

OK !

ENFORCEMENT DECREE OF THE NATIONAL FINANCE ACT

[Enforcement Date 08. May, 2017.] [Presidential Decree No.28010, 08. May, 2017., Partial Amendment]

()044 - 215 - 5727



가

www.law.go.kr

2019.02.12

ENFORCEMENT DECREE OF THE NATIONAL FINANCE ACT

[Enforcement Date 08. May, 2017.] [Presidential Decree No.28010, 08. May, 2017., Partial Amendment]

() 044 - 215 - 5727
() 044 - 215 - 5333
() 044 - 215 - 5482
() 02 - 6312 - 8331
() 044 - 215 - 5418
() 044 - 215 - 7342

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Decree is to provide for matters delegated by the National Finance Act and those necessary for the enforcement thereof.

Article 2 (Establishment, etc. of National Financial Management Plans)(1) The Minister

of Strategy and Finance shall establish guidelines for preparing a financial management plan (hereinafter referred to as "national financial management plan") under Article 7 (1) of the National Finance Act (hereinafter referred to as the "Act"), and notify the head of each central government agency thereof by no later than December 31 of the year preceding the pertinent fiscal year. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(2) The Minister of Strategy and Finance may hold a public hearing, an open forum, etc. to collect opinions concerning the national financial management plans.<Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(3) The Minister of Strategy and Finance shall offer long - term financial forecasts under Article 7 (2) 2 of the Act at least once every five years for a period of longer than 40 fiscal years.<Newly inserted by Presidential Decree No. 23433, Dec. 30, 2011 >

(4) The scope of mandatory expenditure prescribed in Article 7 (2) 4 - 2 of the Act shall be as follows:<Newly inserted by Presidential Decree No. 23433, Dec. 30, 2011 >

1. Expenditure for which commitments to incur expenditure are prescribed pursuant to laws and the scope of expenditures is determined pursuant to statutes, such as a local subsidy under the Local Subsidy Act and a local education subsidy under the Local Education Subsidy Act;

2. Expenditure which is incurred pursuant to an international treaty concluded with a foreign country or an international organization or pursuant to generally approved international laws;

3. Interest expenditure on national bonds and loans, etc.

(5) The head of each central government agency shall request a consultation with the Minister of Strategy and Finance on the medium - and long - term plan that entails the Treasury expenditure under Article 7 (9) of the Act, specifying the relationship, etc. between the scheme for raising financial resources and national financial management plans, at least 30 days before finally fixing such medium - and long - term plan. <Amended by Presidential Decree No. 20720, Feb. 29, 2008; Presidential Decree No. 22268, Jul. 9, 2010; Presidential Decree No. 23433, Dec. 30, 2011 >

(6) Where a medium - and long - term plan under paragraph (5) requires at least 50 billion won a year or 200 billion won in total of fiscal expenditure, the head of each central government agency shall present such plan before an economy - related ministerial meeting under the Regulations on the Economy Related Ministerial Meeting, or an international finance ministers meeting under the Regulations on the International Finance Ministers Meeting, stating whether the agreement prescribed in paragraph (5) has been reached, and if necessary, the head of each central government agency may present such plan before a meeting designated by the Minister of Strategy and Finance, in consultation with the Minister of Strategy and Finance. <Newly Inserted by Presidential Decree No. 22268, Jul. 9, 2010; Presidential Decree No. 23433, Dec. 30, 2011; Presidential Decree No. 24496, Apr. 5, 2013 >

(7) The Minister of Strategy and Finance may prepare guidelines regarding the subject matters of, procedures, etc. for the consultation under paragraph (5), and notify the head of each central government agency thereof. <Amended by Presidential Decree No. 20720, Feb. 29, 2008; Presidential Decree No. 22268, Jul. 9, 2010; Presidential Decree No. 23433, Dec. 30, 2011 >

(8) "Project equivalent to or exceeding the scale prescribed by Presidential Decree" in Article 7 (10) of the Act means a project for which the State grants financial subsidy amounting to or exceeding 30 billion won as part of the total project cost (or the estimated total project cost, if the total project cost has not been finally fixed yet; hereinafter the same shall apply). <Amended by Presidential Decree No. 22268, Jul. 9, 2010; Presidential Decree No. 23433, Dec. 30, 2011 >

(9) The head of each local government shall submit each project plan formulated under Article 7 (10) of the Act to the head of the competent central government agency by no later than December 31 of the year preceding the pertinent year.

<Amended by Presidential Decree No. 22268, Jul. 9, 2010; Presidential Decree No. 23433, Dec. 30, 2011 >

(10) The head of each central government agency shall reflect the project plans submitted by the heads of local governments in accordance with paragraph (9) in the medium - term project plan under Article 28 of the Act, and shall submit such plan to the Minister of Strategy and Finance by January 31 each year.

<Amended by Presidential Decree No. 20720, Feb. 29, 2008; Presidential Decree No. 22268, Jul. 9, 2010; Presidential Decree No. 23433, Dec. 30, 2011 >

Article 3 (Evaluation of Outcome of Fiscal Projects)

The Minister of Strategy and Finance may, pursuant to Article 8 (6) of the Act, request the head of each central government agency and each fund managing entity under Article 8 (1) of the Act (hereinafter referred to as "fund managing entity") to conduct a self - evaluation of major fiscal projects (hereinafter referred to as "self - evaluation of fiscal projects") under conditions prescribed by the Minister of Strategy and Finance, and may conduct an in - depth evaluation of a project that falls under any of the following subparagraphs: Provided, That the evaluation of national research and development projects under Article 9 (2) 5 of the Framework Act on Science and Technology may be replaced by the evaluation under the Act on the Performance Evaluation and Management of National Research and Development Projects, Etc.:<Amended by Presidential Decree No. 20720, Feb. 29, 2008; Presidential Decree No. 21360, Mar. 25, 2009 >

1. A project of which it is determined necessary, as a result of the self - evaluation of fiscal projects, to conduct an additional evaluation;
2. A project for which it is foreseeable its budget would be wasted due to duplication or overlapping of projects promoted by agencies, or inefficiency in the promotion thereof;
3. A project for which it is necessary to enhance the efficiency of expenditure through an objective inspection because it is anticipated that continuing Treasury expenditure will rapidly increase in the future;

4. Other projects of which it is necessary to monitor the outcome through in - depth analysis and evaluation.

Article 4 (Evaluation of Outcome of Fiscal Projects)

The Minister of Strategy and Finance may, pursuant to Article 8 (6) of the Act, conduct an evaluation of the impact of major fiscal projects on the balanced development of the State.<Amended by Presidential Decree No. 20720, Feb. 29, 2008>

Article 4 - 2 (Standards for Designation of Survey and Research Institutions Specialized in Evaluation, etc. of Fiscal Projects) (1) “ Institutions that meet the standards for designation prescribed by Presidential Decree in terms of expert personnel, survey and research capabilities, etc. ” referred to in Article 8 - 2 (1) of the Act means the following institutions:

1. Government - funded research institutes established pursuant to the Act on the Establishment, Operation and Fostering of Government - Funded Research Institutes, Etc.;

2. Institutions, other than those referred to in subparagraph 1, which meet the following requirements;

- (a) To be equipped with an organization to perform the relevant tasks;
- (b) To secure expert personnel with a doctor ' s degree in fields related to the relevant tasks;
- (c) To have a track record of conducting specialized surveys, research, and evaluations or providing consulting concerning fields related to the relevant tasks.

(2) A person who intends to be designated as a specialized institution under Article 8 - 2 (1) of the Act shall submit an application for designation as a specialized institution in attached Form to the Minister of Strategy and Finance. In such cases, an entity that does not fall under paragraph (1) 1 shall submit an application accompanied by documents certifying that it meets all of the requirements referred to in the items of paragraph (1) 2.

(3) Where the Minister of Strategy and Finance authorizes a specialized institution designated under Article 8 - 2 (1) of the Act to conduct all or some of the business affairs provided for in the subparagraphs of Article 8 - 2 (1) of the Act, he/she shall conclude an agreement stipulating the following with the specialized institution:

1. Any plan to conduct the business affairs;
2. Matters concerning the method for payment, use and management of contributions;
3. Matters concerning reporting on the outcomes of conducting the business affairs;
4. Modifications and termination of the agreement;
5. Measures to be taken for violations of the agreement;
6. Other matters which the Minister of Strategy and Finance deems necessary for the efficient conduct of the business affairs of the specialized institution.

