

SEOUL METROPOLITAN GOVERNMENT ENFORCEMENT RULE OF THE ORDINANCE ON THE PROTECTION OF CULTURAL ASSETS

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Partial Amendment No. 1730, Dec. 28, 1977
Amendment of Other Laws No. 1993, Sep. 23, 1982
Whole Amendment No. 2098, Mar. 19, 1985
Partial Amendment No. 2205, Dec. 31, 1987
Partial Amendment No. 2638, Sep. 26, 1994
Whole Amendment No. 3083, Dec. 20, 1999
Partial Amendment No. 3312, Apr. 09, 2003
Partial Amendment No. 3678, Aug. 06, 2009
Amendment of Other Laws No. 3711, Dec. 10, 2009
Whole Amendment No. 3856, Apr. 19, 2012
Amendment of Other Laws No. 3873, Sep. 28, 2012
Partial Amendment No. 3969, May. 22, 2014
Whole Amendment No. 4119, Oct. 13, 2016
Amendment of Other Laws No. 4303, Oct. 10, 2019
Partial Amendment No. 4323, Jan. 16, 2020

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

CHAPTER I GENERAL PROVISIONS The purpose of this Rule is to prescribe matters mandated by the Seoul Metropolitan Government Ordinance on the Protection of Cultural Heritage and other matters necessary for enforcing said Ordinance.

Article 2 (Definitions)

The terms used in this Rule are defined as follows: <Amended by Rule No. 4323, Jan. 16, 2020>

1. The term "tangible cultural heritage" means a cultural heritage designated pursuant to subparagraph 1 of Article 8 of the Ordinance;
2. The term "monument" means a monument designated pursuant to subparagraph 2 of Article 8 of the Ordinance;
3. The term "folklore resource" means a folklore resource designated pursuant to subparagraph 3 of Article 8 of the Ordinance.

CHAPTER II ESTABLISHING AND IMPLEMENTING POLICIES ON PROTECTING CULTURAL HERITAGE

Article 3 (Procedures for Formulating Implementation Plans for Preserving Cultural Heritage)

CHAPTER II ESTABLISHING AND IMPLEMENTING POLICIES ON PROTECTING CULTURAL HERITAGE (1) An annual implementation plan established in line with the master plan for cultural heritage pursuant to Article 3 of the Ordinance (hereinafter referred to as "implementation plan") shall include the following:

1. Direction-setting for implementing projects for the relevant year;
2. Policy on implementing major projects;
3. A detailed plan for each major project;
4. Other matters necessary for preserving, managing, and utilizing cultural heritage.

(2) When formulating an implementation plan, the Mayor of the Seoul Metropolitan Government (hereinafter referred to as the "Mayor") may seek opinions from the members of the Seoul Government Cultural Heritage Committee under Article 37 of the Ordinance (hereinafter referred to as the "Committee") and from owners, custodians, and management organizations of cultural heritage.

(3) If necessary to formulate an implementation plan, the Mayor may request the head of an autonomous Gu (hereinafter referred to as the "head of a Gu") to submit data on cultural heritage in his or her jurisdictional district.

(4) The Mayor shall submit an implementation plan for the relevant year and the results of implementing the same plan for the preceding year to the Administrator of the Cultural Heritage Administration by January 31 each year pursuant to Article 4 (2) of the Enforcement Decree of the Cultural Heritage Protection Act (hereinafter referred to as the "Enforcement Decree").

(5) The Mayor shall announce an implementation plan for the relevant year to the public by posting it on the bulletin board and the website of the Seoul Metropolitan Government by the end of February of the relevant year pursuant to Article 4 (3) of the Enforcement Decree.

CHAPTER III DEVELOPING INFRASTRUCTURE FOR PRESERVING CULTURAL HERITAGE

Article 4 (Procedures for Basic Investigation of Cultural Heritage)

CHAPTER III DEVELOPING INFRASTRUCTURE FOR PRESERVING CULTURAL HERITAGE(1) When the Mayor intends to conduct a basic investigation of cultural heritage under Article 5 (1) of the Ordinance, he or she shall formulate a plan therefor, including such general matters as investigators, objects of the investigation and the process of investigation; and shall submit such plan to the Administrator of the Cultural Heritage Administration before commencing the basic investigation.

(2) The Mayor shall prepare and submit a report on the findings, including the following information, within 60 days from the completion of a basic investigation of a cultural heritage:

1. General information on the investigation, such as investigators and investigation process and method;
2. The current state of the investigated cultural heritage in detail;
3. Information on the owner or custodian, location, history, etc. of the investigated cultural heritage.

(3) Notwithstanding paragraph (2), if a basic investigation of a cultural heritage exceeds one year, the Mayor shall prepare and submit an interim report, including information on the matters in the subparagraphs of paragraph (2), to the Administrator of the Cultural Heritage Administration at the end of each year after the basic investigation commenced.

Article 5 (Scope and Management of Information System on Cultural Heritage)

(1) The scope of the information system on cultural heritage established pursuant to Article 6 (3) of the Ordinance is as follows:

1. Basic data on the current state of cultural heritage, including their name, location, and owner;
2. Data for preserving, managing, and utilizing cultural heritage;
3. Data for investigating, discovering, and researching cultural heritage ;
4. Data helpful to understanding the relevant cultural heritage, such as photographs, drawings and videos;
5. Other data the Mayor deems necessary and useful as information about cultural heritage.

(2) The Mayor shall store the data in the subparagraphs of paragraph (1) in the form of electronic data, books, etc.; and may provide citizens with such data to efficiently utilize information on cultural heritage through the archives or website of the Seoul Metropolitan Government.

