SEOUL METROPOLITAN GOVERNMENT ORDINANCE ON ENERGY

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CHAPTER GENERAL PROVISIONS

Article 1 (Purpose)

CHAPTER GENERAL PROVISIONSThe purpose of this Ordinance is to contribute to the sustainable development of the Seoul Metropolitan City and the enhancement of the quality of citizens' life by reducing greenhouse gas emissions through energy conservation and the facilitation of the development, use, and diffusion of new and renewable energy and by preparing and implementing policies on energy systematically and comprehensively.

Article 2 (Basic Direction)

The Seoul Metropolitan Government (hereinafter referred to as the "Metropolitan Government") shall endeavor to reflect the following matters in the establishment of policies on energy:

1. The establishment of sustainable energy systems;
2. The conservation and efficient use of energy;
3. The facilitation of the development, use, and diffusion of new energy and renewable energy (hereinafter referred to as "new and renewable energy");
4. The reduction of greenhouse gas emissions.

Article 3 (Definitions)

(1) Terms used in this Ordinance shall be defined as follows:

1. "Sustainable energy system" means an actual, policy-oriented, and technical system that provides citizens with energy necessary for their living at the minimum economic, social, and environmental costs;
2. "Non-governmental organization" means a non-profit non-governmental organization under the Assistance for Non-Profit, Non-Governmental Organizations Act, among organizations that conduct researches, surveys, and citizen participation campaigns in relation to energy conservation and the facilitation of the use and diffusion of new and renewable energy and organizations that conduct joint activities relating to energy;
3. "Business entities" mean the energy users under subparagraph 5 of Article 2 of the Energy Act and the energy suppliers under subparagraph 7 of the aforesaid Article;
4. "Enterprise specializing in energy conservation" means an enterprise registered with the Minister of Knowledge Economy pursuant to Article 25 of the Energy Use Rationalization Act;
5. "Voluntary agreement" means a promise that a business entity makes to the Mayor of the Seoul Metropolitan Government (hereinafter referred to as the "Mayor") to voluntarily establish and perform a plan, which shall specify goals set to reduce greenhouse gas emissions and the method used to meet the goals, through energy conservation and the rational use of energy pursuant to Article 28 of the Energy Use Rationalization Act;
6. "Model new or renewable energy district" means a district designated by the Mayor to facilitate the development, use, and diffusion of new, renewable, or unused energy;
7. "Energy-poor classes" mean beneficiaries of the basic living security and the next needy class under the National Basic Living

Security Act.
(2) Except as otherwise provided for in subparagraphs of paragraph (1), terms used in this Ordinance shall be defined in accordance with the Energy Act and the Act on the Promotion of the Development, Use and Diffusion of New and Renewable Energy.

Article 4 (Responsibilities of Metropolitan Government)

(1) The Metropolitan Government shall seek for rational and comprehensive policies on energy conservation, the efficient use of energy, the facilitation of diffusion of new and renewable energy, and the reduction of greenhouse gas emissions.
(2) The Metropolitan Government shall endeavor to research, develop, survey, and expand policies on energy in implementing policies on energy pursuant to paragraph (1) and may make ties and collaborate with Gus, business entities, citizens, non-governmental organizations, and academic circles or assist them in such activities.
(3) The Metropolitan Government shall contribute to the universal supply of energy to all citizens, including energy-poor classes, with cooperation from Gus and energy suppliers and shall include it in its energy plans.

Article 5 (Responsibilities of each Gu)

(1) Each Gu shall establish an energy plan for the Gu in accordance with the Metropolitan Government's policies on energy, taking into consideration characteristics of the area within its jurisdiction, and shall fulfill its responsibility to perform the plan in good faith.
(2) Each Gu shall participate and cooperate in the Metropolitan Government's energy plans and policies actively.

Article 6 (Responsibilities of Business Entities)

(1) Each business entity shall endeavor actively to save energy, enhance the efficiency in the use of energy, facilitate the development, use, and diffusion of new and renewable energy, and reduce greenhouse gas emissions.
(2) Each business entity shall cooperate actively in the energy plans and policies implemented by the Metropolitan Government, Gus, etc.

Article 7 (Citizens' Responsibilities)

(1) Every citizen shall endeavor to use energy in a rational and efficient manner and purchase and use high-efficiency energy-saving machines and materials and products certified with the environment mark for energy conservation.
(2) Every citizen shall participate and cooperate actively in policies implemented by the Metropolitan Government or each Gu for energy conservation, the efficient use of energy, the facilitation of the development, use, and diffusion of new and renewable energy, and the reduction of greenhouse gas emissions.

CHAPTER ESTABLISHMENT OF ENERGY PLANS, ETC.