[This Article Newly Inserted by Presidential Decree No. 25606, Sep. 18, 2014]

Article 5 (Publication of Fiscal Information)(1) “ Important matters prescribed by Presidential Decree concerning finances of the State and local governments" in Article 9 (1) of the Act means the following: <Amended by Presidential Decree No. 21360, Mar. 25, 2009; Presidential Decree No. 24368, Feb. 15, 2013; Presidential Decree No. 21360, Mar. 25, 2009; Presidential Decree No. 21360, Mar. 25, 2009 > No. 27544, Oct. 18, 2016 >

1. Current status of the State claims and details of changes thereof;
2. National financial management plans under Article 7 of the Act;
3. The evaluation results of major fiscal projects under Article 8 (6) of the Act;
4. The tax expenditure budget under Article 142 - 2 of the Restriction of Special Taxation Act;
5. The State debt management plans under Article 91 of the Act;
6. Deleted; <by Presidential Decree No. 23433, Dec. 30, 2011 >
7. Items determined by the Minister of Strategy and Finance in consultation with the Minister of Interior (referring to the Minister of Education in case of matters concerning local educational finance) from among items publicly announced pursuant to Article 60 - 2 (1) of the Local Finance Act.

(2) The Minister of Strategy and Finance shall publicly announce the matters prescribed in Article 9 (1) of the Act. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(3) The details of operation situation of revenue and expenditure budgets mandated to be disclosed on the web - site pursuant to Article 9 (3) of the Act shall be as follows: <Newly Inserted by Presidential Decree No. 26340, Jun. 30, 2015 >

1. Status regarding collection of tax revenues of each central government agency and status regarding execution of expenditure budgets;
2. Status regarding operation of funds by each central government agency;
3. Other details necessary to transparently disclose the situation of revenue and expenditure budgets, as determined by the Minister of Strategy and Finance.

(4) Heads of each central government agency shall disclose every month the details set forth in the subparagraphs of paragraph (3) by classifying them pursuant to Articles 21 (4) and 67 (3) of the Act: Provided, That if it is difficult to produce certain data every month due to their characteristics, the disclosure shall be done quarterly, biannually, or yearly, in accordance with the cycle of creation of such data.

<Newly Inserted by Presidential Decree No. 26340, Jun. 30, 2015 >

Article 6 (Composition and Management of Advisory Council on Fiscal Policy)(1) An Advisory Council on Fiscal Policy under Article 10 (1) of the Act (hereinafter referred to as "Advisory Council") shall respond to inquiries made by the Ministry of Strategy and Finance about the matters falling under each of the following subparagraphs: <Amended by Presidential Decree No. 21360, Mar. 25, 2009 >

1. Establishment of national financial management plans;
2. Formulation of a budget bill for each fiscal year and establishment of draft fund management plans and revision to fund management plans (in cases of the revision to fund management plans, limited to those submitted to the National Assembly pursuant to Article 70 (2) of the Act);
3. Establishment of guidelines for formulation of a budget bill for each fiscal year and guidelines for preparation of fund management plans;
4. Matters on creation, consolidation, and closure of special accounts and funds;
5. Results of evaluations of fund management conducted by the fund management evaluation team under Article 82 (2) of the Act and its recommendations;
6. Matters on enactment of and amendments to statutes related to the fiscal system;
7. Matters on improvement of systems related to budget and funds;
8. Deleted;<by Presidential Decree No. 21836, Nov. 23, 2009 >
9. Other matters requested by the Minister of Strategy and Finance.

(2) Deleted.<by Presidential Decree No. 21360, Mar. 25, 2009 >

(3) The Advisory Council shall be comprised of the following persons: <Amended by Presidential Decree No. 20720, Feb. 29, 2008; Presidential Decree No. 21360, Mar. 25, 2009>

1. The Minister of Strategy and Finance;
2. The Vice Ministers of administrative ministries;
3. The vice heads of committees, administrative agencies, and offices administering funds;
4. Mayors of the Special Metropolitan City and Metropolitan Cities, and Governors of Dos and the Special Self - Governing Province;
5. Up to 30 persons of non - official members commissioned by the Minister of Strategy and Finance who have abundant knowledge and experience in fiscal operations.

(4) The Minister of Strategy and Finance shall act as the chairperson of the Advisory Council. <Amended by Presidential Decree No. 20720, Feb. 29, 2008>

(5) The term of office for the members commissioned pursuant to paragraph (3) 5 shall be two years: Provided, That the Minister of Strategy and Finance may discharge a member commissioned pursuant to paragraph (3) 5 from his/her office in any of the following cases: <Amended by Presidential Decree No. 20720, Feb. 29, 2008; Presidential Decree No. 21360, Mar. 25, 2009; Presidential Decree No. 26844, Dec. 31, 2015>

1. Where the member is no longer able to perform his/her duties due to mental or physical illness;
2. Where the member is involved in corruption related to his/her duties;
3. Where the member is deemed unqualified by reason of neglect of duties, injury to dignity, etc.;
4. Where the member expresses difficulty in performing his/her duties.

(6) If the chairperson of the Advisory Council is unable to perform his/her duties due to unavoidable circumstances, a person appointed by the chairperson shall act on behalf of the chairperson.

(7) The chairperson of the Advisory Council shall, if necessary, convene a meeting of the Advisory Council: Provided, That where there is no time enough to convene a meeting or where the chairperson recognizes as specially necessary, the meeting may be replaced with the collection of opinions in writing. <Amended by Presidential Decree No. 21360, Mar. 25, 2009>

(8) The chairperson of the Advisory Council may convene a separate meeting comprised of the advisory members set forth pursuant to paragraph (3) 2 through 5 about the agenda under paragraph (1) 1 through 9. <Amended by Presidential Decree No. 21360, Mar. 25, 2009 >

(9) The Advisory Council may invite relevant public officials or competent experts to its meeting to hear their opinions, if considered necessary.

(10) The Advisory Council shall have one administrative secretary for processing administrative affairs, who shall be appointed by the chairperson among the public officials in the Ministry of Strategy and Finance. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(11) Allowances, traveling expenses, and other necessary expenses may be reimbursed to non - official members and competent experts who attend any meeting of the Advisory Council, within the extent of the budget.

(12) Other necessary matters concerning management of the Advisory Council shall be prescribed by the Minister of Strategy and Finance. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

CHAPTER II BUDGET

SECTION 1 General Provisions

Article 7 (Classification of Budgetary Items)

The classification and categorization of sections, paragraphs, and items, the classification and categorization of chapters, sections, paragraphs, subparagraphs, and items of the expenditure budget and continuing expenditure, and the classification of acts of assuming national treasury obligations shall be prescribed by the Minister of Strategy and Finance. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

Article 8 (Approval of Acts of Incurring Expenditure during Subsequent Years for Specified Carryover Fund)

The head of each central government agency who wishes to obtain approval of the Minister of Strategy and Finance for an act of incurring expenditure to be disbursed over subsequent years in accordance with Article 24 (2) of the Act shall submit a

document in which the following matters have been clearly stated to the Minister of Strategy and Finance: <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

1. The item and amount of the expense for which an act of incurring expenditure to be disbursed over subsequent years is required, and the ground on which such expenses are incurred;
2. The amount to be disbursed during the following year out of the amount set forth in subparagraph 1.

Article 9 (Particulars of Gender - Sensitive Budget and Standards for Preparation

thereof, etc.)(1) Gender - sensitive budgets prescribed in Article 26 of the Act (hereinafter referred to as "gender - sensitive budget") shall contain the following descriptions: <Amended by Presidential Decree No. 20720, Feb. 29, 2008; Presidential Decree No. 21360, Mar. 25, 2009; Presidential Decree No. 22268, Jul. 9, 2010 >

1. Overview of the gender - sensitive budget;
2. Scale of the gender - sensitive budget;
- 2 - 2. The expected effects of gender equality, performance objectives, and benefit analysis by gender of the gender - sensitive budget;
3. Other matters prescribed by the Minister of Strategy and Finance.