Article 6 (Preparing Fire Response Guidelines)

(1) The scope of the cultural heritage for which fire response guidelines shall be prepared is as follows: <Amended by Rule No. 4323, Jan. 16, 2020>

1. Wooden architectural structures, among designated cultural heritage;
2. Wooden architectural structures in a designated cultural heritage site and those in a protection zone: Provided, That architectural structures of less importance, such as restrooms and rest facilities, shall be excluded;
3. Wooden architectural structures in a World Heritage Site in Article 19 (1) of the Cultural Heritage Protection Act (hereinafter referred to as the "Act"): Provided, That architectural structures of less importance, such as restrooms and rest facilities, shall be excluded.

(2) The fire response guidelines under Article 7 (3) of the Ordinance shall include the following:

1. Activities for fire prevention;
2. How to report the breakout of a fire;
3. How to respond to a fire, such as relocation, dispersion, and evacuation of cultural heritage.

CHAPTER IV DESIGNATING CULTURAL HERITAGE

Article 7 (Criteria for Designating Designated Cultural Heritage)

CHAPTER IV DESIGNATING CULTURAL HERITAGECriteria for designating designated cultural heritage under Article 8 of the Ordinance are as prescribed in attached Table 1.

Article 8 (Procedures for Designating Designated Cultural Heritage)

(1) When the owner of a cultural heritage or a third party thereto intends to apply for designation of the cultural heritage as designated cultural heritage, he or she shall prepare an application therefor in attached Form 1 and shall submit the application to the Mayor.

(2) When the Mayor intends to designate a cultural heritage as designated cultural heritage, he or she shall request at least three experts, such as members or expert members of the relevant subcommittee of the Committee, to investigate and examine the cultural heritage at issue.

(3) Persons requested pursuant to paragraph (2) shall investigate and examine the relevant cultural heritage; and shall prepare and submit an investigation report to the Mayor.

(4) If the Mayor determines that the relevant cultural heritage is worth designation as designated cultural heritage, after reviewing the investigation report submitted under paragraph (3), he or she shall give at least 30 days' prior public notice of the matters

subject to deliberation by the Committee in the Official Gazette of the Seoul Metropolitan Government before the Committee commences deliberation thereon.

(5) The Mayor shall determine whether to designate a cultural heritage as designated cultural heritage, after deliberation by the Committee, within six months from the date the period of the prior public notice under Article 4 expires, based upon the investigation report under paragraph (3) and the results of the prior public notice under paragraph (4).

Article 9 (Criteria and Procedures for Designating Cultural Heritage Resources)

(1) Cultural heritage resources shall be designated as a whole, without dividing them into the types in Article 8 of the Ordinance; and the criteria prescribed in attached Table 1 shall apply to such designation mutatis mutandis.

(2) Article 8 shall apply mutatis mutandis to the procedures for designating cultural heritage resources.

Article 10 (Criteria and Procedures for Designating Protective Facilities or Protection Zones)

(1) The criteria for designating protective facilities or a protection zone under Article 10 of the Ordinance are as prescribed in attached Table 2.

(2) Where the Mayor determines it necessary after considering artificial or natural conditions or other extraordinary circumstances, he or she may relax or tighten the criteria for designating protective facilities or a protection zone under paragraph (1), subject to prior deliberation by the Committee.

(3) Article 8 shall apply mutatis mutandis to the procedures for designating protective facilities or a protection zone.

Article 11 (Public Notice of Designation and Revocation)

When designating a designated cultural heritage, cultural heritage resource (hereinafter referred to as “designated cultural heritage, etc.”), or its protective facility or protection zone, or when revoking such designation, the following shall be publicly notified in the Official Gazette of the Seoul Metropolitan Government under Articles 11 (1) and 14 (3) of the Ordinance: <Amended by Rule No. 4303, Oct. 10, 2019>

1. The classification, designation number, name, quantity, location, or storing place of the designated cultural heritage, etc.;
2. The name, quantity, and location of the protective facilities or protection zone for the designated cultural heritage, etc.;
3. The name and address of the owner or occupant of the designated cultural heritage, etc. and the name and address of the owner or occupant of the protective facilities or protection zone of the designated cultural heritage, etc.;
4. Grounds for designation or revocation.

Article 12 (Data Relevant to Designation)

An application submitted for designation of a cultural heritage as designated cultural heritage, etc. or designation of the protective facilities or protection zone therefor shall include the following data:

1. The name, quantity, and location or storing place of the designated cultural heritage;
2. The name and address of the owner, holder, or custodian of the designated cultural heritage, etc.;
3. The name and address of the owner, occupant, or custodian of the location or storing place of the designated cultural heritage, etc. (if it is necessary to designate a protection zone or protective facilities, the area or quantity of such zone or facilities and the name and address of the owner, occupant, or custodian of such area or facilities);
4. The author and origin of the designated cultural heritage, etc. and relevant stories;
5. An explanation of the present condition;
6. The materials, quality, structure, style, size, and shape of the designated cultural heritage, etc.;
7. Photographs, drawings, audio recordings, and written records of designated cultural heritage, etc.;
8. Matters concerning restriction or prohibition necessary for protecting and managing the designated cultural heritage, etc.;
9. Other matters necessary for designation.

Article 13 (Certificate of Designation of Tangible Cultural Heritage)

(1) The certificate of designation of tangible cultural heritage, a monument, a folklore resource, or a cultural heritage resource under Article 12 of the Ordinance shall include the following information:

1. Name and quantity;
2. Number and date of designation;
3. Structure and style, in cases of a building;
4. Dimension, shape, materials, and other features, in cases of any tangible cultural heritage other than buildings;
5. Location or storing place;
6. Name and address of the owner.

(2) A certificate of designation under paragraph (1) shall be issued in attached Form 2.

