act shall maintain the quality of liquefied petroleum gas in compliance with quality standards under paragraph (1), and shall not sell or deliver it, or store, transport, or keep it for sale or delivery with the knowledge that it fails to meet any quality standard.

Article 27 (Quality Inspections of Liquefied Petroleum Gas)

- (1) Where any liquefied petroleum gas exporter or importer, petroleum refining business entity and dealer of petroleum by-products under the Petroleum and Alternative Fuel Business Act intends to sell or deliver liquefied petroleum gas, he/she shall undergo quality inspections to determine whether liquefied petroleum gas meets quality standards under Article 26 (1) by a quality inspection institution designated pursuant to Article 25 (1) of the aforesaid Act: Provided, That a person who has inspection personnel and inspection equipment and has obtained approval from the Minister of Trade, Industry and Energy may conduct a self-inspection in lieu of a quality inspection by a quality inspection institution.
- (2) Where necessary to maintain quality of liquefied petroleum gas, the Minister of Trade, Industry and Energy or the head of a Si/Gun/Gu may conduct quality inspections of liquefied petroleum gas which a liquefied petroleum gas exporter or importer, liquefied petroleum gas filling business entity, collective supplier of liquefied petroleum gas, liquefied petroleum gas dealer, and a petroleum refining business entity and dealer of petroleum by-products under the Petroleum and Alternative Fuel Business Act sell or deliver, or store, transport or keep for sale or delivery.
- (3) Where a quality inspection under paragraph (2) finds that the quality of the relevant liquefied petroleum fails to meet any quality standard prescribed under Article 26 (1), the Minister of Trade, Industry and Energy may publish such fact, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
- (4) The Minister of Trade, Industry and Energy may subsidize all or some of expenses incurred in conducting quality inspections to the head of a Si/Gun/Gu who conducts quality inspections pursuant to paragraph (2) or a person who conducts quality inspections entrusted pursuant to Article 61 (3) 1. In such cases, methods of subsidizing expenses incurred in conducting quality inspections, etc. shall be prescribed and publicly announced by the Minister of Trade, Industry and Energy.
- (5) Necessary matters concerning quality inspections under the main sentence of paragraph (1) and paragraph (2), the methods and procedures for conducting self-inspections under the proviso to paragraph (1), the procedures for publication under paragraph (3), etc. shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

Article 28 (Restrictions on Use of Liquefied Petroleum Gas as Fuel)

Where the Minister of Trade, Industry and Energy deems it necessary for appropriate supply and demand of liquefied petroleum gas, safety control in its use, and the public interest, he/she may restrict the use of liquefied petroleum gas as a fuel for motor vehicles or users thereof, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy: Provided, That the foregoing shall not apply where a motor vehicle falls under any of the following: <Amended by Act No. 13738, Jan. 6, 2016; Act No. 14995, Oct. 31, 2017>

1. Where five years have passed after the registration of a motor vehicle (referring to registration under Article 5 of the Motor Vehicle Management Act) as a passenger vehicle (referring to a passenger vehicle under Article 3 (1) 1 of the Motor Vehicle Management Act) that uses liquefied petroleum gas;

2. In cases of multi-purpose passenger vehicles and other types of passenger vehicles in accordance with detailed standards by types among types of motor vehicles under Article 3 (2) and (3) of the Motor Vehicle Management Act.

Article 29 (Restrictions on Filling Liquefied Petroleum Gas in Motor Vehicles)

- (1) Any person who intends to use liquefied petroleum gas as a fuel for a motor vehicle shall have his/her motor vehicle fuel tank filled with liquefied petroleum gas at a liquefied petroleum gas filling station, but shall not directly fill it himself/herself: Provided, That the foregoing shall not apply to cases prescribed by Ordinance of the Ministry of Trade, Industry and Energy, such as where he/she runs out of fuel during the operation of a motor vehicle or it is necessary to fill the fuel tank to repair a motor vehicle.
- (2) Necessary matters concerning methods of filling liquefied petroleum gas, etc. under the proviso to paragraph (1) shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

CHAPTER V SAFETY CONTROL

Article 30 (Obligations of Suppliers)

- (1) When a liquefied petroleum gas filling business entity, collective supplier of liquefied petroleum gas, or liquefied petroleum gas dealer (hereinafter referred to as "gas supplier") supplies liquefied petroleum gas to consumers (excluding a liquefied petroleum gas business entity, etc.; hereafter the same shall apply in this Article), he/she shall conduct safety inspections of facilities of such consumers and provide instructions necessary to prevent harm to consumers, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
- (2) Where the safety inspection under paragraph (1) finds that a consumer's facility fails to meet any facility standard and technical standard under Article 44 (1), a gas supplier shall advise such consumer to improve the relevant facility.
- (3) Where the consumer of liquefied petroleum gas fails to improve his/her facility even after he/she was advised to improve pursuant to paragraph (2), the gas supplier shall take measures to prevent harm, such as the disconnection of gas supply, and report such fact, without delay, to the head of a Si/Gun/Gu having jurisdiction over the area in which the consumer is located.
- (4) Qualification of and the number of inspectors, inspection equipment, and inspection standards necessary for safety inspections under paragraph (1) shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

Article 31 (Safety Control Regulations)

- (1) A liquefied petroleum gas business entity, etc. (excluding a business entity entrusted with transporting liquefied petroleum gas; hereafter the same shall apply in this Article) shall establish safety control regulations including matters prescribed by Ordinance of the Ministry of Trade, Industry and Energy concerning safety maintenance of their facilities, containers, gas appliances, etc., and submit such safety control regulations to the authority that grants permission when they commence business. In such cases, they shall submit a written opinion of the Korea Gas Safety Corporation along with the safety control regulations.
- (2) A liquefied petroleum gas business entity, etc. prescribed by Presidential Decree shall give priority to safety in all management activities, such as management principles,

organizational management, data and information management, facilities management, and safety education for employees, and include necessary matters in safety control regulations under paragraph (1), to ensure comprehensive safety.

- (3) A gas appliance manufacturer shall include the gas appliance manufacturing process, self-inspection method, etc. in safety control regulations under paragraph (1).
- (4) Where the authority that grants permission deems it necessary to ensure safety, it may order a liquefied petroleum gas business entity, etc. to amend safety control regulations under paragraph (1).
- (5) Any person who has submitted safety control regulations under paragraph (1) and his/her employees shall observe the safety control regulations, and prepare and keep records of implementing such safety control regulations.
- (6) The authority that grants permission shall check whether a liquefied petroleum gas business entity, etc. and their employees observe safety control regulations under paragraph (1) and evaluate the state of their compliance, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
- (7) Necessary matters concerning guidelines for preparation of safety control regulations and presentation of opinions by the Korea Gas Safety Corporation under paragraph (1) shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

Article 32 (Maintenance of Safety of Facilities and Containers)

- (1) A liquefied petroleum gas business entity, etc. (excluding a business entity entrusted with transporting liquefied petroleum gas) shall maintain liquefied petroleum gas filling facilities, collective supply facilities, sales facilities, facilities of places of business, storage facilities, or gas appliance manufacturing facilities in compliance with facility standards and technical standards under Article 5 (4) and (6) or 8 (3).
- (2) Where a liquefied petroleum gas filling business entity intends to fill containers with liquefied petroleum gas, he/she shall inspect the safety of containers in advance, and fill liquefied petroleum gas in containers meeting safety standards, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
- (3) Where necessary to efficiently manage containers, a liquefied petroleum gas filling business entity or liquefied petroleum gas dealer may entrust the inspection of containers to an inspection agency under Article 35 of the High-Pressure Gas Safety Control Act.