(2) Gender - sensitive budgets shall be prepared by the head of each central government agency according to the standards for preparation thereof (including standards for selecting a project subject to preparation of gender - sensitive budget) and methods set forth by the Minister of Strategy and Finance after the consultation with the Minister of Gender Equality and Family. <Newly Inserted by Presidential Decree No. 21360, Mar. 25, 2009; Presidential Decree No. 22076, Mar. 15, 2010; Presidential Decree No. 22268, Jul. 9, 2010 >

Article 9 - 2 Deleted. <by Presidential Decree No. 24368, Feb. 15, 2013 >

SECTION 2 Formulation of Budget Bill

Article 10 (Contents of Budget Requests) (1) The requests for the revenue and expenditure budgets prescribed in Article 31 (1) of the Act shall be prepared in compliance with the division and classification under Article 21 of the Act and Article

7 of this Decree.

(2) The requests for a continuing expenditure prescribed in Article 31 (1) of the Act shall indicate the grounds upon which each item of such expenditure is required, the total amount and the yearly installment payments for such items of expenditure.

(3) The requests for a specified carryover fund prescribed in Article 31 (1) of the Act shall be prepared in compliance with the division and classification under Article 21 of the Act and Article 7 of this Decree, and shall indicate the grounds upon which such carryover is required and the amount to be carried over.

(4) The requests for a commitment to assume the national treasury obligations prescribed in Article 31 (1) of the Act shall clearly state the matters set forth in Article 25 (3) of the Act.

(5) The budget requests made under Article 31 (1) of the Act shall be accompanied by the following documents under conditions prescribed by the Minister of Strategy and Finance: <Amended by Presidential Decree No. 20720, Feb. 29, 2008; Presidential Decree No. 21641, Jul. 27, 2009>

1. An explanatory statement on each activity in the revenue and expenditure budgets and an itemization of each item;
2. An explanatory statement on the commitments to assume the national treasury obligations;
3. An explanatory statement on continuing expenditure;
4. A list of statutes that grant statutory authority for the revenue;
5. The project plans;
6. Tables of the employment quota by job classification and comparison with the quota for the preceding year;
7. A report on the management and operation of the State - owned assets and a table of comparison with the value as of the preceding year;
8. As regards the projects that fall under major continuing projects prescribed by the Minister of Strategy and Finance pursuant to Article 28 of the Act, documents required for clearly supporting the project plans, detailed descriptions, and details of computation of the scale of each project: Provided, That documents necessary for analysis of project plans and progress management are required in the case of the projects subject to application of the budget management process under Article 31 (2) of the Act;

9. A comprehensive statement on the relationship between the change in basic policy for each assigned area and the budget request;

10. The gender - sensitive budget;

11. Other documents necessary for clearly supporting the contents of the budget request.

(6) The revenue section of the explanatory statement on each activity in revenue and expenditure budgets under paragraph (5) 1 shall indicate an estimate of the revenue and the basis of computation thereof, while the expenditure section therein shall include a comprehensive statement on new and major continuing projects and an overview of each unit project, the basis of computation of the required budget, and the expected outcome of the project.

(7) The statement on each item of the revenue and expenditure budgets under paragraph (5) 1 shall indicate the amount in the settlement of accounts for the year immediately before the preceding year in parallel, compare the budget amount demanded and the budget amount for the preceding year, and indicate the amount and rate so increased or decreased.

Article 11 (Reduction in Budget for Independent Government Bodies, etc.)

In referring a budget Bill to the State Council for deliberation pursuant to Article 32 of the Act, if the amount of the expenditure budget for an independent government body or the Board of Audit and Inspection is reduced to less than the amount demanded, the Minister of Strategy and Finance shall attach a document showing the reasons for such reduction, a comparison sheet between the amount in the expenditure budget and the amount demanded, and other documents necessary for deliberation. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

Article 11 - 2 (Scope of Large - Scale Projects)

“ Large - scale projects specified by Presidential Decree ” referred to in subparagraph 5 - 2 of Article 34 of the Act means projects falling under any subparagraph of Article 21 (1).

[This Article Wholly Amended by Presidential Decree No. 28010, May 8, 2017]

Article 12 (Projects with Apportionment in Lump Sum)(1) "Projects prescribed by Presidential Decree" in Article 37 (1) of the Act means the projects prescribed by

the Minister of Strategy and Finance among the following projects: <Amended by Presidential Decree No. 20720, Feb. 29, 2008; Presidential Decree No. 22268, Jul. 9, 2010 >

1. A road repair project;
2. A project for road safety and environment improvement;
3. A project for maintenance and repair of port facilities;
4. A repair facility renovation project;
5. A spare part support project;
6. A project for repair and maintenance of cultural heritage;
7. A large - scale investment or support project, other than those under subparagraphs 1 through 6.

(2) "Ratio prescribed by Presidential Decree" in Article 37 (2) of the Act means 3/100, based on the net accounts of the budget for each fiscal year.

Article 13 (Preliminary Feasibility Study)(1) and (2) Deleted. <by Presidential Decree No. 25283, Apr. 1, 2014 >

(3) In applying for a preliminary feasibility study pursuant to Article 38 (3) of the Act, the head of a central government agency shall submit to the Minister of Strategy and Finance a written request for a preliminary feasibility study, specifying the name, overview, necessity, etc. of the project.<Amended by Presidential Decree No. 20720, Feb. 29, 2008; Presidential Decree No. 25283, Apr. 1, 2014 >

(4) Upon receipt of a written request under paragraph (3) or ex officio, the Minister of Strategy and Finance shall examine first whether the relevant project conforms to the medium - and long - term investment plan related to such project, whether it is urgently required to promote the project, and other matters, and determine whether to conduct a preliminary feasibility study following consultation with the relevant experts.<Amended by Presidential Decree No. 20720, Feb. 29, 2008; Presidential Decree No. 25283, Apr. 1, 2014 >

(5) Once the Minister of Strategy and Finance makes a decision to conduct a preliminary feasibility study pursuant to paragraph (4), he/she shall determine whether the project is feasible, considering comprehensively economic effects, policy needs, and other factors of the project subject to the study and shall disclose the results thereof to the public.<Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(6) Deleted. <by Presidential Decree No. 25283, Apr. 1, 2014>

Article 13 - 2 (Procedures for Granting Exemptions from Preliminary Feasibility Studies)

(1) The head of a central government agency who intends to be granted an exemption from a preliminary feasibility study pursuant to Article 38 (2) of the Act shall submit to the Minister of Strategy and Finance a written request for a preliminary feasibility study, specifying the name, overview, necessity of the project, the grounds for exemption and other relevant matters.

(2) Upon receipt of a written request for exemption from a preliminary feasibility study submitted under paragraph (1), the Minister of Strategy and Finance shall determine whether to grant an exemption from a preliminary feasibility study after consulting thereon with the relevant experts, where it is related to any of the projects referred to in the subparagraphs of Article 38 (2) of the Act, and notify the head of the competent central government agency of his/her determination: Provided, That he/she need not consult with the relevant experts where the project is related to national secret the consultation may be omitted.

(3) Where the head of the competent central government agency has been notified of the determination of exemption from the preliminary feasibility study pursuant to paragraph (2), he/she shall obtain consent from the competent standing committee of the National Assembly, where such determination was made with respect to a project that needs to be urgently implemented for preventing disasters under Article 38 (2) 7 of the Act, and shall, if such determination was made with respect to a project falling under the first sentence of Article 38 (2) 10, report, without delay, the details of the project, and the grounds for exemption to the competent standing committee of the National Assembly.