(3) In stating the information specified in the subparagraphs of paragraph (1), the sub-items of the quantity category under paragraph (1) 1, if such sub-items exist, and the information specified in paragraph (1) 3 and 4 shall be stated in an appendix to the certificate of designation in attached Form 3. In such cases, an appendix to a certificate of designation shall be deemed to be an integral part of the certificate of designation, and the appendix shall be incorporated into the certificate of designation by affixing a

joint seal to the back sides of the appendix and the certificate of designation.

(4) If a certificate of designation issued under paragraph (1) is destroyed or damaged, the owner of the relevant cultural heritage shall apply for reissuance of the certificate of designation.

(5) When issuing or reissuing a certificate of designation of tangible cultural heritage, a monument, a folklore resource, or a cultural heritage resource, the Mayor shall enter the details thereof in the register of issuance of certificates of designation in attached Form 4.

(6) In the absence of special circumstances, entries in the register of issuance of certificates of designation under paragraph (5) shall be made by electronic means.

Article 14 (Procedures for Revoking Designation of Designated Cultural Heritage)

In any of the following cases, Article 8 shall apply mutatis mutandis:

1. Revoking designation of designated cultural heritage, etc. under Article 14 (1) of the Ordinance;
2. Revoking designation of protective facilities or a protection zone and the adjustment of the scope of such facilities or zone under Article 14 (2) of the Ordinance.

Article 15 (Provisional Designation)

Where the Mayor provisionally designates a cultural heritage as designated cultural heritage pursuant to Article 15 of the Ordinance, he or she shall classify such cultural heritage as tangible cultural heritage, a monument, a folklore resource, or a cultural heritage resource.

CHAPTER V MANAGING AND PROTECTING CULTURAL HERITAGE

Article 16 (Designating Management Organizations)

CHAPTER V MANAGING AND PROTECTING CULTURAL HERITAGE(1) When the Mayor designates an autonomous Gu, or a corporation or an organization as an entity appropriate for managing designated cultural heritage, etc. under Article 18 of the Ordinance (hereinafter referred to as "management organization"), he or she shall issue a certificate of designation of a management organization in attached Form 5.

(2) When the Mayor issues a certificate of designation of a management organization under paragraph (1), he or she shall enter the details thereof in the register of issuance of certificates of designation of a management organization in attached Form 6 and shall maintain the register.

(3) A management organization to which a certificate of designation of a management organization was issued under paragraph (1) shall return the certificate of designation within 10 days from the date the period of designation ends or the designation terminates.

Article 17 (Registers)

(1) Regarding the preservation, management, change, etc. of designated cultural heritage, etc. under Article 26 of the Ordinance, the Mayor shall enter and preserve records according to the following classification:

1. Tangible cultural heritage, monuments, folklore resources, and cultural heritage resources: Attached Form 7.

(2) When records are entered in a register of designated cultural heritage, etc. pursuant to paragraph (1), the following materials shall be attached to the register:

1. Tangible cultural heritage, monuments, folklore resources, and cultural heritage resources: Photographs, surveyed maps, and cadastral maps of, and layout plans for designated cultural heritage, etc., protective facilities and protection zones.

(3) An index for each designation number and a summary table shall be attached to each register of designated cultural heritage, etc.

(4) Paragraph (1) shall apply mutatis mutandis to the cultural heritage provisionally designated under Article 15 of the Ordinance.

Article 18 (Application for Permission)

(1) A person who intends to obtain permission from the Mayor for an activity specified in any subparagraph of Article 20 of the Ordinance shall submit, to the Mayor, an application for permission, stating the classification, designation number, name, quantity, location, etc. of the relevant designated cultural heritage, etc., in the appropriate form specified as follows: <Amended by Rule No. 4323, Jan. 16, 2020>

1. A person who intends to obtain permission to capture animals, gather plants, extract minerals, or take out any of them out of the Seoul Metropolitan City in accordance with subparagraph 1 of Article 20 of the Ordinance: Attached Form 8;

2. A person who intends to obtain permission to make a rubbed copy, photoprint, or photograph of a designated cultural heritage, etc. in accordance with subparagraph 2 of Article 20 of the Ordinance: Attached Form 9;

3. A person who intends to obtain permission to make changes to the present condition of a designated cultural heritage, etc. or a protective facility or protection zone thereof in accordance with subparagraph 3 of Article 20 of the Ordinance: Attached Form 10;

4. A person who intends to obtain permission to make any change to any permitted matter in accordance with Article 20 of the Ordinance: Attached Form 11.

(2) The application for permission under paragraph (1) 1 through 3 shall be as specified in attached Form 33, and the permit for change under paragraph (1) 4 shall be as specified in attached Form 34. <Newly Inserted by Rule No. 4323, Jan. 16, 2020>

Article 19 (Scope of Insignificant Activities)

"Insignificant activities prescribed by rule" in the proviso of subparagraph 3 of Article 20 of the Ordinance means any of the following activities:

1. Straightening a tilted stereobate or stairs of a building;
2. Restoring any section that is likely to collapse, or has partially collapsed, from a wall with no mural;
3. Changing window paper or repairing partially broken doors and windows;
4. Applying clay plaster to a ceiling damaged by water leakage, etc.;
5. Repairing partially damaged floor panels;
6. Repairing a stone marker, a signboard, a warning sign, etc.;
7. Repairing loosened roof tiles to prevent water leakage;
8. Restoring restrooms;
9. Repairing roof tiles on walls or restoring collapsed sections;
10. Repairing a washed-out part of a plaza;
11. Turfing or mowing lawn;
12. Leveling earth on a masonry retaining wall;
13. Maintaining and repairing an existing access road;
14. Dredging existing gutters;
15. Removing scrub from remains, such as fortress walls and building sites for maintenance;
16. Repairing electrical structures and fire-fighting equipment;
17. Repairing an anti-theft alarm system;
18. Repairing a protective fence;
19. Other activities determined by the Mayor.