Article 33 (Improvement of Facilities and Safety Maintenance thereof)

- (1) Where the head of a Si/Gun/Gu who receives a report pursuant to Article 30 (3) deems that a facility fails to meet facility standards and technical standards under Article 44 (1), he/she may order the relevant gas supplier to discontinue or restrict the supply of liquefied petroleum gas, and shall order a consumer to take necessary measures, such as repairing or improving the facility that uses liquefied petroleum gas in compliance with the standards, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
- (2) No person shall arbitrarily remove or alter any facility owned by a gas supplier without prior consultation therewith.
- (3) Where a consumer makes the following requests, a gas supplier shall comply with such requests within two days unless there is good cause not to do so:

- 1.

- Where the consumer requests the gas supplier to improve a facility in order to comply with an order issued by the head of a Si/Gun/Gu under paragraph (1);
2. Where the consumer requests the gas supplier to remove a facility because they fail to reach an agreement under paragraph (2).

Article 34 (Safety Supervisors)

- (1) A liquefied petroleum gas business entity, etc. and specific user of liquefied petroleum gas under Article 44 (2) shall appoint a safety supervisor before they commence business or use liquefied petroleum gas, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy, to assign duties to ensure the safety of facilities, containers, gas appliances, etc. and to prevent any harm: Provided, That for facilities prescribed by Ordinance of the Ministry of Trade, Industry and Energy where multiple users use liquefied petroleum gas using storage equipment, among facilities which specific users of liquefied petroleum gas use, a business entity which supplies liquefied petroleum gas to such facilities shall appoint a safety supervisor.
- (2) Where a liquefied petroleum gas business entity, etc. or specific user of liquefied petroleum gas appoints or dismisses a safety supervisor under paragraph (1), or a safety supervisor retires, they shall immediately report such fact to the authority that grants permission, the authority that allows registration, or the head of a Si/Gun/Gu, and appoint a new safety supervisor within 30 days from the date of dismissal or retirement: Provided, That where it is impracticable to appoint a replacement safety supervisor within 30 days, the period may be extended with approval of the authority that grants permission, the authority that allows registration, or the head of a Si/Gun/Gu.
- (3) Where a safety supervisor falls under any of the following, a person who has appointed the safety supervisor pursuant to paragraph (1) shall designate a deputy to the safety supervisor and require the deputy to the safety supervisor to temporarily assume the duties of the safety supervisor on his/her behalf, as prescribed by Presidential Decree: <Amended by Act No. 13738, Jan. 6, 2016>
 1. Where the safety supervisor is unable to perform his/her duties temporarily due to travel, illness, or other reasons:
 2. Where another safety supervisor is not appointed at the time the safety supervisor is dismissed or retires.
- (4) A safety supervisor shall perform his/her duties conscientiously, and a liquefied petroleum gas business entity, etc. and specific user of liquefied petroleum gas under Article 44 (2) and their employees shall give due regard to the safety supervisor's opinion on safety and comply with his/her advice.
- (5) Where a safety supervisor prescribed by Presidential Decree fails to perform his/her duties conscientiously, the authority that grants permission, the authority that allows registration, or the head of a Si/Gun/Gu may request the liquefied petroleum gas business entity, etc. or the specific user of liquefied petroleum gas under Article 44 (2) who has appointed such safety supervisor to dismiss him/her.
- (6) Where the authority that grants permission, the authority that allows registration, or the head of a Si/Gun/Gu requests for dismissal of a safety supervisor pursuant to

paragraph (5), it or he/she shall notify the Minister of Trade, Industry and Energy of the fact that the relevant safety supervisor fails to conscientiously perform his/her duties.

(7)The types, qualification, number, and scope of duties of safety supervisors, a period for which a deputy acts for a safety supervisor, and other necessary matters shall be prescribed by Presidential Decree.

Article 35 (Construction of Facilities and Preservation and Submission of Construction Records, etc.)

(1)Any person who intends to construct liquefied petroleum gas filling facilities, collective supply facilities, sales facilities, facilities of the place of business, storage facilities, or facilities for the use of liquefied petroleum gas (hereinafter referred to as "liquefied petroleum gas facilities") shall be a person who has registered his/her gas facility construction business pursuant to Article 9 of the Framework Act on the Construction Industry (hereinafter referred to as "gas facility construction contractor").

(2)When a gas facility construction contractor constructs liquefied petroleum gas facilities, he/she shall construct such facilities in compliance with facility standards and technical standards under Articles 5 (4) and (6), 8 (3) and 44 (1).

(3)When a gas facility construction contractor completes the construction or alteration of liquefied petroleum gas facilities, he/she shall prepare and preserve the construction records, as-built drawings (where they have been input in the computer auxiliary memory, such input data are acceptable; hereinafter the same shall apply), and other necessary documents (hereinafter referred to as "construction records, etc."), as prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

(4)A gas facility construction contractor shall provide a copy of construction records, etc. to a person who has ordered the construction or alteration of liquefied petroleum gas facilities, and submit a copy of as-built drawings to the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

(5)Upon receipt of a copy of construction records, etc. under paragraph (4), a gas supplier and a person who stores liquefied petroleum gas shall preserve a copy of as-built drawings among construction records, etc., as prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

Article 36 (Safety Verification and Final Inspections)

(1)Where a liquefied petroleum gas filling business entity, collective supplier of liquefied petroleum gas, liquefied petroleum gas dealer, or person who stores liquefied petroleum gas performs works prescribed by Ordinance of the Ministry of Trade, Industry and Energy, such as works to lay facilities underground, during construction or alteration of liquefied petroleum gas filling facilities, collective supply facilities, sales facilities and storage facilities, he/she shall receive confirmation of safety for each construction process of such works from the authority that grants permission, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy: Provided, That where a person, other than a collective supplier of liquefied petroleum gas, constructs liquefied petroleum gas collective supply facilities, a construction contractor who has performed such works shall undergo safety verification.

(2)Where a liquefied petroleum gas business entity, etc. (excluding a business entity entrusted with transporting liquefied petroleum gas) complete construction or alteration of liquefied petroleum gas filling facilities, collective supply facilities, sales

facilities, facilities of the place of business or storage facilities, or gas appliance manufacturing facilities, they shall undergo final inspections by the authority that grants permission before they use such facilities: Provided, That where a person, other than a collective supplier of liquefied petroleum gas, completes construction of liquefied petroleum gas collective supply facilities, a construction contractor of such works shall undergo the final inspection.

(3) Standards for safety verification and final inspections under paragraphs (1) and (2), and other matters necessary for inspections shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

Article 37 (Regular Inspections and Occasional Inspections)

(1) A liquefied petroleum gas business entity, etc. (excluding a business entity entrusted with transporting liquefied petroleum gas and a gas appliance manufacturer) shall undergo regular inspections or occasional inspections by the authority that grants permission, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy: Provided, That a person prescribed by Presidential Decree may be exempted from all or some regular inspections.