[This Article Newly Inserted by Presidential Decree No. 25283, Apr. 1, 2014]

Article 14 (Large - Scale Development Projects)

"Large - scale development project prescribed by Presidential Decree" in the main sentence of Article 39 (1) of the Act means a project that costs at least 50 billion won in total: Provided, That where the large - scale development project is a construction project, it means a project that costs at least 20 billion won in total. <Amended by Presidential Decree No. 20923, Jul. 23, 2008; Presidential Decree No. 22472, Nov. 10, 2010>

Article 14 - 2 (Exception to Formulation of Budget Bill As Continuing Expenditure)

The Minister of Strategy and Finance may choose not to include the cost of a large - scale development project in the Budget Bill as continuing expenditure pursuant to Article 39 (3) of the Act in any of the following cases: <Amended by Presidential Decree No. 25358, May 22, 2014 >

1. Where excessive financial rigidity would be caused if the costs of the large - scale project is included in the Budget Bill as continuing expenditure in the light of the financial conditions: where the scale of the budget bill to be formulated as continuing expenditure falls under any of the following:
 - (a) Where the percentage occupied by the amount of such scale in the budget bills as subdivided as sections pursuant to Article 21 (3) of the Act exceeds the standards determined in the Guidelines for Formulation of Budget Bills under Article 29 of the Act;
 - (b) Where the percentage occupied by the amount of such scale in the budget bill for facilities investments of the relevant central government agency exceeds the standards determined in the Guidelines for Formulation of Budget Bills under Article 29 of the Act;
2. Where it is inappropriate to include the cost of the larger - scale development project in the Budget Bill as continuing expenditure, in light of the nature of such project: Any of the following cases:
 - (a) Where the project does not require detail designs under Article 73 of the Enforcement Decree of the Construction Technology Promotion Act;
 - (b) Where the project is not a project subject to guidelines for management of total project costs established under Article 50 (4) of the Act;
 - (c) Where the total project cost is highly likely to be changed in the course of implementing the large - scale project due to any reason, such as the difference between the estimated price and the successful bid price (referring to the difference between the projected price as defined in subparagraph 2 of Article 2 of Presidential Decree of the Act on Contracts to which the State is a Party and the successful bid price);
 - (d) Where the plan for the large - scale project is highly likely to be changed due to any inevitable reason, including where a local government ' s funds, etc., other than National funds are required or the payment of compensation for land, etc. is

delayed;

(e) Where a re - survey for demand forecasting is being conducted pursuant to the guidelines for the management of the total project costs under Article 50 (4) of the Act prior to a feasibility review of the project under Article 50 (2) and (3) of the Act, or where a feasibility review or resurvey for demand forecasting is to be conducted as the project meets the requirements for feasibility review or resurvey for demand forecasting provided for in Article 22 of this Decree and the guidelines for the management of the total project cost established under Article 50 (4) of the Act;

3. Where there are no practical benefits or it is inappropriate to include the costs of the large - scale project in the Budget Bill as continuing expenditure, in light of the duration and scale of such project: any of the following cases:

(a) Where there are no practical benefits to including the cost for such project in the Budget Bill as continuing expenditure as the remaining period for implementing a large - scale development project is so short;

(b) Where it is deemed likely to hinder the implementation of any other project because the amount of installments for each fiscal year of a single large - scale project is excessively large and standards determined by the Guidelines for Formulation of Budget Bill under Article 29 of the Act are met.

[This Article Newly Inserted by Presidential Decree No. 25032, Dec. 30, 2013]

SECTION 3 Budget Execution

Article 15 (Preparation of Budget Allocation Request)

The activities management plans and the budget allocation request prescribed in Article 42 of the Act shall be separately prepared for each quarter of a year as prescribed by the Minister of Strategy and Finance. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

Article 16 (Budget Allocation)(1) The Minister of Strategy and Finance shall prepare the budget allocation plan according to the activities management plans and the budget allocation requests submitted by the head of each central government agency pursuant to Article 42 of the Act. <Amended by Presidential Decree No. 20720, Feb.

29, 2008 >

(2) When it is necessary to revise the budget allocation plan already approved by the President pursuant to Article 43 (1) of the Act due to unavoidable grounds, the head of each central government agency shall submit to the Minister of Strategy and Finance the activities management plans and the requests for revision to the budget allocation plan in which the reason for such revision shall be clearly described.

[<Amended by Presidential Decree No. 20720, Feb. 29, 2008 >](#)

(3) The Minister of Strategy and Finance shall, upon receiving the activities management plans and the requests for revision to the budget allocation plan pursuant to paragraph (2), prepare the revised budget allocation plan after making necessary adjustments, and shall obtain approval of the President therefor, subject to prior deliberation by the State Council. [<Amended by Presidential Decree No. 20720, Feb. 29, 2008 >](#)

(4) The Minister of Strategy and Finance shall, upon obtaining approval of the President for revision of the budget allocation plan pursuant to paragraph (3), allocate the budget to the head of the central government agency concerned according to the plan, and shall notify the Board of Audit and Inspection of the allocation. [<Amended by Presidential Decree No. 20720, Feb. 29, 2008 >](#)

(5) The expenses to which the budget may be allocated before the beginning of each fiscal year pursuant to Article 43 (3) of the Act are as follows:

1. Expenses to be incurred in foreign countries;
2. Expenses required for the operation, repair, etc. of ships;
3. Expenses to be incurred in the areas that have difficulties in transportations or telecommunications;
4. Expenses incurred in purchasing food required by each government agency or office;
5. Expenses incurred in extraordinary activities, such as criminal investigation;
6. Travel expenses;
7. Costs and expenses incurred in public projects for which early execution is required in the aspect of economic policy;
8. Expenses incurred in disaster recovery.

Article 17 (Budget Reallocation)(1) When authorizing treasurers under the provisions of Article 22 (1) of the Management of the National Funds Act to engage in activities which incur expenditure, the head of each central government agency shall prepare a plan for the reallocation of the expenditure budget for each treasurer within the expenditure budget allocated and reallocate the expenditure budget accordingly.

(2) The head of each central government agency shall, upon completing the reallocation of the expenditure budget pursuant to paragraph (1), notify the disbursement officer and the Minister of Strategy and Finance thereof. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(3) The head of each central government agency may revise the plan for reallocation of the expenditure budget already prepared pursuant to paragraph (1), where deemed necessary for budget execution.

(4) The head of each central government agency may authorize the treasurer in a senior agency or office to further reallocate the budget to the treasurer in a subordinate agency or office within the extent of the expenditure budget reallocated, where considered necessary.

Article 18 (Notice of Guidelines for Budget Execution)(1) The Minister of Strategy and Finance shall notify the head of each central government agency of the guidelines for budget execution under Article 44 of the Act by no later than the end of January of each year. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(2) The guidelines for budget execution under paragraph (1) shall contain the following matters: <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

1. Matters concerning types of expenses and budget execution for each item of expense;
2. Matters concerning the scope of delegation of the rights of diversion and of use under Article 46 (2) of the Act and the proviso to Article 47 (1) of the Act;
3. Other matters deemed necessary by the Minister of Strategy and Finance.

Article 19 (Diversion, Use, and Transfer of Budget)(1) The head of each central government agency, who wishes to obtain approval of the Minister of Strategy and Finance for the diversion or use pursuant to Article 46 (1) or 47 (1) (proviso) of the Act or intends to request the use pursuant to Article 47 (2) of the Act, shall submit to the Minister of Strategy and Finance a document that clearly states the item and

amount required for diversion or use, and the reason for such diversion or use.

<Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(2) The head of a central government agency, who wishes to have the budget transferred pursuant to Article 47 (2) of the Act, shall submit to the Minister of Strategy and Finance a document that clearly states the item and amount of the budget to be subject to the transfer, subject to prior consultation with the head of the central government agency who shall make the transfer. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

Article 20 (Carryover of Expenditure Budget)(1) "Expense prescribed by Presidential Decree" referred to in Article 48 (2) 3 of the Act means any of the following expenses:

1. An expense incurred in relation to a construction project that is executed through incidental tender pursuant to Article 19 of the Enforcement Decree of the Act on Contracts to Which the State Is a Party or examination of the pre - qualifications for participate in tenders pursuant to Article 13 of the same Enforcement Decree;
2. An expense executed by contracting through negotiations pursuant to Article 43 of the Enforcement Decree of the Act on Contracts to Which the State Is a Party;
3. An expense incurred in conducting a construction project publicly notified pursuant to Article 80 (3) of the Enforcement Decree of the Act on Contracts to Which the State Is a Party;
4. An expense incurred in relation to a disaster recovery project.