Article 20 (Report on Appointment of Custodian)

(1) A person who intends to report the occurrence of any of the causes falling under subparagraphs 1 through 8 of Article 24 of the Ordinance regarding designated cultural heritage, etc. shall submit a report thereon to the Mayor in the following appropriate form within 15 days from the date such cause arises:

1. A report on the appointment or dismissal of a custodian of designated cultural heritage, etc. under subparagraph 1 of Article 24 of the Ordinance: Attached Form 12;
2. A report on the transfer of ownership of designated cultural heritage, etc. under subparagraph 2 of Article 24 of the Ordinance: Attached Form 13;
3. A report on a change in the name or address of the owner or custodian of designated cultural heritage, etc. or on a change in the location or storing place of designated cultural heritage under subparagraphs 3 through 5 of Article 24 of the Ordinance: Attached Form 14;
4. A report on the destruction, loss, theft, or damage of designated cultural heritage, etc. under subparagraph 6 of Article 24 of the Ordinance: Attached Form 15;
5. A report on the return of designated cultural heritage, etc. under subparagraph 7 of Article 24 of the Ordinance: Attached Form 16;
6. A report on commencement and completion of a change in the present condition of designated cultural heritage, etc. under subparagraph 8 of Article 24 of the Ordinance: Attached Form 17.

(2) A person who intends to make a report regarding designated cultural heritage, in the event of the cause in subparagraph 9 of Article 24 of the Ordinance, shall submit the report to the Mayor, via the head of the relevant Gu, in the following relevant form, not later than one month before the scheduled date of removal of the designated cultural heritage, etc. from Seoul Metropolitan City, if it is to be removed from the City, or within 15 days from the date of return of the designated cultural heritage to Seoul Metropolitan City, if it was returned to the City:

1. A report on the removal of designated cultural heritage, etc. from Seoul Metropolitan City: Attached Form 18;
2. A report on the return of designated cultural heritage, etc. to Seoul Metropolitan City: Attached Form 19.

Article 21 (Notification of Implementing Repair Work)

Where the Mayor intends to take any measure under any subparagraph of Article 25 (1) of the Ordinance at the expense of the Seoul Metropolitan Government pursuant to Article 25 (2) of the Ordinance, he or she shall notify the owner or custodian of the relevant designated cultural heritage of the classification, designation number, name, and quantity of the designated cultural heritage, etc. or the details of repair work or of the measure, the time to commence the repair work or measure, and other necessary matters.

Article 22 (Entrustment of Regular Investigations)

The Mayor may entrust an institution or organization referred to in either of the following with regular investigations and re-investigations of designated cultural heritage, etc. pursuant to Article 27 (6) of the Ordinance:

1. A corporation or an organization established for research, education, repair, or academic activities with respect to designated cultural heritage, etc.;
2. A museum referred to in Article 10, 12, or 14 of the Museum and Art Gallery Support Act.

CHAPTER VI PUBLIC DISCLOSURE OF CULTURAL HERITAGE

Article 23 (Public Notice of Restriction on Public Disclosure)

CHAPTER VI PUBLIC DISCLOSURE OF CULTURAL HERITAGE(1) When the Mayor restricts public disclosure of designated cultural heritage, etc. under Article 32 (3) of the Ordinance, he or she shall publicly notify the following in the Official Gazette of the Seoul Metropolitan Government:

1. The classification, designation number, name, and location of the relevant designated cultural heritage, etc.;
2. The location of the area in which the relevant designated cultural heritage, etc. is located;
3. The period during which public disclosure is restricted and the area subject to such restriction;
4. Grounds for imposing restriction on public disclosure;
5. Sanctions to be imposed for violations of the restriction on public disclosure.

(2) Upon being notified of the restriction on public disclosure under Article 32 (3) of the Ordinance, the head of a Gu shall inform the owner, custodian, or management organization of the relevant designated cultural heritage, etc. of the notice and shall place signs, indicating the matters referred to in the subparagraphs of paragraph (1), around the designated cultural heritage subject to restriction on public disclosure.

(3) When the Mayor lifts the restriction on public disclosure of designated cultural heritage, etc. under Article 32 (4) of the Ordinance, he or she shall publicly notify the following in the Official Gazette of the Seoul Metropolitan Government:

1. The classification, designation number, name, and location of the relevant designated cultural heritage, etc.;
2. The area for which the restriction on public disclosure is lifted;
3. Grounds for lifting the restriction on public disclosure.

(4) Upon being notified of the lifting of restriction on public disclosure under Article 32 (4) of the Ordinance, the head of a Gu shall remove the signs placed pursuant to paragraph (2).

Article 24 (Permission to Enter Areas Subject to Restriction on Public Disclosure)

(1) In any of the following cases, the Mayor may allow a person to enter an area in which public disclosure is restricted under Article 32 (5) of the Ordinance:

1. Where it is necessary to repair and maintain designated cultural heritage, etc.;
2. Where it is necessary to conduct an academic investigation for protecting and preserving designated cultural heritage, etc.;
3. Where the Mayor determines, on any other ground, that it is necessary to preserve and utilize the relevant designated cultural heritage, etc.

(2) A person who intends to obtain permission under paragraph (1) shall submit to the Mayor, via the head of the relevant Gu, an application for permission to enter the restricted area of designated cultural heritage, etc. in attached Form 20 (including an application in the form of an electronic document), along with documents (including electronic documents) evidencing a case referred to in any subparagraph of paragraph (1), such as a project plan or a research plan.