(2) Business entities subject to, and standards for, regular inspections or occasional inspections under paragraph (1), and other matters necessary for inspections shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

Article 38 (Precise Safety Diagnosis and Safety Evaluation)

(1) Each liquefied petroleum gas filling business entity and person who stores liquefied petroleum gas shall undergo precise safety diagnosis and safety evaluation conducted by the Korea Gas Safety Corporation on the place of business or storage facility prescribed by Ordinance of the Ministry of Trade, Industry and Energy on a regular basis.

(2) Necessary matters concerning the timing and standards for precise safety diagnosis and safety evaluation under paragraph (1) shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

Article 39 (Importation and Inspection of Gas Appliances)

(1) Any person who has manufactured or imported gas appliances (including a foreign gas appliance manufacturer) shall undergo inspections by the Minister of Trade, Industry and Energy (limited to a foreign gas appliance manufacturer) or the head of a Si/Gun/Gu before he/she sells or uses such gas appliances: Provided, That gas appliances prescribed by Presidential Decree may be exempted from all or some inspections.

(2) The Minister of Trade, Industry and Energy or the head of a Si/Gun/Gu shall apply the stamp or marking of necessary matters on gas appliances that have passed the inspection under paragraph (1), as prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

(3) No gas appliances subject to inspections but not inspected pursuant to paragraph (1) shall be transferred, leased, or used or displayed for sale.

(4) Standards, period, and other matters necessary for inspections under paragraph (1) shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

Article 40 (Ensuring Safety of Gas Appliances, etc.)

(1) Where the Minister of Trade, Industry and Energy deems it necessary to ensure the

safety of gas appliances, he/she may designate the types of gas appliances and require gas appliance manufacturers to obtain certification under Article 15 of the Industrial Standardization Act before the manufacturers sell such gas appliances.

- (2) Where the Minister of Trade, Industry and Energy or the head of a Si/Gun/Gu deems it necessary for the safety control of gas appliances, he/she may collect gas appliances on the market for inspection, and where any inspection finds that gas appliances have any critical defect, he/she may order the manufacturer or importer of such gas appliances (including a foreign gas appliance manufacturer) to recall, exchange, or refund them, and to officially announce such fact.
- (3) Methods of collecting gas appliances, procedures for recall, exchange or refund, and methods of making official announcements under paragraph (2) shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
- (4) Each manufacturer or importer of gas appliances (including a foreign gas appliance manufacturer) shall mark the manufacturer, purpose, method of use, guarantee period, etc. of gas appliances on such gas appliances, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
- (5) No person shall remodel any gas appliance (referring to where the structure or performance of appliances is altered and excluding insignificant alterations prescribed by Ordinance of the Ministry of Trade, Industry and Energy), and each gas appliance user shall use gas appliances according to the indications under paragraph (4).

Article 41 (Safety Education)

- (1) Any person who conducts affairs related to the safety control of liquefied petroleum gas business entities, etc., construction contractors and specific users of liquefied petroleum gas shall receive safety education conducted by the Special Metropolitan City Mayor, a Metropolitan City Mayor, the Special Self-Governing City Mayor, a Do Governor, or the Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor").
- (2) A liquefied petroleum gas business entity, etc., construction contractor, and specific user of liquefied petroleum gas shall have persons subject to education under paragraph (1) (hereafter referred to as "persons subject to safety education" in this Article), among their employees, receive safety education.
- (3) The scope of persons subject to safety education, the period of education, curricula, and other matters necessary for safety education shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

Article 42 (Identification of Persons Subject to Safety Education and Provision of Related Information)

- (1) In order to inform persons who use liquefied petroleum gas as a fuel for motor vehicles, among those subject to safety education under Article 41 (1), of the contents of the safety education, the Mayor/Do Governor shall collect the name, domicile, and contact numbers of owners or drivers of motor vehicles who use liquefied petroleum gas as a fuel (where the owner is a corporation, the name of the corporation and its representative) in the course of conducting registration affairs under Article 5 of the Motor Vehicle Management Act.
- (2) The Mayor/Do Governor shall provide data acquired pursuant to paragraph (1) to the

Korea Gas Safety Corporation entrusted with conducting safety education pursuant to Article 61 (2) 8.

(3) No current or former executive or employee of the Korea Gas Safety Corporation shall divulge data under paragraph (2).

(4) Methods of collecting data under paragraph (1) and other necessary matters shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

Article 43 (Giving Notification to Persons Subject to Safety Education)

(1) The Mayor/Do Governor shall give notification of matters concerning safety education to persons subject to safety education whom he/she has identified pursuant to Article 42 (1), among those subject to safety education under Article 41 (1).

(2) Procedures for notification under paragraph (1) and other necessary matters shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

Article 44 (Construction, Inspections, etc. of Facilities Using Liquefied Petroleum Gas)

(1) Any person who intends to use liquefied petroleum gas shall be equipped with facilities using liquefied petroleum gas and gas appliances in compliance with facility standards and technical standards prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

(2) Where a gas facility construction contractor completes construction of facilities using liquefied petroleum gas of a person prescribed by Ordinance of the Ministry of Trade, Industry and Energy who intends to use liquefied petroleum gas (hereinafter referred to as "specific user of liquefied petroleum gas"), or alteration prescribed by Ordinance of the Ministry of Trade, Industry and Energy, he/she shall undergo the final inspection by the head of a Si/Gun/Gu before the specific user of liquefied petroleum gas uses such facilities.

(3) A specific user of liquefied petroleum gas may use facilities using liquefied petroleum gas only where the relevant facilities using liquefied petroleum gas have passed the final inspection under paragraph (2).

(4) A specific user of liquefied petroleum gas shall undergo regular inspections of facilities using liquefied petroleum gas by the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy: Provided, That among specific users of liquefied petroleum gas, those who are prescribed by Ordinance of the Ministry of Trade, Industry and Energy may be exempted from regular inspections of facilities using liquefied petroleum gas.

(5) The head of a Si/Gun/Gu who conducts the final inspection pursuant to paragraph (2) shall notify the chief of the competent fire station of matters prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

(6) Standards for and the period of the final inspection and regular inspections under paragraphs (2) and (4), and other necessary matters shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

(7) When the head of a Si/Gun/Gu, the chief of a police station, or the chief of a fire station deems that a specific user of liquefied petroleum gas is likely to cause harm, in violation of this Act or an order under this Act, he/she may temporarily prohibit the specific user's use of liquefied petroleum gas or seal his/her facilities using liquefied petroleum gas or temporarily place them in custody.

(8)

A gas supplier shall confirm whether facilities using liquefied petroleum gas have undergone a final inspection under paragraph (2) and regular inspections under paragraph (4) before he/she supplies liquefied petroleum gas to facilities using liquefied petroleum gas of a specific user of liquefied petroleum gas.

Article 45 (Detailed Standards)

(1) The Gas Technical Standards Committee under Article 33-2 of the High-Pressure Gas Safety Control Act may formulate standards that prescribe detailed specifications, specific numerical values, specific methods of testing, etc. in detail that meet standards within any of the following standards (hereinafter referred to as "detailed standards"):

1. Facility standards and technical standards concerning the filling, collective supply, and sale of liquefied petroleum gas and the manufacturing of gas appliances under Article 5 (4);
2. Facility standards and technical standards for container storage facilities under Article 5 (6);
3. Facility standards and technical standards for liquefied petroleum gas storage facilities under Article 8 (3);
4. Facility standards and technical standards concerning the manufacturing of gas appliances under Article 10 (5);
5. Standards for safety verification and final inspections under Article 36 (3);
6. Standards for regular inspections and occasional inspections under Article 37 (2);
7. Standards for precise safety diagnosis and safety evaluation under Article 38 (2);
8. Standards for inspections of gas appliances under Article 39 (4);
9. Facility standards and technical standards for facilities using liquefied petroleum gas under Article 44 (1);
10. Standards for final inspection and regular inspections under Article 44 (6).