(2) " Expense prescribed by Presidential Decree" referred to in Article 48 (2) 4 of the Act means any of the following expenses:

1. An expense for which the survey and appraisal for the land, goods, etc. eligible for compensation had been completed, and the compensation process began or is in progress;
2. An expense for indirect compensation, such as an expense for compensating damages to and loss of fishing right, surviving after completion of a construction project, for which a service contract on appraisal necessary for compensation was concluded or the appraisal is in progress;
3. An expense incurred in compensating for a disaster recovery project.

(3) "Expense prescribed by Presidential Decree" in Article 48 (2) 5 of the Act means an expense prescribed by the Minister of Strategy and Finance to be incurred in the maintenance and operation of each institution or facility. In such cases, the carryover ceiling shall be 15/100 of the budget for the pertinent expense. <Amended by Presidential Decree No. 20720, Feb. 29, 2008; Presidential Decree No. 21836, Nov. 23, 2009; Presidential Decree No. 25032, Dec. 30, 2013 >

(4) The carryover statement referred to in Article 48 (4) of the Act shall clearly describe the following matters:

1. The amount of expenses to be carried over by item;
2. The amount disbursed or the amount estimated to be disbursed out of the amount of the expenses referred to in subparagraph 1;
3. The amount to be carried over to the following year out of the expenses referred to in subparagraph 1, and the budget items of the pertinent expenses for the current year and the following year;
4. The amount unused out of the expenses referred to in subparagraph 1;
5. The ground for carryover.

Article 21 (Control of Total Project Costs)(1) "Large - scale project prescribed by Presidential Decree" in the former part of Article 50 (1) of the Act means a project falling under any of the following subparagraphs: <Amended by Presidential Decree No. 28010, May 8, 2017 >

1. A project falling under any of the following items, whose scale of the total project expenses and the State ' s financial support is not smaller than the scale (including cases where the relevant standards are met by increasing the scale of the total project expenses and the State ' s financial support in the course of implementing a project) prescribed in the main sentence of Article 38 (1) of the Act:
 - (a) A project containing construction work: Provided, That a project for building shall be excluded;
 - (b) A project for informatization referred to in Article 15 (1) of the Framework Act on National Informatization;
 - (c) Other projects in the fields of social welfare, health, education, labor, culture and tourism, environment protection, agriculture and marine fisheries, industry, and small and medium enterprises;

2. A project of building, or a national research and development project (hereinafter referred to as “ research and development project ”) under Article 11 of the Framework Act on Science and Technology, the total project expenses of which is at least 20 billion won (including cases where the total project expenses amount to at least 20 billion won as a result of increase in the scale of the total project expenses in the course of implementing a project).

(2) Notwithstanding paragraph (1), each of the following projects shall be excluded from a large - scale project, the total cost of which is subject to control:<Newly Inserted by Presidential Decree No. 22472, Nov. 10, 2010; Presidential Decree No. 28010, May 8, 2017>

1. A project supported by the provision of a fixed amount from the National Treasury, the scale of the State ’ s financial support for which is not increased in the course of its implementation;

2. A project supported by the provision of a loan from the National Treasury;

3. A private investment project under the Act on Public - Private Partnerships in Infrastructure;

4. A project for simple improvement, maintenance and repair of existing facilities to enhance their usefulness, such as maintenance and repair of roads, improvement of old water supply facilities, etc.;

5. A research and development project not containing the establishment of facilities and equipment.

(3) Pursuant to Article 50 (1) of the Act, the head of each central government agency shall consult with the Minister of Strategy and Finance on each stage of preliminary feasibility survey, feasibility survey, establishment of master plans, basic drawings, working drawings, ordering, contracting, and construction.<Amended by Presidential Decree No. 20720, Feb. 29, 2008; Presidential Decree No. 22472, Nov. 10, 2010>

(4) When consulting with the Minister of Strategy and Finance on the scale, total cost, and period of a project pursuant to Article 50 (1) of the Act, the head of each central government agency shall submit to the Minister of Strategy and Finance the project plan with details, the basis of calculation of the scale of the project, and documents necessary for analyzing process management (including basic drawings and working drawings).<Amended by Presidential Decree No. 20720, Feb. 29, 2008; Presidential Decree No. 22472, Nov. 10, 2010>

(5) The head of each central government agency, who intends to revise the total cost of a project under paragraph (1) due to grounds or an event set forth in any of the following subparagraphs, shall consult with the Minister of Strategy and Finance, on the adequacy of the total project cost or the revised amount, subject to prior review by the Administrator of the Public Procurement Service:<Amended by Presidential Decree No. 20720, Feb. 29, 2008; Presidential Decree No. 22472, Nov. 10, 2010>

1. Where the working drawings service for the project is completed;
2. Where it is necessary to adjust the contract amount after executing the contract that incurs a burden on National Treasury for the relevant project due to fluctuations in prices set forth in Article 19 of the Act on Contracts to Which the State Is a Party;
3. Other cases where it is necessary for the Administrator of the Public Procurement Service to conduct a special review on the unit prices due to the addition of a new type of construction works or other grounds.

Article 22 (Assessment of Feasibility)(1) The term "project that falls under the criteria prescribed by Presidential Decree" in Article 50 (2) of the Act means any of the following projects: <Amended by Presidential Decree No. 20720, Feb. 29, 2008; Presidential Decree No. 28010, May 8, 2017>

1. A project, for which a preliminary feasibility study has not been conducted because the scale of its total project expenses and the State ' s financial support for it fell short of the scale subject to a preliminary feasibility study, but the scale of the total project expenses and the State ' s financial support has increased to the scale subject to a preliminary feasibility study in the course of its implementation;
2. A project that has been promoted without undergoing a preliminary feasibility survey, although it falls within the projects subject to a preliminary feasibility survey, because the project cost was reflected in the budget;
3. A project for which total project cost, excluding price increases and increase in compensation for damages and losses to land, etc. required for a public project has increased by at least the ratio determined by the Minister of Strategy and Finance on the basis of the scale of the total project expenses of the relevant project, within the scope of 10/100 to 20/100 of the total project expenses are firmly established in consultation with the Minister of Strategy and Finance;

4. A project for which the estimated demands for the relevant project have been decreased by 30 percent or more due to changes in conditions of the project, etc.;
 5. Other projects whose feasibility needs to go through an assessment because budget for those projects could be wasted due to overlapped investments, etc.
- (2) Notwithstanding paragraph (1), assessment of feasibility may be omitted in cases where there is no practical use, such as that the sunk cost takes a large portion because the project has been substantially executed or that the increase in the total project cost has been caused mainly because of the reflection of a legal expense and a change in a plan at a higher level, and in cases where it is necessary to urgently promote a project for the purposes of balanced regional development, response to urgent economic or social conditions, etc. or due to the prevention from a disaster, aid for restoration or security issues, etc. <Amended by Presidential Decree No. 21360, Mar. 25, 2009 >

Article 23 (Allocation of Reserve Funds)

The Minister of Strategy and Finance shall, upon obtaining approval of the President for the use of the reserve fund pursuant to Article 51 (3) of the Act, allocate the fund as part of the expenditure budget. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

Article 24 (Exception to Principles of Comprehensiveness of Budget)(1) The revenue substitution expense prescribed in Article 53 (1) of the Act (hereinafter referred to as "revenue substitution expense") means any of the following expenses prescribed by the Minister of Strategy and Finance: <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

1. An expense for which the State provides a special service or facility and collects the expense from the person to whom such a service or facility is provided;
2. An expense where disbursement of total amount of related expenses is permitted within the extent of the revenue.

(2) "Expenses directly related to surplus revenue and expenses incidental thereto exceeding the budget," as prescribed by Presidential Decree, in Article 53 (1) of the Act means the following expenses: <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

1. Asset acquisition costs, domestic travel expenses, and expenses for maintenance and repair of the facility directly related to performance of related affairs;
2. Wages for temporary workers that are employed due to temporary increase in workloads;
3. Expenses paid as compensation for employees who have performed the affairs relating to the creations of surplus revenue;
4. Other expenses incidental to the surplus revenue, and prescribed by the Minister of Strategy and Finance.