CHAPTER VII MANAGING CULTURAL HERITAGE OWNED BY THE SEOUL GOVERNMENT

Article 25 (Days Cultural Heritage Owned by the Seoul Government Are Closed)

CHAPTER VII MANAGING CULTURAL HERITAGE OWNED BY THE SEOUL GOVERNMENT(1) One day each week shall be designated as a closed day for efficiently managing cultural heritage owned by the Seoul Government and facilities relating thereto (hereinafter referred to as "cultural heritage owned by the Seoul Government").

(2) Closed days shall be determined by the Mayor, based upon conditions of each cultural heritage owned by the Seoul Government.

Article 26 (Hours of Opening or Using Cultural Heritage Owned by the Seoul Government)

The hours for opening or using cultural heritage owned by the Seoul Government are as follows: Provided, That the following shall not apply where the Mayor reduces or extends the hours of opening or use as he or she deems necessary:

1. Summer season (March - October): 09:00 - 18:00;
2. Winter season (November - February): 09:00 - 17:00.

Article 27 (Restriction on Opening or Using Cultural Heritage Owned by the Seoul Government)

In any of the following cases, the Mayor may restrict opening or using cultural heritage owned by the Seoul Government:

1. Where a cultural heritage owned by the Seoul Government or any other facility is damaged;
2. A political gathering or a religious event;
3. Business activities conducted towards visitors, without the Mayor's prior approval.

Article 28 (Permission to Use Cultural Heritage Owned by the Seoul Government and Collecting Fees for Use)

(1) A person who intends to obtain permission for shooting pursuant to Article 34 of the Ordinance shall file with the Mayor an application for permission for shooting in attached Form 21 and required documents, not later than five days before shooting.

(2) In issuing a permit in response to an application filed pursuant to paragraph (1), the Mayor shall deliver a permit for shooting to the applicant in attached Form 22, specifying the terms and conditions, etc. of the permit therein.

(3) A person who intends to obtain permission to use a place pursuant to Article 34 of the Ordinance shall submit to the Mayor an application for permission to use a place in attached Form 23 and required documents, not later than 20 days beforehand.

(4) In issuing a permit in response to an application filed pursuant to paragraph (3), the Mayor shall deliver a permit to use a place to the applicant in attached Form 24, specifying the details, terms and conditions, etc. of the permit therein.

(5) A person who obtains a permit for shooting or a permit to use a place under paragraphs (2) and (4) shall pay fees for use, as prescribed in attached Table 3, by the day immediately before the date of use.

(6) No fee shall be refunded for non-use after the scheduled date for use: Provided, That the foregoing shall not apply where the applicant is not liable for failing to use a cultural heritage owned by the Seoul Government on the scheduled date of use.

(7) Notwithstanding paragraph (5), the Mayor may exempt a person from fees for use in any of the following cases:

1. For an event held or sponsored by the State or a local government to discover, preserve, or inherit traditional culture or arts or for shooting for such purpose;
2. For an event held to publicize the affairs of the State Government or those of the Seoul Government and to teach traditional culture or for shooting for such purpose;
3. For an event such as a conference or exhibition held by the Government, an international organization, or a public institution under Article 4 of the Act on the Management of Public Institutions;
4. For an event held for children and the youth, including an event of writing, painting, and calligraphy to which the Mayor grants prior permission, or for an event for public interest;
5. An event determined by the Mayor for publicizing, etc. cultural heritage owned by the Seoul Government.

Article 29 (Revoking Permission to Use Cultural Heritage Owned by the Seoul Government)

(1) A person to whom a permit to use a cultural heritage owned by the Seoul Government was issued under Article 28 shall pre-consult with the Mayor or the head of the agency responsible for the management of cultural heritage on the following:

1. Responsibilities for the installation, removal, and safety management of facilities;
2. Movement and return of goods and equipment from or to Seoul Metropolitan City and exit and entry of vehicles for the relevant event;
3. Other matters necessary for preserving and managing the cultural heritage.

(2) In any of the following cases, the Mayor or the head of the agency responsible for the management of cultural heritage may suspend use under paragraph (1) or revoke permission for use:

1. Where any term or condition of permission or any obligation is varied or breached, differently from the contents of the relevant application;
2. Where the relevant cultural heritage is used for any purpose other than the permitted purpose;
3. Where the permitted person is unable to hold an event during the permitted period due to any of his or her own circumstances;
4. Where it is necessary to preserve and manage the relevant cultural heritage.

(3) Where use is suspended or permission is revoked under paragraph (2), such use may be deferred by prior consultation: Provided, That the foregoing shall not apply in the case of paragraph (2) 1 and 2.

Article 30 (Provisions Applicable Mutatis Mutandis to Collecting Fees for Use)

Except as provided in this Rule, the same manner as local taxes are collected shall apply with regard to the matters necessary for collecting fees for use.

Article 31 (Application for Entrusted Management of Cultural Heritage Owned by the Seoul Government)

A person who intends to be entrusted with managing cultural heritage owned by the Seoul Government under Article 36 (1) of the Ordinance shall submit to the Mayor an application for entrusting management in attached Form 25.

Article 32 (Extending Period of Entrusted Management of Cultural Heritage Owned by the Seoul Government)

When a trustee intends to have a period of entrusted management extended, he or she shall submit an application for extending the period of entrusted management in attached Form 26, along with a report on the results of management, etc., not later than 60 days before expiry of such period.

Article 33 (Operating Rules)

Matters not provided in this Rule and other matters necessary for managing cultural heritage owned by the Seoul Government shall be determined separately by the Mayor.