(2) Detailed standards shall be approved by the Minister of Trade, Industry and Energy following deliberation and resolution by the Gas Technical Standards Committee under paragraph (1), as prescribed by Presidential Decree.

(3) Where detailed standards are approved pursuant to paragraph (2), the Gas Technical Standards Committee under paragraph (1) shall, without delay, make public the contents of such detailed standards through its website, etc., and the Minister of Trade, Industry and Energy shall publicly announce his/her approval of the detailed standards on the Official Gazette.

(4) Where anything meets detailed standards, it shall be deemed to meet the standards to which such detailed standards correspond, among the standards under the subparagraphs of paragraph (1).

(5) Other than the provisions of paragraphs (1) through (4), procedures for the establishment and amendment of detailed standards shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

Article 46 (Support for Improvement of Safety Control, etc.)

(1) The Minister of Trade, Industry and Energy, the Mayor/Do Governor, and the head of a Si/Gun/Gu (excluding the Special Self-Governing City Mayor and the Special Self-Governing Province Governor; hereafter the same shall apply in this Article) may

provide support where it is necessary to improve the safety control and distribution structure of gas.

- (2) Where necessary to provide support under paragraph (1), the Minister of Trade, Industry and Energy, the Mayor/Do Governor, and the head of a Si/Gun/Gu may request the Korea Gas Safety Corporation to take measures for safety control. In such cases, the Minister of Trade, Industry and Energy, the Mayor/Do Governor, and the head of a Si/Gun/Gu shall subsidize the Korea Gas Safety Corporation to subsidize the expenses incurred in taking measures for safety control.

Article 47 (Support for Installation of Small Liquefied Petroleum Gas Storage Tanks and Pipeline Networks)

The Minister of Trade, Industry and Energy, the Mayor/Do Governor and the head of a Si/Gun/Gu (excluding the Special Self-Governing City Mayor and the Special Self-Governing Province Governor) may subsidize projects to install small liquefied petroleum gas storage tanks and pipeline networks in areas where urban gas under subparagraph 1 of Article 2 of the Urban Gas Business Act is not supplied in order to improve the safety and convenience of liquefied petroleum gas.

Article 48 (Measures Taken by Authority that Grants Permission, etc.)

- (1) The authority that grants permission, the authority that allows registration, or the head of a Si/Gun/Gu may order persons who have obtained permission or registration under this Act, specific users of liquefied petroleum gas, or users of liquefied petroleum gas to take measures necessary to prevent harm, as prescribed by Presidential Decree.
- (2) If deemed urgent or inevitable because harm has occurred or is likely to occur at any time due to facilities for filling, collective supply, sale, the place of business, entrusted transportation, storage, or use of liquefied petroleum gas of a person who has obtained permission or registration under this Act, a specific user of liquefied petroleum gas or a user of liquefied petroleum gas or his/her containers or gas appliances (hereafter referred to as "facilities, etc." in this paragraph), the authority that grants permission, the authority that allows registration, or the head of a Si/Gun/Gu may order such person to relocate the facilities, etc., suspend or restrict the use thereof, or disuse liquefied petroleum gas contained in the facilities, etc. or seal them.
- (3) Where an order or measure under paragraph (2) is issued or taken to maintain public safety without any reason attributed to a business entity, the authority that grants permission, the authority that allows registration, or the head of a Si/Gun/Gu shall make reasonable compensation for any loss inflicted on the relevant business entity, as prescribed by Presidential Decree: Provided, That the foregoing shall not apply to cases due to a natural disaster, war or other force majeure.

Article 49 (Prohibition of Smoking in Liquefied Petroleum Gas Filling Station for Motor Vehicles)

No person shall smoke in any filling station where liquefied petroleum gas is filled into motor vehicles that use it as a fuel.

CHAPTER VI BUSINESS ENTITIES ORGANIZATION

Article 50 (Establishment of Business Entities Organizations)

- (1) Liquefied petroleum gas business entities, etc. may establish a business entities organization for each business under Articles 5, 8, and 9 (hereinafter referred to as

"business entities organization") after obtaining authorization from the Minister of Trade, Industry and Energy, as prescribed by Presidential Decree.

- (2) A business entities organization shall be a corporation.
- (3) Matters to be included in the articles of association of a business entities organization and matters necessary for its operation, supervision, etc. shall be prescribed by Presidential Decree.
- (4) Except as otherwise provided in this Act, the provisions concerning incorporated associations in the Civil Act shall apply mutatis mutandis to business entities organizations.

Article 51 (Activities)

A business entities organization may conduct the following activities:

1. Survey and research for the promotion and development of liquefied petroleum gas business;
2. Activities that would contribute to smooth supply of and demand for liquefied petroleum gas;
3. Mutual-aid programs to make up for any loss, etc.;
4. Activities entrusted by the Minister of Trade, Industry and Energy;
5. Other activities prescribed by its articles of association, incidental to those activities under subparagraphs 1 through 4.

Article 52 (Mutual-Aid Programs)

- (1) Where a business entities organization intends to operate a mutual-aid program under subparagraph 3 of Article 51, it shall obtain permission from the Minister of Trade, Industry and Energy, as prescribed by Presidential Decree.
- (2) Liquefied petroleum gas business entities, etc. that join a mutual-aid program under paragraph (1) shall contribute their shares of expenses incurred in operating the mutual-aid program.
- (3) The ratio of contributions under paragraph (2) shall be approved by the Minister of Trade, Industry and Energy.
- (4) Details of mutual aid programs under paragraph (1) and matters necessary for their operation shall be prescribed by Presidential Decree.

CHAPTER VII SUPERVISION

Article 53 (Orders to Make Adjustments)

Where the Minister of Trade, Industry and Energy or the Mayor/Do Governor deems it necessary to balance supply and demand and to ensure the safety of liquefied petroleum gas, he/she may order liquefied petroleum gas exporters or importers, liquefied petroleum gas filling business entities, collective suppliers of liquefied petroleum gas, and liquefied petroleum gas dealers to make necessary adjustments, as prescribed by Presidential Decree.

Article 54 (Guidance and Supervision)

The Minister of Trade, Industry and Energy shall guide and supervise each Mayor/Do Governor or the head of each Si/Gun/Gu (excluding the Special Self-Governing City Mayor and the Special Self-Governing Province Governor), as prescribed by Presidential Decree, on safety control affairs, including various inspections of gas facilities or gas appliances for the public safety or the prevention of the occurrence of harm related to the supply and use of gas.

Article 55 (Reporting, Inspections, etc.)