(3) The head of a central government agency that intends to disburse a revenue substitution expense in excess of the budget pursuant to Article 53 (1) of the Act shall notify each treasurer under Article 22 (1) of the Management of the National Funds Act of the limit of such revenue substitution expense to be disbursed in excess of the budget.

(4) Where the head of each central government agency disburses a revenue substitution expense in excess of the budget pursuant to Article 53 (1) of the Act, he/she shall forward a statement on which the grounds for, and amount of, such expense are clearly indicated, to the Minister of Strategy and Finance and the Board of Audit and Inspection, respectively. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(5) Where the head of each central government agency disburses an in - kind loan financed with a loan from a foreign lender, or repays funds borrowed from a foreign lender for relending, in excess of the budget pursuant to Article 53 (3) and (4) of the Act, he/she shall notify the Minister of Strategy and Finance and the Board of Audit and Inspection thereof, respectively. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(6) Deleted. <by Presidential Decree No. 25606, Sep. 18, 2014 >

Article 25 (Management of Subsidies)(1) The head of each central government agency shall submit a report on the results of granting subsidies of the National Treasury and the results of execution of subsidies under Article 54 of the Act to the Minister of Strategy and Finance, and the competent Standing Committees and the Special Committee on Budget and Accounts of the National Assembly by no later than May 31 of the following year. <Amended by Presidential Decree No. 20720, Feb. 29,

2008; Presidential Decree No. 22268, Jul. 9, 2010 >

(2) In preparing a report on the results of execution of subsidies granted to local governments under Article 54 of the Act, the head of each central government agency shall prepare such report separately for each local government of the Special Metropolitan City, Metropolitan City, Do, and Special Self - Governing Province under Article 2 (1) 1 of the Local Autonomy Act. <Amended by Presidential Decree No. 22268, Jul. 9, 2010 >

CHAPTER IV FUNDS

CHAPTER III (Articles 26 and 27) Deleted.

Article 28 (Preparation of Draft Fund Management Plans)

The draft fund management plans under Article 67 (4) of the Act shall be prepared in the following manner:

1. The revenue plan among the fund management plans shall be prepared in compliance with the division and classification of sections, paragraphs, and items as with those in the Government's revenue budget, while the fund raising plan that shall be attached to the draft fund management plans shall be prepared in compliance with the classification of items as with those in the Government's revenue budget;
2. The expenditure plan among the fund management plans shall be prepared in compliance with the division and classification of chapters, sections, paragraphs, subparagraphs, and items as with those in the Government's expenditure budget, while the management of surplus funds, if any, for the current fiscal year shall be described in a separate paragraph, and the subject matters of such management shall be described in subparagraphs;
3. Deleted. <by Presidential Decree No. 21360, Mar. 25, 2009 >

Article 28 - 2 (Particulars of Gender - Sensitive Fund Management Plans and Standards for Preparation thereof, etc.)(1) A gender - sensitive fund management plan prescribed in Article 68 - 2 of the Act (hereinafter referred to as "gender - sensitive fund management plan") shall include the following:

1. Outline of the gender - sensitive fund management plan;
2. Scale of the gender - sensitive fund management plan;
3. The expected effects of gender equality, performance objectives and benefit analysis by gender of the gender - sensitive fund management plan;
4. Matters prescribed by the Minister of Strategy and Finance, other than those under subparagraphs 1 through 3.

(2) Gender - sensitive fund management plans shall be prepared by each fund managing entity according to the standards for preparation thereof (including standards for selecting a project subject to preparation of the gender - sensitive fund management plan) and methods set forth by the Minister of Strategy and Finance following consultation with the Minister of Gender Equality and Family.

[This Article Newly Inserted by Presidential Decree No. 22268, Jul. 9, 2010]

Article 29 (Revision to Fund Management Plans)(1) A fund managing entity may revise the amount of expenditure in a subcategory in accordance with Article 70 (1) of the Act in cases where any of the following events occurs or grounds arises: Provided, That in the case of subparagraph 3, no revision shall be made for the purpose of misappropriating such amount to the part reduced in the course of examination of a draft fund management plan by the National Assembly:

1. When an unforeseeable commotion breaks out;
2. When an emergency is caused by a disturbance;
3. When a supplementary measure is taken for an existing project.

(2) The revision to the amount of expenditure in main categories under Article 70 (3) of the Act shall be based on the amount of expenditure in the main categories reflected in the fund management plans finally set by the National Assembly.

(3) The statement on the proposed revision to the amount of expenditure in a subcategory or a main category under Article 70 (4) of the Act shall be submitted within 20 days after such proposed revision is finalized.

(4) In preparing a revision under Article 70 (1) and (3) of the Act, the fund managing entity concerned shall consult with the Minister of Strategy and Finance, in cases where it involves a category of expenditure specified in the guidelines for execution of the fund management plans under Article 36.

<Amended by Presidential Decree No. 20720, Feb. 29, 2008>

(5) In cases where a fund managing entity set out in paragraph (4) is not the head of a central government agency, the entity shall go through a consultation process with the head of the competent central government agency, as set out in the same paragraph.

Article 30 (Contents of Fund Carryover Statement)

The carryover statement prescribed in Article 72 (2) of the Act shall clearly describe the following matters:

1. The amount of expense for each item required to be carried over;
2. The amount disbursed or estimated to be disbursed out of the amount of expense under subparagraph 1;
3. The amount to be carried over to the following year out of the amount of expense under subparagraph 1 and the expenditure item for the relevant expense for the current year and the following year;
4. The amount unused out of the amount of expense under subparagraph 1;
5. The grounds for carryover.

Article 31 (Entities subject to Establishment of Medium - and Long - Term Fund Financial Management Plans and Procedures, etc. for Establishment thereof)(1) "Managing

entity of funds prescribed by Presidential Decree" referred to in the former part of Article 73 - 3 (1) of the Act means a managing entity of any of the following funds (hereinafter referred to as "fund managing entity subject to establishment of a medium - and long - term fund financial management plan" in this Article): <Amended by Presidential Decree No. 25279, Mar. 24, 2014; Presidential Decree No. 26369, Jun. 30, 2015>

1. The Employment Insurance Fund established under the Employment Insurance Act;
2. The Public Officials Pension Fund established under the Public Officials Pension Act;
3. The National Pension Fund established under the National Pension Act;
4. The Military Pension Fund established under the Military Pension Act;
5. The Restructuring Fund established pursuant to the Act on the Efficient Disposal of Non - Performing Assets, Etc. of Financial Companies and the Establishment of the Korea Asset Management Corporation;

6. The Pension Fund for Private School Teachers and Staff established pursuant to the Pension for Private School Teachers and Staff Act;
7. The Industrial Accident Compensation Insurance and Prevention Fund established pursuant to the Industrial Accident Compensation Insurance Act;
8. The Trade Insurance Fund established pursuant to the Trade Insurance Act;
9. The Deposit Insurance Fund Bond Repayment Fund established pursuant to the Depositor Protection Act;
10. Housing and urban funds established pursuant to the Housing and Urban Fund Act;
11. The Fund for the Establishment and Promotion of Small and Medium Enterprises established pursuant to the Small and Medium Enterprises Promotion Act.

(2) "Matters prescribed by Presidential Decree" referred to in Article 73 - 3 (2) 4 of the Act means the following:

1. Forecasts for medium - and long - term conditions to manage funds;
2. Estimation of medium - and long - term changes of the assets held by the fund.

(3) A fund managing entity subject to establishment of a medium - and long - term fund financial management plan shall establish a medium - and long - term fund financial management plan under the former part of Article 73 - 3 (1) of the Act (hereinafter referred to as "medium - and long - term fund financial management plan"), and submit such plan to the Minister of Strategy and Finance before submitting a national financial management plan to the National Assembly: Provided, That matters referred to in Article 73 - 3 (2) 1 and 2 of the Act in the medium - and long - term fund financial management plan shall be submitted to the Minister of Strategy and Finance, along with a medium - term project plan established under Article 66 (1) of the Act, by no later than January 31 each year.