CHAPTER VIII CULTURAL HERITAGE COMMITTEE

Article 34 (Subcommittees)

CHAPTER VIII CULTURAL HERITAGE COMMITTEE(1) The following subcommittees shall be established in order to authorize each of them to investigate and deliberate on the matters in the subparagraphs of Article 37 (1) of the Ordinance regarding cultural heritage in the relevant sector:

1. The Architectural Cultural Heritage Subcommittee;
2. The Movable Cultural Heritage Subcommittee;
3. The Monument Subcommittee;
4. The Stone Marker Subcommittee.

(2) The following matters shall be assigned to the Architectural Cultural Heritage Subcommittee:

1. Matters regarding buildings, among tangible cultural heritage referred to in subparagraph 1 of Article 8 of the Ordinance;
2. Matters regarding buildings, among monuments referred to in subparagraph 2 of Article 8 of the Ordinance;
3. Matters regarding residential houses, among folklore resources referred to in subparagraph 3 of Article 8 of the Ordinance, and buildings, among cultural heritage resources referred to in Article 9 of the Ordinance;
4. Matters regarding technology, including installations, electricity, and machinery.

(3) The following matters shall be assigned to the Movable Cultural Heritage Subcommittee:

1. Matters regarding tangible cultural heritage referred to in subparagraph 1 of Article 8 of the Ordinance (excluding buildings);
2. Matters regarding folklore resources referred to in subparagraph 3 of Article 8 of the Ordinance (excluding residential houses);
3. Matters regarding books, handwritings, documents, paintings, sculptures, handicrafts, etc., among cultural heritage resources referred to in Article 9 of the Ordinance.

(4) The following matters shall be assigned to the Monument Subcommittee:

1. Matters regarding monuments referred to in subparagraph 2 of Article 8 of the Ordinance (excluding buildings);
2. Matters regarding cultural heritage resources referred to in Article 9 of the Ordinance (excluding buildings, books, handwritings, documents, paintings, sculptures, handicrafts, etc.);
3. In cases of construction work referred to in Article 46 (1) of the Ordinance in a project area of not more than 2,000 square meters, matters regarding deliberation on an order to take measures for preservation based on the outcomes of a surface survey.

(5) Matters regarding erecting and maintaining stone markers shall be assigned to the Stone Marker Subcommittee.

Article 35 (Establishing and Operating Subcommittees)

(1) Each subcommittee shall be comprised of the members of the Committee; and the Mayor shall determine the maximum number of members on a subcommittee and assignment of members to each subcommittee.

(2) The chairperson of each subcommittee shall be elected from among and by its members.

(3) If the chairperson of a subcommittee is unable to perform his or her duties due to unavoidable circumstances, the eldest member of the subcommittee shall act on behalf of the chairperson.

(4) The chairperson of each subcommittee shall exercise general control over the subcommittee and represent it.

(5) Matters resolved by a subcommittee shall be deemed resolved by the Committee: Provided, That the foregoing shall not apply to matters related to the Committee at large.

Article 36 (Joint Subcommittees)

(1) A meeting of a joint subcommittee under Article 37 (3) of the Ordinance shall be convened by the chairperson of each subcommittee or shall be held at the request of the Mayor.

(2) The chairperson of a joint subcommittee shall be elected by the joint subcommittee.

(3) A majority of the members of a joint subcommittee shall constitute a quorum, and any decision thereof shall require the concurring vote of a majority of those present.

(4) Matters resolved by a joint subcommittee shall be deemed resolved by the Committee: Provided, That the foregoing shall not apply to matters related to the Committee at large.

Article 37 (Establishment of Lower-Tier Subcommittees)

A lower-tier subcommittee comprised of members and expert members of the Cultural Heritage Committee may be established for efficient and specialized investigation and deliberation regarding matters assigned to a subcommittee or a joint subcommittee.

Article 38 (Disqualification of, Challenge to, and Refrainment by, Members)

(1) In any of the following cases, a member of the Committee, a subcommittee, a joint subcommittee, or a lower-tier subcommittee

(hereinafter referred to as "the Committee or a subcommittee") shall be barred from examination and deliberation:

1. If a member of the Committee or a subcommittee or the current or former spouse of a member of the Committee or subcommittee is a party, joint holder of any right, or co-obligor regarding an agenda item to be examined and deliberated on by the Committee or the subcommittee (hereinafter referred to as "agenda item subject to examination and deliberation");
 2. If a member of the Committee or a subcommittee is a relative of a party to the agenda item subject to examination and deliberation;
 3. If a member of the Committee or a subcommittee or the corporation to which a member of the Committee or a subcommittee belongs is involved, or has been involved, as the representative of a party involved in the agenda item subject to examination and deliberation;
 4. If a member of the Committee or a subcommittee has provided any service for the agenda item subject to examination and deliberation or has been otherwise involved directly in the agenda item subject to examination and deliberation;
 5. If it is deemed, on any other ground, that a member of the Committee or a subcommittee shares a direct interest with a party involved in the agenda item subject to examination and deliberation.
- (2) If a party involved in the agenda item subject to examination and deliberation has a specific ground to suspect that a member of the Committee or a subcommittee will be partial in deliberation and resolution.
- (3) If a member of the Committee or a subcommittee falls under paragraph (1) or (2), he or she may voluntarily refrain from participating in deliberation and resolution on the agenda item.

Article 39 (Relevant Experts)

- (1) Relevant experts referred to in Article 42 (3) of the Ordinance shall be commissioned by the Mayor, from among experts in cultural heritage; and each subcommittee may have experts as required for collecting, analyzing, and studying materials relating to cultural heritage and formulating plans.
- (2) Upon completing a relevant project assigned by the Mayor, relevant experts commissioned under paragraph (1) shall be deemed automatically dismissed.