- (1) Where necessary for the stabilization of the supply and demand of liquefied petroleum gas and its prices, the safety control and the establishment of order in distribution of liquefied petroleum gas, and other matters, the Minister of Trade, Industry and Energy, the Mayor/Do Governor, or the head of a Si/Gun/Gu (excluding the Special Self-Governing City Mayor and the Special Self-Governing Province Governor) may order business entities organizations, liquefied petroleum gas exporters or importers, liquefied petroleum gas business entities, etc., specific users of liquefied petroleum gas, and construction contractors to report or submit documents on their affairs, or may require any public official under his/her jurisdiction or any person entrusted with part of his/her authority pursuant to Article 61 to inspect filling facilities, collective supply facilities, sales facilities, facilities of places of business, facilities for entrusted transportation and storage facilities of liquefied petroleum gas, gas appliance manufacturing facilities, containers, gas appliances, related books, documents, and other articles in places of business, factories, work places, or warehouses. In such cases, necessary matters concerning methods of making reports or submitting documents shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy.
- (2) Any public official or employee of a person entrusted with authority who conducts an inspection pursuant to paragraph (1) shall carry a certificate of identification indicating his/her authority and produce it to relevant persons.

Article 56 (Notification, etc. of Accidents)

- (1) Where any of the following accidents occurs in connection with facilities or products of a liquefied petroleum gas business entity, etc. or a specific user of liquefied petroleum gas, they shall immediately notify the Korea Gas Safety Corporation of such accident, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy, and the Korea Gas Safety Corporation shall report the notified matters to the authority that grants permission, the authority that allows registration, or the head of a Si/Gun/Gu:
1. Accident in which a person died;
 2. Accident in which a person is injured or poisoned;
 3. Accident that causes an explosion or fire due to a gas leak;
 4. Accident that results in the evacuation of people or the disconnection of gas supply due to damage to a gas facility or gas leak;
 5. Other accidents prescribed by Ordinance of the Ministry of Trade, Industry and Energy, in which a gas facility was damaged or gas leak occurred.
- (2) Where the Korea Gas Safety Corporation in receipt of notification pursuant to paragraph (1) deems it necessary to prevent the recurrence of an accident and other gas accident, it may conduct investigations into such accident to find out the cause, details, etc. of the accident.

CHAPTER VIII SUPPLEMENTARY PROVISIONS

Article 57 (Purchasing Insurance)

- (1) Liquefied petroleum gas business entities, etc., importers of gas appliances, construction contractors of liquefied petroleum gas facilities under Article 35, and specific users of liquefied petroleum gas shall purchase insurance in order to compensate for any harm or loss of body, life, or property of other persons due to an

accident: Provided, That the foregoing shall not apply where they join a mutual aid program under Article 52.

- (2) Types of insurance under paragraph (1), eligibility and procedures for purchasing insurance, and other necessary matters shall be prescribed by Presidential Decree.
- (3) The Minister of Trade, Industry and Energy may require insurance companies in consultation with the Financial Services Commission to subsidize some of their profits from insurance under paragraph (1) (excluding insurance operating profits of a mutual aid program under Article 52) to persons who perform for prevention of liquefied petroleum gas accident every three years within three months from the end of the third business year, and necessary matters concerning such subsidies shall be prescribed by Presidential Decree.

Article 58 (Reporting and Disclosure of Sales Prices, etc.)

- (1) Persons prescribed by Presidential Decree, who are liquefied petroleum gas exporters or importers, liquefied petroleum gas filling business entities, collective supplier of liquefied petroleum gas, and liquefied petroleum gas dealers, shall report the sales prices of liquefied petroleum gas to the Minister of Trade, Industry and Energy.
- (2) The Minister of Trade, Industry and Energy may disclose the sales prices of liquefied petroleum gas set by liquefied petroleum gas exporters or importers, liquefied petroleum gas filling business entities, collective suppliers of liquefied petroleum gas, and liquefied petroleum gas dealers to the extent that the disclosure of the sales prices does not violate trade secrets under subparagraph 2 of Article 2 of the Unfair Competition Prevention and Trade Secret Protection Act for the promotion of competition by improving transparency in trade and the rationalization of the prices of liquefied petroleum gas.
- (3) The Minister of Trade, Industry and Energy may entrust affairs concerning the reporting and disclosure of the sales prices of liquefied petroleum gas under paragraphs (1) and (2) to an institution or organization prescribed by Presidential Decree.
- (4) Specific procedures and methods concerning the reporting and disclosure of the sales prices of liquefied petroleum gas under paragraphs (1) through (3) shall be prescribed by Presidential Decree.

Article 59 (Hearings)

Where the Minister of Trade, Industry and Energy, the authority that grants permission, or the authority that allows registration intends to revoke permission or registration pursuant to Article 13 (1), or revoke registration pursuant to Article 21 (1) or (2), he/she or it shall hold hearings.

Article 60 (Fees, etc.)

- (1) Any of the following persons shall pay a fee, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy:
 1. A person who intends to obtain permission or permission to make any change under Article 5 (1) through (3) or (6);
 2. A person who intends to obtain permission under Article 8 (1) or permission to make any change under the main sentence of paragraph (2) of the same Article;
 3. A person who intends to obtain registration and registration of modification of a

- business entity entrusted with transporting liquefied petroleum gas under Article 9 (1) and (2);
4. A person who intends to obtain registration of the manufacturing of foreign gas appliances or registration of the modification thereof, and renew registration under the provisions of Article 10 (1) through (3).
- (2) Each of the following persons shall pay a fee or educational expenses, as prescribed by the Minister of Trade, Industry and Energy:
1. A person who intends to undergo a quality inspection under Article 27 (1);
 2. A person who seeks an opinion from the Korea Gas Safety Corporation on safety control regulations under the latter part of Article 31 (1);
 3. A person who intends to undergo a final inspection of construction works or modification works of a liquefied petroleum gas filling facility, collective supply facility, sales facility, facility of the place of business, storage facility, or gas appliance manufacturing facility under Article 36 (2);
 4. A person who intends to undergo a regular inspection under Article 37 (1);
 5. A person who intends to undergo precise safety diagnosis or safety evaluation under Article 38 (1);
 6. A person who intends to undergo inspections of gas appliances under Article 39 (1);
 7. A person who intends to receive safety education under Article 41 (1);
 8. A person who intends to undergo a final inspection of a facility using liquefied petroleum gas pursuant to Article 44 (2);
 9. A person who intends to undergo a regular inspection of a facility using liquefied petroleum gas pursuant to Article 44 (4).

Article 61 (Delegation and Entrustment of Authority)

- (1) The Minister of Trade, Industry and Energy or a Mayor/Do Governor (excluding the Special Self-Governing City Mayor and the Special Self-Governing Province Governor) may delegate part of his/her authority under this Act to a Mayor/Do Governor or the head of a Si/Gun/Gu (excluding the Special Self-Governing City Mayor and the Special Self-Governing Province Governor), as prescribed by Presidential Decree.
- (2) The Minister of Trade, Industry and Energy, a Mayor/Do Governor, or the head of a Si/Gun/Gu (excluding the Special Self-Governing City Mayor and the Special Self-Governing Province Governor) may entrust the Korea Gas Safety Corporation with the following affairs within his/her authority under this Act, as prescribed by Presidential Decree:
 1. Verification as to whether safety control regulations under Article 31 (6) are observed and evaluation of the state of their compliance;
 2. Receipt of copies of as-built drawings under Article 35 (4);
 3. Safety verification under Article 36 (1);
 4. Final inspections under Article 36 (2);
 5. Regular inspections and occasional inspections under the main sentence of Article 37 (1);
 6. Inspections of imported gas appliances under the main sentence of Article 39 (1);
 7. Collection and inspection of gas appliances on the market under Article 40 (2);
 8. Provision of safety education under Article 41 (1);

9. Giving notification to persons subject to safety education under Article 43 (1);
10. Final inspection of facilities using liquefied petroleum gas under Article 44 (2);
11. Orders to take measures to prevent harm under Article 48 (1);
12. Orders to suspend the use of facilities, etc. under Article 48 (2);
13. Guidance and confirmation on inspection activities conducted by an inspection agency under Article 35 of the High-Pressure Gas Safety Control Act.