(4) A fund managing entity subject to establishment of a medium - and long - term fund financial management plan shall consult with the Minister of Strategy and Finance, when establishing a medium - and long - term fund financial management plan.

(5) When having consultation prescribed in paragraph (4), if a fund managing entity subject to establishment of a medium - and long - term fund financial management plan is not the head of a central government agency, it shall submit such plan through the head of the competent central government agency.

(6) If deemed necessary to establish medium - and long - term fund financial management plans, the Minister of Strategy and Finance may prescribe how such plans are established and forms to be used, and notify fund managing entities thereof.

[This Article Newly Inserted by Presidential Decree No. 22268, Jul. 9, 2010]

Article 32 Deleted. <by Presidential Decree No. 21360, Mar. 25, 2009>

Article 33 (Composition and Management of Deliberative Council on Fund

Management)(1) A Deliberative Council on Fund Management prescribed in Article 74 of the Act (hereinafter referred to as the "Deliberative Council") shall be comprised of 10 or fewer members, including one chairperson.

(2) The Deliberative Council members shall be appointed or commissioned by the fund managing entity from among the people set forth in the following subparagraphs:

1. Public officials who are members of the Senior Civil Service Corps. and are responsible for the affairs of fund management in the central government agency concerned;
2. Persons who have been recognized as having much expertise and experience in administration and management of funds;
3. Representatives and executive officers of institutions and organizations relating to the projects of the fund concerned.

(3) The Deliberative Council members' term of office shall be 2 years: Provided, That the term of office for a Deliberative Council member set forth in paragraph (2) 1 shall be the same as the period during which the relevant Deliberative Council member maintains his/her position as a public official.

(4) The term "important matter concerning administration and management of funds prescribed by Presidential Decree" in Article 74 (2) 5 of the Act means the revision to subcategories of expenditure that shall be subjected to consultation with the Minister of Strategy and Finance pursuant to Article 29 (4).<Amended by Presidential Decree No. 20720, Feb. 29, 2008>

(5) Other necessary matters concerning composition and management of the Deliberative Council shall be prescribed by the chairperson, subject to resolution of the Deliberative Council.

Article 34 Deleted. <by [Presidential Decree No. 21360, Mar. 25, 2009](#)>

Article 35 (Composition and Management of Asset Management Committee)(1) The Asset Management Committee prescribed in the provisions of Article 76 (1) of the Act (hereinafter referred to as the "Asset Management Committee") shall be comprised of ten or fewer members, including one chairperson. <Amended by Presidential Decree No. 21360, Mar. 25, 2009 >

(2) The term "person who satisfies the qualification prescribed by Presidential Decree" in Article 76 (4) 2 of the Act means any of the following persons:<Amended by [Presidential Decree No. 20947, Jul. 29, 2008](#); [Presidential Decree No. 21201, Dec. 31, 2008](#); [Presidential Decree No. 21360, Mar. 25, 2009](#); [Presidential Decree No. 23644, Feb. 29, 2012](#)>

1. A person who has at least a five - year experience working in a position in charge of asset management, asset management evaluation, and risk management in a financial institution defined in subparagraph 1 of Article 2 of the Act on the Structural Improvement of the Financial Industry or a fund assessment company under Article 258 of the Financial Investment Services and Capital Markets Act;
2. A person who has at least a five - year experience working in a position in charge of finance or asset management in a stock - listed corporation under Article 9 (15) of the Financial Investment Services and Capital Markets Act, in a government enterprise under Article 2 of the Government Enterprise Budget Act, or in a public agency under Article 4 of the Act on the Management of Public Institutions;
3. A person who has at least a three - year experience conducting research on or teaching an academic field relating to economics, business administration, or finance, in a position of adjunct professor or higher in a school defined in the Higher Education Act;
4. A person who has at least a three - year experience working in a research institute or a public institution with a doctorate in a field relating to economics, business administration, or finance;
5. A person who has practiced as a lawyer or a certified public accountant for at least three years;
6. Any other person recognized by the fund managing entity as having knowledge and experience equivalent to or better than those set forth in subparagraphs 1 through 5.

(3) Each Committee member's term of office shall be two years: Provided, That the term of office for a Committee member who meets the qualification under Article 76 (4) 1 of the Act and is commissioned with a position assigned shall be the period during with the Committee member maintains his/her position as a public official.

(4) Other necessary matters concerning the composition and management of the Asset Management Committee shall be prescribed by the Committee chairperson, subject to resolution of the Asset Management Committee.

Article 36 (Guidelines for Execution of Fund Management Plans)(1) The Minister of Strategy and Finance shall notify each fund managing entity of the guidelines for execution of the fund management plans under Article 80 of the Act by no later than the end of January of each year. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(2) The guidelines for execution of the fund management plans under paragraph (1) shall include the following matters:<Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

1. Matters concerning fund execution by type and by expense item;
2. Categories of expenditure that shall be subject to consultation with the Minister of Strategy and Finance, in cases where the fund managing entity intends to make a revision under Article 29 (4);
3. Other matters determined by the Minister of Strategy and Finance as necessary.

Article 37 (Selection, etc. of Financial Institution for Integrated Management of Surplus Funds)(1) The Minister of Strategy and Finance shall, subject to advice by the relevant experts, select a financial institution which integrates and manages surplus funds deposited by each fund managing entity pursuant to Article 81 of the Act, taking into account the following criteria for selection: <Amended by Presidential Decree No. 20720, Feb. 29, 2008; Presidential Decree No. 21360, Mar. 25, 2009; Presidential Decree No. 21836, Nov. 23, 2009 >

1. Soundness of financial status and management indicators;
2. Performance of asset management, such as return on investment;
3. Appropriateness of the strategy and plan for asset management;
4. Other matters determined by the Minister of Strategy and Finance as necessary for efficient and stable asset management.

(2) Necessary matters concerning integrated management of surplus funds under Article 81 of the Act in addition to the matters specified in paragraph (1) shall be prescribed by the Minister of Strategy and Finance. <Newly Inserted by Presidential Decree No. 21360, Mar. 25, 2009 >

Article 37 - 2 (Evaluation of Fund Management)(1) The Minister of Strategy and Finance shall evaluate the fund management results, suitability of management of surplus funds, etc. pursuant to Article 82 (1) of the Act.

(2) The Minister of Strategy and Finance may establish guidelines for the evaluation of the fund management under paragraph (1) and then notify a fund managing entity thereof.

(3) A fund managing entity shall submit funds management results to the Minister of Strategy and Finance by the last day of every February.

[This Article Newly Inserted by Presidential Decree No. 21360, Mar. 25, 2009]

Article 38 (Composition and Management of Fund Management Evaluation Team)(1)

The Minister of Strategy and Finance may, pursuant to Article 82 (2) of the Act, select members of the fund management evaluation team among the following persons to organize and operate the fund management evaluation team (hereinafter referred to as the "evaluation team") from time to time: <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

1. An assistant professor of a university or college or higher with expertise in fund management or a related field;
2. A person who works for a government - invested research institute with a doctorate degree and expertise in fund;
3. A certified public accountant, a lawyer, or a finance professional who has practiced for at least 5 years;
4. Any other person recognized as having much expertise and experience in the survey and evaluation of the actual state of fund management.

(2) In organizing the evaluation team, the Minister of Strategy and Finance may accept a recommendation of a person who falls under any subparagraph of paragraph (1) from the head of the central government agency concerned. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(3) The evaluation team may request the fund managing entities to submit data and information as necessary, and the fund managing entities shall comply with such request.

(4) The Minister of Strategy and Finance may reimburse the expenses required for the evaluation team's research or advisory activities for the fund system, activities for survey and evaluation of the actual state of fund management, etc. within the scope of budget. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(5) Necessary matters concerning the composition and management of the evaluation team in addition to the matters specified in paragraphs (1) through (4) shall be prescribed by the Minister of Strategy and Finance, subject to advice by the Advisory Council. <Amended by Presidential Decree No. 20720, Feb. 29, 2008; Presidential Decree No. 21360, Mar. 25, 2009 >

Article 39 (Provisions Applicable Mutatis Mutandis)

The provisions of Articles 13, 14, 21, and 22 shall apply mutatis mutandis to the funds.