Article 40 (Executive Secretaries and Clerks)

- (1) One executive secretary and one clerk shall be assigned for clerical work of the Committee, subcommittees, and joint committees.
- (2) The Director of the Division-in-charge shall serve as executive secretary, whereas the officer-in-charge shall serve as clerk.

CHAPTER IX REGISTERED CULTURAL HERITAGE

Article 41 (Criteria and Procedures for Registering Registered Cultural Heritage)

CHAPTER IX REGISTERED CULTURAL HERITAGE(1) A cultural heritage, from among cultural heritages that are not designated cultural heritage, which has been constructed, manufactured, or formed at least five decades ago, may be registered as a registered cultural heritage under Article 62 (1) of the Ordinance if it meets any of the following standards: Provided, That even if five decades have not passed since its construction, manufacture, or formation, a cultural heritage meeting any of the following standards may be designated as a registered cultural heritage if it needs urgent protective measures:

1. It shall have commemorative or symbolic value in various areas such as history, culture, art, society, economy, religion, and life;
2. It shall serve as a historical or cultural background in the region, and its value shall be widely known to the public;
3. It shall reflect the era, such as technological development or artistic trend, or it shall have significant value in understanding the era.

(2) When intending to register cultural heritage owned by the Seoul Government which meets the registration criteria under paragraph (1) as a registered cultural heritage or to register a registered cultural heritage at a request under Article 42, the Mayor shall request at least three relevant experts, such as members or expert members of corresponding areas of the Committee, to investigate and examine the cultural heritage.

(3) A person in receipt of a request for investigation under paragraph (2) shall prepare an investigation report after conducting an investigation and submit the report to the Mayor.

(4) If the relevant cultural heritage is worth registration as registered cultural heritage, after reviewing the investigation report submitted under paragraph (3), the Mayor shall give at least 30 days' prior public notice of the matters subject to deliberation by the Committee in the Official Gazette of the Seoul Metropolitan Government before the Committee commences deliberation thereon.

(5) The Mayor shall determine whether to register a registered cultural heritage, subject to deliberation by the Committee, within six months from the date the period of the prior public notice under paragraph (4) expires.

(6) If unable to determine whether to register a registered cultural heritage within six months under paragraph (5) due to unavoidable reasons such as objections from interested parties, and if it is necessary to re-determine whether to make a registration, the Mayor shall again give prior notice under paragraph (4) and repeat the registration procedures under paragraph (5).

[This Article Newly Inserted by Rule No. 4323, Jan. 16, 2020]

[Previous Article 41 moved to Article 50 <by Rule No. 4323, Jan. 16, 2020>]

Article 42 (Application for Registration of Cultural Heritage)

If the owner or custodian of a cultural heritage meeting the registration criteria under Article 41 (1) or the head of a competent Gu having jurisdiction over the cultural heritage intends to apply for registering the cultural heritage, he or she shall submit the application for registration in attached Form 28 by attaching thereto the following documents. In such cases, when the owner or custodian intends to apply for the registration, he or she shall undergo the head of the competent Gu having jurisdiction over the cultural heritage for application:

1. Consent of the owner of the cultural heritage (this shall not apply where the owner applies for registration);
2. Copies of photos, drawings (layouts, plans, sections, etc.), and literature;
3. Plan to maintain, manage, and utilize the cultural heritage in attached Form 29;
4. History of changes and repairs of the cultural heritage (limited to cases where there is any such history).

[This Article Newly Inserted by Rule No. 4323, Jan. 16, 2020]

[Previous Article 42 moved to Article 51 <by Rule No. 4323, Jan. 16, 2020>]

Article 43 (Matters Registered)

The Mayor, the head of the competent Gu, and the person designated under Article 63 (2) of the Ordinance (hereinafter referred to as "organization managing a registered cultural heritage") shall keep a ledger (including a ledger in the form of an electronic document) for a registered cultural heritage in attached Form 30, and record and maintain the matters regarding the preservation, management, and change of the registered cultural heritage, and the special cases applied under Article 57 of the Act which is applied mutatis mutandis under Article 74 (3) of the Act.

[This Article Newly Inserted by Rule No. 4323, Jan. 16, 2020]

[Previous Article 43 moved to Article 52 <by Rule No. 4323, Jan. 16, 2020>]

Article 44 (Technical Guidance)

(1) "Technical guidance in relation to managing and repairing the registered cultural heritage" in Article 63 (3) of the Ordinance means technical guidance and advice necessary for managing, repairing, and restoring the registered cultural heritage, survey and design therefor, and measures to prevent damage.

(2) When intending to request technical guidance under paragraph (1) in accordance with Article 63 (3) of the Ordinance, the owner or custodian of a registered cultural heritage or an organization managing a registered cultural heritage shall submit to the Mayor a request for technical guidance in attached Form 31 through the head of the competent Gu.

[This Article Newly Inserted by Rule No. 4323, Jan. 16, 2020]

[Previous Article 44 moved to Article 53 <by Rule No. 4323, Jan. 16, 2020>]

Article 45 (Forms for Reporting Changes in Registered Cultural Heritage)

Forms for reporting under Article 64 of the Ordinance are as follows:

1. Form for reporting the appointment or dismissal of a custodian under subparagraph 1 of Article 64 of the Ordinance: Attached Form 12;
2. Form for reporting the transfer of ownership under subparagraph 2 of Article 64 of the Ordinance: Attached Form 13;
3. Form for reporting the change of address of the owner or custodian, change of the location or storing place of the registered cultural heritage under subparagraphs 3 through 5 of Article 64 of the Ordinance: Attached Form 14;
4. Form for reporting the destruction, loss, theft, or damage of the registered cultural heritage under subparagraph 6 of Article 64 of the Ordinance: Attached Form 15;
5. Form for reporting the commencement or completion of any act of changing the present conditions of the registered cultural heritage under subparagraph 7 of Article 64 of the Ordinance: Attached Form 17;
6. Form for reporting the return of the registered cultural heritage under subparagraph 8 of Article 64 of the Ordinance: Attached Form 19.