Article 8 (Energy Plans)

CHAPTER ESTABLISHMENT OF ENERGY PLANS, ETC.(1) The Mayor shall establish and implement the Seoul Metropolitan Government's energy plan (hereinafter referred to as the "energy plan") for at least five years, every five years pursuant to Article 7 of the Energy Act for energy conservation and the facilitation of the development, use, and diffusion of new and renewable energy.
(2) The energy plan shall include the following matters:
1. Matters concerning the trends and prospects of energy supply and the stable supply of energy;
2. Matters concerning energy conservation and the efficient use of energy;
3. Matters concerning the use of environment-friendly energy, such as new and renewable energy;
4. Matters concerning the rationalization of energy use and the reduction of greenhouse gas emissions through the rationalization;
5. Matters concerning assistance to energy-disadvantaged classes, including energy-poor classes;
6. Matters concerning assistance to energy-poor classes through cooperation from the Seoul Metropolitan Government, energy-related agencies, energy suppliers, etc.;
7. Matters concerning the development of technologies for energy, the training and education of human resources, and promotional activities for energy, and the domestic and international exchange and cooperation in energy;
8. Matters concerning the development and use of unused energy sources;
9. Matters concerning integrated energy supply to areas designated as eligible for integrated energy supply pursuant to Article 5 (1) of the Integrated Energy Supply Act;
10. Other matters that the Mayor considers necessary for energy policies and related programs.
(3) The energy plan shall be finally established through the deliberation by the Energy Committee of the Seoul Metropolitan Government. The same shall apply to a proposed amendment to the energy plan so established.
(4) The Mayor may authorize a specialized research institute to establish the energy plan.

Article 9 (Implementation Plan for Rationalization of Energy Use)

(1) The Mayor shall establish and implement an implementation plan for the rationalization of energy use of the Seoul Metropolitan

Government (hereinafter referred to as the "implementation plan for energy use rationalization") each year pursuant to Article 6 of the Energy Use Rationalization Act in order to use energy rationally.
(2) The implementation plan for energy use rationalization under paragraph (1) shall include the following matters:
1. Matters that shall be implemented for annual energy conservation in the public and private sectors in order to convert economic structure to an energy-saving structure;
2. Matters concerning the development of technologies and promotional activities and education for energy use rationalization;
3. Matters concerning the reduction of greenhouse gas emissions through rational energy use;
4. Matters that the Mayor considers necessary for promoting energy use rationalization.

Article 10 (Energy Committee)

(1) The Mayor shall establish the Energy Committee of the Seoul Metropolitan Government (hereinafter referred to as the "Committee") in order to have the Committee provide advice and deliberate on energy plans and policies.
(2) The Committee shall be comprised of not more than 20 members commissioned or appointed by the Mayor, including one chairperson and one vice chairperson.
(3) The Committee chairperson shall be elected by and from among Committee members, have overall control over business affairs of the Committee, and represent the Committee.
(4) The vice chairperson shall assist the Committee chairperson and act on behalf of the Committee chairperson, if the Committee chairperson is unable to perform his/her duties due to an unavoidable cause or event.
(5) Commissioned Committee members shall be comprised of not more than 15 persons under any of the following subparagraphs:
1. Council Members recommended by the Seoul Metropolitan Council;
2. Persons who have good knowledge and experience in an area of energy or environment;
3. Appropriate experts from energy-related specialized agencies, associations, or non-governmental organizations;
4. Public officials in charge.
(6) The term of office for commissioned Committee members shall be two years but may be renewed consecutively.
(7) Ex Officio Committee members shall be comprised of not more than five heads of energy-related divisions, and the scope of such members shall be prescribed by Rule.
(8) The Committee shall have the following functions:
1. Development and evaluation of energy-related policies;
2. Deliberation on energy plans;
3. Deliberation on matters concerning the stable use of energy and the facilitation of the development, use, and diffusion of new and renewable energy;
4. Deliberation on matters concerning domestic and international exchange and cooperation in energy;
5. Deliberation on matters concerning the efficient use of the budget for energy;
6. Consultation about the enactment and amendment of other Ordinances relevant to energy use;
7. Deliberation on other matters on which the Committee chairperson brings up to the Committee because he/she considers necessary to deliberate on them.
(9) Expenses incurred in activities for the Committee may be reimbursed within budget.
(10) Other detailed matters necessary for the operation of the Committee shall be prescribed by Rule.

Article 11 (Working Committee)

(1) The Committee may have a working committee, if necessary for the efficient operation of the Committee, such as prior examination on agenda items.
(2) The working committee shall be comprised of not more than seven Committee members, including the working committee chairperson.
(3) The working committee chairperson shall be appointed or commissioned by the Committee chairperson under Article 10 (3).
(4) The scope of activities of the working committee and other necessary matters shall be prescribed by Rule.