(3) The Minister of Trade, Industry and Energy or the head of a Si/Gun/Gu may entrust the Korea Gas Safety Corporation, a quality inspection institution designated pursuant to Article 25 (1) of the Petroleum and Alternative Fuel Business Act, the Korea Petroleum Quality and Distribution Authority under Article 25-2 of the same Act, and an inspection agency under Article 35 of the High-Pressure Gas Safety Control Act with the following affairs under his/her authority under this Act, as prescribed by Presidential Decree:

<Amended by Act No. 14671, Mar. 21, 2017>

1. Quality inspections of liquefied petroleum gas under Article 27 (2);
2. Inspection of gas appliances under the main sentence of Article 39 (1): Provided, That an inspection of imported gas appliances shall be excluded;
3. Regular inspections of facilities using liquefied petroleum gas under Article 44 (4).

(4) The Minister of Trade, Industry and Energy may entrust the Korea Petroleum Quality and Distribution Authority under Article 25-2 of the Petroleum and Alternative Fuel Business Act with affairs concerning the receipt of applications for registration and registration of modification of liquefied petroleum gas export or import business (including conditional registration under Article 18) under Article 17 (1) and the confirmation of applications therefor within his/her authority under this Act, as prescribed by Presidential Decree.

Article 62 (Requests, etc. for Dispositions)

(1) Where the Korea Gas Safety Corporation discovers a violation of this Act or an order under this Act in the course of investigating an accident under Article 56 (2) or exercising the authority entrusted pursuant to Article 61, it may notify the Mayor/Do Governor or the head of a Si/Gun/Gu (excluding the Special Self-Governing City Mayor and the Special Self-Governing Province Governor) of such violation or request him/her to take necessary measures against the person who has committed such violation.

(2) The Mayor/Do Governor or the head of a Si/Gun/Gu (excluding the Special Self-Governing City Mayor and the Special Self-Governing Province Governor) in receipt of a request under paragraph (1) shall take necessary measures without good cause.

Article 63 (Legal Fiction as Public Official in Application of Penalty Provisions)

Where the provisions of Articles 129 through 132 of the Criminal Act are applied, executives and employees of an institution or organization engaged in conducting affairs entrusted pursuant to Article 58 (3), and executives and employees of the Korea Gas Safety Corporation, the Korea Petroleum Quality and Distribution Authority or an inspection agency under Article 35 of the High-Pressure Gas Safety Control Act engaged in conducting affairs entrusted pursuant to Article 61 (2) or (4) shall be deemed public officials.

Article 64 (Application Mutatis Mutandis of the Petroleum and Alternative Fuel Business Act)

- (1) Articles 18, 19, 19-2, and 20 of the Petroleum and Alternative Fuel Business Act shall apply mutatis mutandis to import or sales dues of liquefied petroleum gas.
- (2) Articles 21 through 23 of the Petroleum and Alternative Fuel Business Act shall apply mutatis mutandis to adjustments to the supply and demand of liquefied petroleum gas in emergency.

CHAPTER IX PENALTY PROVISIONS

Article 65 (Penalty Provisions)

- (1) Any person who interferes with the supply of liquefied petroleum gas by causing damage to gas facilities of a collective supplier of liquefied petroleum gas or obstructing the function thereof shall be punished by imprisonment with labor for not less than one year nor more than ten years, or by a fine not exceeding 150 million won.
- (2) Any person who remodels and sells gas appliances or remodels gas appliances for sale in violation of Article 40 (5) shall be punished by imprisonment with labor for not more than three years or by a fine not exceeding 30 million won.
- (3) Any person who commits an offense under paragraph (1) by professional negligence or by gross negligence shall be punished by imprisonment without labor for not more than seven years or by a fine not exceeding 20 million won.
- (4) Any person who causes the injury of a person by leaking gas or causing an explosion of gas by committing an offense under paragraph (3) shall be punished by imprisonment without labor for not more than ten years or by a fine not exceeding 100 million won, or any person who causes the death of a person shall be punished by imprisonment without labor for not less than one year nor more than ten years or by a fine not exceeding 150 million won.
- (5) Any person who interferes with the supply and use of gas by manipulating gas supply facilities or facilities using gas (where a liquefied petroleum gas dealer supplies liquefied petroleum gas, only referring to gas facilities owned by such liquefied petroleum gas dealer) without the consent of a collective supplier of liquefied petroleum gas, liquefied petroleum gas dealer or user of liquefied petroleum gas shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding ten million won.
- (6) Where a person working at a gas supply facility or facility using gas of a collective supplier of liquefied petroleum gas, liquefied petroleum gas dealer, or user of liquefied petroleum gas obstructs the supply of gas without good cause, he/she shall be subject to the same punishment as provided in paragraph (5).
- (7) Any person who makes any changes to gas supply facilities or facilities using gas (where a liquefied petroleum gas dealer supplies liquefied petroleum gas, only referring to gas facilities owned by such liquefied petroleum gas dealer) without the consent of a collective supplier of liquefied petroleum gas, liquefied petroleum gas dealer, or user of liquefied petroleum gas shall be punished by a fine not exceeding five million won.
- (8) Any person who attempts to commit any crime prescribed in paragraphs (1) and (5) shall be punished accordingly.

Article 66 (Penalty Provisions)

- (1) Any person who conducts liquefied petroleum gas export or import business without obtaining registration under Article 17 (1) shall be punished by imprisonment with

labor for not more than five years or by a fine not exceeding 200 million won.

(2) Any of the following persons shall be punished by imprisonment with labor for not more than three years or by a fine not exceeding 100 million won:

1. A person who violates any of his/her obligations to store liquefied petroleum gas under Article 20;

2. A person who violates any measure under Article 22 (1) of the Petroleum and Alternative Fuel Business Act applied mutatis mutandis pursuant to Article 64 (2).

(3) Any of the following persons shall be punished by imprisonment with labor for not more than two years or by a fine not exceeding 20 million won:

1. A person who conducts liquefied petroleum gas filling business, business of collectively supplying liquefied petroleum gas, or gas appliance manufacturing business without obtaining permission under Article 5 (1);

2. A person who violates an order under Article 21 (1) of the Petroleum and Alternative Fuel Business Act applied mutatis mutandis pursuant to Article 64 (2).