[This Article Newly Inserted by Rule No. 4323, Jan. 16, 2020]

[Previous Article 45 moved to Article 54 <by Rule No. 4323, Jan. 16, 2020>]

Article 46 (Reporting Changes to Present Conditions of Registered Cultural Heritage)

(1) Reporting under Article 65 (1) of the Ordinance shall be as specified in attached Form 32 titled Report on Changes to Present Conditions of Registered Cultural Heritage.

(2) A person intending to obtain permission from the Mayor regarding changes to the present conditions of a registered cultural heritage under the former part of Article 65 (2) of the Ordinance shall submit an application for permission in attached Form 10 by attaching thereto the following documents:

1. Plan to change the present conditions;
2. Related drawings such as location maps and layouts, with which it is possible to verify the changes in present conditions;

3. Site photos.

(3) When a person intends to obtain permission for change of permitted matters under the former part of Article 65 (2) of the Ordinance, he or she shall submit an application for permission in attached Form 11 to the Mayor, by attaching thereto the documents listed in the subparagraphs of paragraph (2).

(4) The permit for change in the present conditions of a registered cultural heritage shall be as specified in attached Form 33, and the permit for change shall be as specified in attached Form 34.

[This Article Newly Inserted by Rule No. 4323, Jan. 16, 2020]

Article 47 (Notice on Changes in Present Conditions of Registered Cultural Heritage Requiring Permission)

In any case falling under the subparagraphs of Article 65 (2) of the Ordinance, the Mayor shall notify that any change to the present conditions of the registered cultural heritage requires permission under Article 65 (2) of the Ordinance to the owner or custodian of a registered cultural heritage or the organization managing the registered cultural heritage.

[This Article Newly Inserted by Rule No. 4323, Jan. 16, 2020]

Article 48 (Issuance of Registration Certificates for Registered Cultural Heritages)

When issuing a registration certificate under Article 67 (1) of the Ordinance, the Mayor shall issue the registration certificate of the registered cultural heritage in attached Form 35, and shall state the details thereof in the ledger of issuance of registration certificates for registered cultural heritages in attached Form 36.

[This Article Newly Inserted by Rule No. 4323, Jan. 16, 2020]

Article 49 (Procedures for Cancelling Registration of Registered Cultural Heritages)

(1) When intending to cancel the registration of a registered cultural heritage under Article 66 (1) of the Ordinance, the Mayor shall request at least three experts in the relevant area to investigate the cultural heritage.

(2) The Mayor shall determine whether to cancel the registration of the registered cultural heritage if cancellation is deemed necessary based on review of the investigation report submitted by the relevant experts under paragraph (1), subject to deliberation by the Committee.

[This Article Newly Inserted by Rule No. 4323, Jan. 16, 2020]

CHAPTER X SUPPLEMENTARY PROVISIONS

Article 50 (Reporting on Inheritance of Cultural Heritage Repair Business)

CHAPTER X SUPPLEMENTARY PROVISIONS Article 13 of the Enforcement Rule of the Act on Cultural Heritage Maintenance shall apply to a person who intends to report the inheritance of a cultural heritage repair business under Article 53 (2) of the Ordinance.

[Moved from Article 41 <by Rule No.4323, Jan. 16, 2020>]

Article 51 (Evaluating Repair of Cultural Heritage)

Articles 25 through 28 of the Enforcement Rule of the Act on Cultural Heritage Maintenance shall apply to matters concerning the criteria, procedures, and methods for evaluation under Article 60 of the Ordinance.

[Moved from Article 42 <by Rule No.4323, Jan. 16, 2020>]

Article 52 (Subsidies)

(1) A person who intends to receive a subsidy pursuant to Article 29 of the Ordinance shall submit an application to the Mayor, stating the following information therein:

1. The classification, designation number, name, quantity, and location or storing place of the relevant designated cultural heritage, etc.;
2. The name and address of the owner or custodian of the relevant designated cultural heritage or the name of the management organization of the relevant designated cultural heritage, etc.;
3. Reasons why a subsidy is required;
4. A plan for repairing, managing, protecting, developing, or keeping records and relevant photographs;
5. Required expenses and financial resources therefor.

(2) Where the Mayor supervises repair work for any designated cultural heritage, etc. or other construction work pursuant to Article 29 (2) of the Ordinance, he or she may designate a supervisor from among the public officials of the Seoul Government.

[Moved from Article 43 <by Rule No.4323, Jan. 16, 2020>]

Article 53 (Identification Cards of Investigators)

An identification card of a public official who conducts an investigation under Article 28 (1) of the Ordinance shall be issued in attached Form 27.

[Moved from Article 44 <by Rule No.4323, Jan. 16, 2020>]

Article 54 (Submitting Results of Conducting Delegated Affairs)

When the head of a Gu has conducted the business affairs delegated pursuant to Article 69 of the Ordinance, he or she shall submit drawings, etc. to the Mayor within seven days from completion thereof. <Amended by Rule No.4323, Jan. 16, 2020>
[Moved from Article 45 <by Rule No.4323, Jan. 16, 2020>]

ADDENDUM

This Rule shall enter into force one month after the date of its promulgation.

ADDENDUM <Rule No. 4303, Oct. 10, 2019>

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

ADDENDUM <Rule No. 4323, Jan. 16, 2020>

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