CHAPTER ENERGY CONSERVATION AND EFFICIENT USE OF ENERGY

Article 12 (Rationalization of Energy in Existing Buildings)

CHAPTER ENERGY CONSERVATION AND EFFICIENT USE OF ENERGY(1) The Mayor shall endeavor to increase the number of high energy-efficient buildings for energy conservation and the efficient use of energy.
(2) The Mayor may establish and implement plans for the following programs in order to increase the number of high energy-efficient buildings under paragraph (1):
1. Assistance in borrowing loans for investments in improvement projects for high energy-efficient buildings;
2. Operation of a system for the certification of environment-friendly buildings according to energy-saving efficiency;

3. Assistance in programs for energy evaluation on existing buildings for the promotion of energy evaluation;
4. Surveys on the current status of use of energy for the establishment of guidelines for annual energy consumption of existing buildings.

Article 13 (Securing Energy Performance of New Buildings, etc.)

(1) The Mayor may establish and implement standards for energy-saving environment-friendly buildings in the public and private sectors in order to induce and facilitate to secure energy performance of new buildings, etc.
(2) The Mayor may recommend the use of products certified as high energy-efficient machines and materials, facilities for solar heat or light, and other facilities for new and renewable energy in order to ensure energy performance of buildings when he/she grants a building permit pursuant to Article 11 (1) of the Building Act.
(3) The Mayor shall, when he/she prepares plans and designs for a building, examine the energy performance of the building according to designs for environment-friendly energy buildings, as prescribed by rules.
(4) The Mayor shall examine the energy-saving plan submitted by a building project owner pursuant to Article 22 (1) of the Rule on the Standards, etc. for Facilities of Buildings and may demand the building project owner to supplement the energy-saving plan, if necessary.

Article 14 (Measures for Transportation with Environment-Friendly Energy)

The Mayor shall implement the following policies for energy conservation and the efficient use of energy:
1. Measures for the supply of fuel that can facilitate the energy use by environment-friendly automobiles under subparagraph 2 of Article 2 of the Act on the Promotion of Development and Distribution of Environment-Friendly Automobiles;
2. Promoting participation in the no-driving day program for passenger vehicles and expansion of exemption from local taxes for automobiles participating in the program;
3. Increasing convenience facilities and facilities for use to encourage use of bicycles;
4. Promoting voluntary participation in the no-driving day program for passenger vehicles in public parking lots and discounting parking fees of public parking lots for automobiles participating in the program;
5. Introduction of futuristic automobiles and establishment of infrastructure for futuristic automobiles;
6. Other measures for environment-friendly transportation.

Article 15 (Energy Conservation in Public Sector)

The Mayor shall carry out the following matters to save energy costs and to lead the private sector to develop an environment for energy conservation through energy conservation and the efficient use of energy and to prepare a sustainable energy system:
1. The establishment and management of goals for energy conservation according to the total energy consumption control system;
2. The purchase and use of environment-friendly products under the Seoul Metropolitan Government Ordinance on the Facilitation of Purchases of Environment-Friendly Products when public buildings are constructed or when public facilities are renovated or repaired;
3. The promotion of energy-saving programs by enterprises specializing in energy saving, taking characteristics of each institution into consideration;
4. The diagnosis of energy management to enhance energy efficiency of public buildings;
5. The preferential purchase of compact cars or environment-friendly automobiles under subparagraph 2 of Article 2 of the Act on the Promotion of Development and Distribution of Environment-Friendly Automobiles at the time of purchasing automobiles for official use by public agencies;
6. The observance of appropriate indoor temperatures in buildings for each season;
7. The implementation of the no-driving day program for passenger vehicles for official use.

Article 16 (Establishment of Per Unit Energy Consumption Targets)

(1) The Mayor may determine and recommend the energy consumption target for each unit of product made by using energy and the annual energy consumption target for each unit area for each specific use of buildings (including new and existing buildings) in order to increase efficiency in the use of energy.
(2) The standards for the per unit energy consumption targets for products and buildings under paragraph (1) shall conform to Article 35 (1) of the Energy Use Rationalization Act.

Article 17 (Voluntary Agreement, etc.)

(1) The Mayor may execute a voluntary agreement with business entities in order to comply with the Convention on Climate Change by reducing greenhouse gas emissions through energy conservation and the efficient use of energy.
(2) The Mayor may conduct promotional activities for the promotion of the voluntary agreement and may grant subsidies to business entities executing the voluntary agreement and exempt such business entities from taxes according to their energy conservation performance.