Article 67 (Penalty Provisions)

Any person who divulges data in violation of Article 42 (3) shall be punished by imprisonment with labor for not more than two years or by a fine not exceeding 20 million won. <Amended by Act No. 14671, Mar. 21, 2017>

Article 68 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding ten million won:

1. A person who conducts liquefied petroleum gas sales business, or who establishes the place of business or builds a liquefied petroleum gas storage facility of a liquefied petroleum gas filling business entity without obtaining permission under Article 5 (2), (6), or 8 (1);

2. A person who changes any permitted matter without obtaining permission to change, in violation of the main sentence of Article 5 (3) or the main sentence of Article 8 (2);

3. A person who conducts the entrusted business of transporting liquefied petroleum gas without obtaining registration under Article 9 (1);

4. A person who changes any registered matter without obtaining registration of changes under the main sentence of Article 9 (2);

5. A person who sells or delivers liquefied petroleum gas, or stores, transports or keeps it for sale or delivery, in violation of Article 26 (3);

6. A person who fails to undergo an inspection under Article 27 (1) or who refuses, interferes with, or evades a quality inspection under paragraph (2) of the aforesaid Article;

7. A person who violates Article 30 (1) or 32 (1);

8. A liquefied petroleum gas business entity, etc. or construction contractor who fails to undergo an inspection under Article 36 (2);

9. A gas appliance manufacturer or importer who fails to undergo an inspection under the main sentence of Article 39 (1);

10. A person who transfers, leases, or uses any un-inspected gas appliance, or displays any such gas appliance for sale, in violation of Article 39 (3);

11. A person who violates an order under Article 53;

12. A liquefied petroleum gas filling business entity or liquefied petroleum gas dealer who sells liquefied petroleum gas at a price higher than the maximum selling price under Article 23 of the Petroleum and Alternative Fuel Business Act applied mutatis mutandis pursuant to Article 64 (2).

Article 69 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than six months or by a fine not exceeding five million won:

1. A person who fails to make an indication under Article 23 (1) or makes a false indication, or conduct any measurement exceeding the tolerance limits under paragraph (2) of the same Article;
2. A person who destroys an indication of the quantity of liquefied petroleum gas filled, etc. or reduces the quantity of liquefied petroleum gas, in violation of Article 23 (3);
3. A liquefied petroleum gas filling business entity, collective supplier of liquefied petroleum gas, liquefied petroleum gas dealer, or person who stores liquefied petroleum gas who fails to undergo safety verification under Article 36 (1);
4. A liquefied petroleum gas business entity, etc. which fails to undergo a regular inspection or occasional inspection under the main sentence of Article 37 (1);
5. A liquefied petroleum gas filling business entity or person who stores liquefied petroleum gas who fails to undergo precise safety diagnosis or safety evaluation under Article 38 (1);
6. A person who fails to make an indication under Article 40 (4).

Article 70 (Penalty Provisions)

Any of the following persons shall be punished by a fine not exceeding five million won:

1. A liquefied petroleum gas business entity, etc. or a specific user of liquefied petroleum gas who fails to appoint a safety supervisor, in violation of Article 34 (1);
2. A liquefied petroleum gas business entity, etc. or a specific user of liquefied petroleum gas who violates Article 34 (2);
3. A person who performs construction works not in compliance with facility standards and technical standards, in violation of Article 35 (2).

Article 71 (Penalty Provisions)

Any of the following persons shall be punished by a fine not exceeding three million won:

1. A person who sells liquefied petroleum gas outside his/her sales area under Article 5 (2);
2. A liquefied petroleum gas dealer who violates an order under Article 5 (8);
3. A collective supplier of liquefied petroleum gas who violates supply regulations under Article 25 (1);
4. A liquefied petroleum gas filling business entity, collective supplier of liquefied petroleum gas, or liquefied petroleum gas dealer who violates Article 30 (2);
5. A liquefied petroleum gas filling business entity which fails to inspect the safety of containers or fills containers not meeting standards with liquefied petroleum gas, in violation of Article 32 (2);
6. A gas supplier who violates an order under Article 33 (1);
7. A gas supplier who fails to improve or remove any of his/her facilities without good cause, in violation of Article 33 (3);

8. A gas appliance manufacturer or importer who fails to comply with an order to recall or order to disclose under Article 40 (2).

Article 72 (Joint Penalty Provisions)

Where the representative of a corporation or an agent, employee, or other servant of a corporation or individual commits an offense falling under any of Articles 65 through 71 in connection with the business affairs of the corporation or individual, not only shall such offender be punished, but the corporation or individual also shall be punished by a fine under the relevant provisions: Provided, That the foregoing shall not apply where the corporation or individual has not been negligent in giving due attention and supervision concerning the relevant business affairs to prevent such offense.

Article 73 (Administrative Fines)

(1) Any of the following persons shall be punished by an administrative fine not exceeding 20 million won:

1. A liquefied petroleum gas exporter or importer who fails to comply with an order to report or submit documents under Article 55 (1) or makes a false report;
2. A liquefied petroleum gas exporter or importer who fails to report under Article 58 (1) or makes a false report.

(2) Any of the following persons shall be punished by an administrative fine not exceeding ten million won:

1. A person who fails to obtain registration of changes under Article 17 (2) or obtains registration of changes by deception;
2. A person who fails to report the commencement, suspension, or closure of business under Article 19 (2) or makes a false report thereof;
3. A liquefied petroleum gas exporter or importer who refuses to undergo inspections under Article 55 (1).

(3) Any of the following persons shall be punished by an administrative fine not exceeding three million won:

1. A liquefied petroleum gas business entity, etc. which fails to report under the proviso to Article 5 (3), the proviso to Article 8 (2), or the proviso to Article 9 (2);
2. A liquefied petroleum gas business entity, etc. which fails to report under Article 11;
3. A person who fails to report under Article 12 (3);
4. A collective supplier of liquefied petroleum gas who fails to report under Article 25 (1);
5. A person who uses liquefied petroleum gas as a fuel, in violation of restrictions under Article 28;
6. A person who fills liquefied petroleum gas into his/her motor vehicle tank for himself/herself, in violation of the main sentence of Article 29 (1);
7. A liquefied petroleum gas business entity, etc. which fails to submit safety control regulations under Article 31 (1) to the authority that grants permission;
8. A gas appliance manufacturer who violates Article 31 (3);
9. A liquefied petroleum gas business entity, etc. which fail to comply with an order to amend safety control regulations under Article 31 (4);
10. A liquefied petroleum gas business entity, etc. or specific user of liquefied petroleum gas who violates Article 34 (3);
11. A construction contractor of gas facilities who fails to prepare and preserve

- construction records, etc. or prepares false construction records, etc., in violation of Article 35 (3);
12. A construction contractor of gas facilities who fails to provide a copy of construction records, etc. to a person placing an order or to submit a copy of as-built drawings to the head of a Si/Gun/Gu, in violation of Article 35 (4);
 13. A gas supplier or person who stores liquefied petroleum gas who fails to preserve a copy of as-built drawings, in violation of Article 35 (5);
 14. A person who fails to receive safety education, in violation of Article 41 (1);
 15. A person who fails to require persons subject to safety education under Article 41 (2) to receive education;
 16. A business entities organization, liquefied petroleum gas business entity, etc., specific user of liquefied petroleum gas or construction contractor that refuses to undergo an inspection under Article 55 (1);
 17. A person who fails to subscribe to insurance, in violation of Article 57 (1);
 18. A liquefied petroleum gas filling business entity, collective supplier of liquefied petroleum gas, or liquefied petroleum gas dealer who fails to make a report under Article 58 (1) or makes a false report.
- (4) Any of the following persons shall be punished by an administrative fine not exceeding two million won:
1. A liquefied petroleum gas filling business entity, liquefied petroleum gas dealer, or business entity entrusted with transporting liquefied petroleum gas who violates a method of supplying liquefied petroleum gas under Article 24;
 2. A liquefied petroleum gas filling business entity, collective supplier of liquefied petroleum gas, or liquefied petroleum gas dealer who violates Article 30 (3);
 3. A person who fails to comply with any safety control regulation under Article 31 (5) or prepare and keep records of the implementation thereof;
 4. A person who arbitrarily removes or modifies gas facilities without consultation under Article 33 (2);
 5. A person who remodels gas appliances (excluding a person falling under Article 65 (2)), in violation of Article 40 (5);
 6. A user of liquefied petroleum gas who fails to be equipped with facilities using liquefied petroleum gas and gas appliances, in violation of Article 44 (1);
 7. A construction contractor of gas facilities who fails to undergo a final inspection under Article 44 (2);
 8. A specific user of liquefied petroleum gas who uses facilities using liquefied petroleum gas without passing a final inspection, in violation of Article 44 (3);
 9. A specific user of liquefied petroleum gas who fails to undergo a regular inspection under Article 44 (4);
 10. A gas supplier who supplies liquefied petroleum gas without verifying whether facilities using liquefied petroleum gas have undergone a final inspection and a regular inspection, in violation of Article 44 (8);
 11. A liquefied petroleum gas business entity, etc., specific user of liquefied petroleum gas or user of liquefied petroleum gas who fails to comply with an order under Article 48 (1);

12. A liquefied petroleum gas business entity, etc., specific user of liquefied petroleum gas, or user of liquefied petroleum gas which fails to comply with an order under Article 48 (2);
13. A business entities organization, liquefied petroleum gas business entity, etc., specific user of liquefied petroleum gas, or construction contractor which fails to comply with an order to report or submit documents under Article 55 (1) or makes a false report;
14. A liquefied petroleum gas business entity, etc. or specific user of liquefied petroleum gas which fails to notify the occurrence of a gas accident under Article 56 (1).
- (5) Any of the following persons shall be punished by an administrative fine not exceeding one million won:
1. A consumer of liquefied petroleum gas who fails to comply with an order under Article 33 (1);
 2. A person who smokes in violation of Article 49.
- (6) The Minister of Trade, Industry and Energy, the competent Mayor/D^o Governor or the head of the competent Si/Gun/Gu (excluding the Special Self-Governing City Mayor and the Special Self-Governing Province Governor) shall impose and collect administrative fines under paragraphs (1) through (5), as prescribed by Presidential Decree.

ADDENDA

Article 1 (Enforcement Date)

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

Article 2 (Reexamination of Regulation)

The Minister of Trade, Industry and Energy shall examine the appropriateness of the system of the disclosure of persons who violate quality standards under the amended provisions of Article 27 (3) within three years from the enforcement date of this Act, and take measures, such as the abolition, mitigation, or maintenance of the system.

Article 3 (Transitional Measures concerning Sale of Liquefied Petroleum Gas)

Notwithstanding the amended provisions of Article 5 (2), where a business entity permitted to conduct liquefied petroleum gas sales business pursuant to the previous provisions before the Safety Control and Business Regulation of Liquefied Petroleum Gas Act (Act No. 6976) enters into force entered into a safety supply contract with consumers before March 29, 2004, who are in an area where such business entity was allowed to sell liquefied petroleum gas filled in containers but is no longer allowed to sell any longer pursuant to the amended provisions of Article 5 (2), the business entity may sell liquefied petroleum gas filled in containers until the safety supply contract expires or the safety supply contract is terminated.

Article 4 (Transitional Measures concerning Incompetents, etc.)

Persons whose declaration of incompetence or quasi-incompetence remains in effect pursuant to Article 2 of the Addenda to the Civil Act (Act No. 10429) shall be deemed a person under adult guardianship under the amended provisions of subparagraph 1 of Article 7.

Article 5 (Transitional Measures concerning Registration of Liquefied Petroleum Gas Export or Import Business)

- (1) Any person who files an application for registration or obtains registration of petroleum export or import business (limited to liquefied petroleum gas export or

import business) pursuant to Article 9 of the Petroleum and Alternative Fuel Business Act at the time this Act enters into force shall be deemed to have filed an application for registration or have obtained registration of liquefied petroleum gas export or import business pursuant to the amended provisions of Article 17 (1).

(2) Any person who files an application for conditional registration or obtains conditional registration pursuant to Article 11 of the Petroleum and Alternative Fuel Business Act as at the time this Act enters into force shall be deemed to have filed an application for conditional registration or have obtained conditional registration pursuant to the amended provisions of Article 18 (1).

Article 6 (Transitional Measures concerning Grounds for Disqualification of Liquefied Petroleum Gas Exporters or Importers)

Where a person who conducts liquefied petroleum gas export or import business at the time this Act enters into force falls under any ground for disqualification under the amended provisions of Article 7 applied mutatis mutandis pursuant to the amended provisions of Article 17 (4) due to a reason which occurred before this Act enters into force, notwithstanding the amended provisions of Article 17 (4), Article 6 of the Petroleum and Alternative Fuel Business Act applied mutatis mutandis pursuant to Article 9 (4) of the aforesaid Act shall apply to such person.

Article 7 (Transitional Measures concerning Succession to Status of Liquefied Petroleum Gas Exporter or Importer)

Where a liquefied petroleum gas exporter or importer succeeds to the status pursuant to the amended provisions of Article 12 applied mutatis mutandis pursuant to the amended provisions of Article 17 (4) due to a reason which occurred before this Act enters into force, notwithstanding the amended provisions of Article 12, Article 7 of the Petroleum and Alternative Fuel Business Act applied mutatis mutandis pursuant to Article 9 (4) of the aforesaid Act shall apply to such liquefied petroleum gas exporter or importer.

Article 8 (Transitional Measures concerning Administrative Measures)

Articles 13 and 14 of the Petroleum and Alternative Fuel Business Act shall apply to administrative measures (including penalty surcharges) for offenses committed by liquefied petroleum gas exporters or importers before this Act enters into force.

Article 9 (Transitional Measures concerning Penalty Provisions)

Where penalty provisions are applied to offenses committed before this Act enters into force, the previous provisions shall apply thereto: Provided, That Articles 44, 44-2, 45, and 46 of the former Petroleum and Alternative Fuel Business Act shall apply to the application of penalty provisions to any offense committed by a liquefied petroleum gas exporter or importer before this Act enters into force.

Article 10 (Transitional Measures concerning Administrative Fines)

Article 49 of the former Petroleum and Alternative Fuel Business Act shall apply to the application of administrative fines to any offense committed by a liquefied petroleum gas exporter or importer before this Act enters into force.

Article 11 Omitted.

Article 12 (Relationship to Other Statutes)

Where the former Safety Control and Business of Liquefied Petroleum Gas Act or any provision thereof is cited by any other statute as at the time this Act enters into force, this

Act or the relevant provisions hereof shall be deemed to be cited, in lieu of the previous provision, if such provisions corresponding thereto exists in this Act.

ADDENDA <Act No. 13738, Jan. 6, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 28 shall enter into force on January 1, 2017, and the amended provisions of Article 34 (3) shall enter into force six months after the date of its promulgation.

Article 2 (Applicability to Exception to Restrictions on Use of Liquefied Petroleum Gas as Fuel)

In cases of passenger vehicles that use liquefied petroleum gas under the amended provisions of Article 28, exception to restrictions on the use of liquefied petroleum gas shall apply where five years have passed after the registration of passenger vehicles based on January 1, 2017.

ADDENDA <Act No. 14476, Dec. 27, 2016>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDUM <Act No. 14671, Mar. 21, 2017>

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 67 shall enter into force six months after the date of its promulgation.

ADDENDUM <Act No. 14995, Oct. 31, 2017>

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

PC Version

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