CHAPTER FACILITATION OF DEVELOPMENT, USE, AND DIFFUSION OF NEW, RENEWABLE, AND UNUSED ENERGY

Article 18 (Development, Use, and Diffusion of New, Renewable, and Unused Energy)

CHAPTER FACILITATION OF DEVELOPMENT, USE, AND DIFFUSION OF NEW, RENEWABLE, AND UNUSED ENERGY(1) The Mayor may set goals for the diffusion of new, renewable, or unused energy under the Act on the Promotion of the Development, Use and Diffusion of New and Renewable Energy and may establish and implement projects according to relevant policies in order to achieve the goals.

(2) The Mayor may organize and operate a separate council comprised of energy-related experts in order to actively implement medium- and long-term policies suitable for the characteristics of the City on the development, use, and diffusion of new, renewable, or unused energy.

Article 19 (Model New or Renewable Energy Districts)

(1) The Mayor may establish and implement a basic plan for the designation of new or renewable energy districts in order to facilitate the development, use, and diffusion of new and renewable energy.

(2) The kinds of new and renewable energy eligible for the designation of a model district under paragraph (1) are as follows:

1. New and renewable energy under subparagraph 1 of Article 2 of the Act on the Promotion of the Development, Use and Diffusion of New and Renewable Energy;
2. Unused energy specified by Rule as one suitable in light of the characteristics of the City.

(3) The Mayor shall endeavor to facilitate and promote the development, use, and diffusion of new and renewable energy.

(4) The requirements and procedure for the designation of model new or renewable energy districts shall be prescribed by Rule.

CHAPTER ESTABLISHMENT OF EFFICIENT PROMOTION SYSTEM, ETC.

Article 20 (Measures in Administration, Taxation, Finance, etc.)

CHAPTER ESTABLISHMENT OF EFFICIENT PROMOTION SYSTEM, ETC.(1) The Mayor shall take measures in administration, taxation, and finance as necessary for implementing policies on energy conservation, the development, use, and diffusion of new and renewable energy, and the energy use rationalization.

(2) The Mayor may provide assistance in taxation and finance to the facilities providing information or technology necessary for surveys and researches conducted by a citizen, a business entity, a non-governmental organization, or a research institute or the facilities installed and operated for such purposes by a citizen, a business entity, a non-governmental organization, or a research institute.

(3) Financial assistance shall be governed by Articles 5 and 6 of the Seoul Metropolitan Government Ordinance on the Establishment and Operation of the Climate Change Fund.

Article 21 (Enhancement of Cooperation with Citizens, etc.)

The Mayor shall endeavor to provide citizens and non-governmental organizations with relevant data and enhance cooperation with them in order to promote activities for public interests, such as energy conservation, the efficient use of energy, the development, use, and diffusion of new and renewable energy, and the reduction of greenhouse gas emissions.

Article 22 (Energy Education, Promotion, and Rewards)

(1) The Mayor may conduct educational or promotional programs for matters necessary for the diffusion and promotion of environment-friendly energy to citizens, business entities, etc.

(2) The Mayor may grant rewards to persons who contribute significantly to the implementation of policies on energy conservation, the efficient use of energy, the facilitation of the development, use, and diffusion of new and renewable energy, and the reduction of greenhouse gas emissions.

CHAPTER SUPPLEMENTARY PROVISIONS

Article 23 (Restriction on Use of Energy)

CHAPTER SUPPLEMENTARY PROVISIONSIf a serious problem in the supply of energy occurs or is anticipated to occur due to a change in the domestic or international use of energy, the Mayor may request the Minister of Knowledge Economy to take the following measures to business entities or the owners and managers of machines and materials for the use of energy to the extent necessary to stabilize the demand and supply of energy:

1. Restriction on the use of energy in hospitality businesses and other facilities using energy;
2. Restriction on the use of machines and materials for the use of energy, including automobiles;

3. Restriction on the time and methods of the use of energy;
4. Other measures particularly necessary for the stabilization of the demand and supply of energy.

Article 24 (White Papers on Energy)

(1) The Mayor may prepare and publish white papers on energy each year in order to inform citizens of the main points of policies on energy and the current status of the implementation of such policies.
(2) White papers on energy under paragraph (1) shall include the following matters:
1. Trends and prospects of the demand and supply of energy;
2. The current status of the implementation of policies on energy conservation through the efficient use of energy;
3. The current status of the development, use, and distribution of new and renewable energy;
4. The current status and prospects of the implementation of policies on energy, including assistance to energy-poor classes.

ADDENDUM <Ordinance No. 4954, Mar. 2, 2010>

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