CHAPTER V IMPROVEMENT OF FINANCIAL SOUNDNESS

Article 40 (Enactment of and Amendment to Statutes that Entails Treasury Burden)(1)

The estimated data under Article 87 (1) through (3) of the Act shall include the following information: <Amended by Presidential Decree No. 22268, Jul. 9, 2010 >

1. The name of the legislative Bill and the relevant text thereof;
2. Detailed estimates of Treasury demands:
 - (a) Main grounds for causing Treasury burden;
 - (b) Premise of the estimation;
 - (c) Output of the estimation;
 - (d) Breakdown of the estimates;
3. The person who has prepared the data.

(2) The period for the estimation under paragraph (1) shall be five years beginning on the enforcement date of the relevant legislative Bill: Provided, That the period for the estimation may be extended, where it is difficult to grasp changes in expenses within the period of five years.

(3) The fund raising scheme under Article 87 (1) through (3) of the Act shall specifically indicate schemes for fund raising, such as adjustment between items of the existing budgets or funds, tax revenue, non - tax revenue, issuance of State bonds, borrowing a loan, and transfer from general accounts, special accounts or funds. <Amended by Presidential Decree No. 22268, Jul. 9, 2010>

(4) The Minister of Strategy and Finance may request a competent specialized institution to conduct a survey and research in order to enhance the feasibility and accuracy of data for estimation under paragraph (1) and schemes for fund raising under paragraph (3). <Newly Inserted by Presidential Decree No. 22268, Jul. 9, 2010>

(5) "Where any matter prescribed by Presidential Decree changes" in Article 87 (3) of the Act means any of the following cases: <Newly Inserted by Presidential Decree No. 22268, Jul. 9, 2010>

1. Where the scale of Treasury expenditures changes not less than 20/100;
2. Where the scale of yearly Treasury expenditures changes not less than ten billion won;
3. Where the enforcement date or enforcement period of the legislative Bill changes not less than one fiscal year;
4. Where deemed necessary by the Minister of Strategy and Finance, other than cases under subparagraphs 1 through 3.

(6) The Minister of Strategy and Finance may prescribe other necessary matters concerning preparation of the data of estimates and the fund raising scheme. <Amended by Presidential Decree No. 20720, Feb. 29, 2008>

Article 41 (Restriction on Rebate or Reduction of National Taxes)(1) "Total national tax revenue for the current year prescribed by Presidential Decree" in Article 88 (1) of the Act means the amount of national taxes received in the settlement of accounts prepared by the Government pursuant to Article 61 of the Act. In such cases, the total national tax revenue for the fiscal year prior to preparation of the settlement of accounts means the amount of the revenue budget for national taxes in a budget Bill under Article 33 of the Act.

(2) "Total amount of national taxes rebated or reduced" in Article 88 (1) of the Act means the amount of national taxes rebated or reduced in the tax expenditure report under Article 142 - 2 of the Restriction of Special Taxation Act. <Amended by

[Presidential Decree No. 21360, Mar. 25, 2009](#); [Presidential Decree No. 23433, Dec. 30, 2011](#);
[Presidential Decree No. 24368, Feb. 15, 2013](#) >

(3) "Ratio prescribed by Presidential Decree" in Article 88 (1) of the Act means the ratio calculated by dividing the aggregate of the ratios of national taxes rebated and reduced during the 3 years immediately preceding the current year by 3 and then adding 0.5 percent thereto. In such cases, a value of fewer than 0.1% shall be deemed as nil in calculating the ratio.

Article 42 (Submission of Proposals for Tax Reduction or Exemption)(1) The head of a central government agency who requests a new privilege of national tax reduction or exemption pursuant to Article 88 (2) of the Act, shall submit a recommendation for tax reduction or exemption under Article 142 (2) of the Restriction of Special Taxation Act.

(2) The head of a central government agency who submits a recommendation for tax reduction or exemption under paragraph (1) shall attach the opinion of a specialized research institute in the relevant field. <[Amended by Presidential Decree No. 20720, Feb. 29, 2008](#); [Presidential Decree No. 22472, Nov. 10, 2010](#) >

Article 43 (Management of State Obligations)(1) The term "other matters prescribed by Presidential Decree" in Article 91 (1) 5 of the Act means the following matters:
<[Amended by Presidential Decree No. 20720, Feb. 29, 2008](#) >

1. Current status of the commitments to assume the national treasury obligations under Article 25 of the Act;
2. Other matters that the Minister of Strategy and Finance deems necessary.

(2) The term "accounts or funds specified by Presidential Decree" in Article 91 (2) 1 of the Act means the accounts or funds not managed or operated by the head of any central administrative agency.

(3) The term "obligations prescribed by Presidential Decree" in Article 91 (2) 4 of the Act means the obligations for which performance of subrogated payment has been finally fixed among the State's guarantee obligations under Article 92 of the Act.

(4) Deleted. <[by Presidential Decree No. 20720, Feb. 29, 2008](#) >

Article 44 (Bearing and Management of State's Guarantee Obligations)(1) An obligor or an obligee who wishes to have the State to guarantee performance of obligations shall submit to the Minister of Strategy and Finance an application for guarantee for obligations with an opinion given by the head of the central government agency concerned in advance about necessary matters, including the details of project, the scope of the obligations to be guaranteed (hereinafter referred to as "principal obligations"), the obligee's name, the obligor's name and the plan for prepayment or recovery. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(2) The Minister of Strategy and Finance shall, upon receiving an application under paragraph (1), proceed to due process for obtaining the National Assembly's consent under Article 92 (1) of the Act, subject to prior deliberation by the State Council and the approval of the President, in cases where it is determined necessary for the State to guarantee the principal obligations.<Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(3) The Minister of Strategy and Finance shall, upon obtaining the National Assembly's consent under paragraph (2), notify the applicant of the State's commitment to guarantee the performance of the principal obligations in writing.<Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(4) The written notice to the applicant under paragraph (3) shall contain the following descriptions:<Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

1. Scope of the obligations guaranteed by the State;
2. Obligor and obligee;
3. Provisions to which the obligor or the obligee shall adhere, prescribed by the Minister of Strategy and Finance.

(5) The obligee or the obligor, who intends to revise or change any part of the project or the obligations guaranteed, shall obtain approval of the Minister of Strategy and Finance therefor. In such cases, the Minister of Finance and Economy shall approve such revision or change with prior approval of the National Assembly, in cases where the revision or change is of an important part of the contract at issue.<Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(6) The Minister of Strategy and Finance may, when undertaking guarantee obligations pursuant to paragraphs (1) through (5), levy guarantee fee on the applicant. In such cases, the guarantee fee shall be prescribed by the Minister of

Strategy and Finance, taking into consideration the nature and amount of the guaranteed obligations, the guarantee period, etc. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(7) The State guarantee obligation management plan under Article 92 (2) of the Act shall be prepared, including the forecast, grounds for calculation, management plan, etc. of guarantee obligation during the period of not less than five fiscal years from the current fiscal year. <Newly Inserted by Presidential Decree No. 22268, Jul. 9, 2010 >

(8) The Minister of Strategy and Finance shall report to the National Assembly the matters concerning management of guarantee obligations along with the settlement of revenue and expenditure every year. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

CHAPTER VI SUPPLEMENTARY PROVISIONS

Article 45 (Handling of Money in Custody)

Necessary matters concerning the procedure for handling cash in the custody of the head of each central government agency shall be prescribed by the Minister of Strategy and Finance, except as provided for specifically by statutes. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

Article 46 (Management of Securities) (1) The securities in the custody of the head of each central government agency shall be managed by the head of the agency.

(2) The securities owned by the State shall be managed by the Minister of Strategy and Finance: Provided, That those that belong to a special account established pursuant to Article 4 (3) of the Act or a fund established pursuant to Article 5 (1) of the Act shall be managed by the head of the central government agency who administers such special account or fund. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(3) The securities prescribed in paragraphs (1) and (2) may be entrusted to the Bank of Korea or any of the financial institutions specified in paragraph (4) for handling, prescribed by the Minister of Strategy and Finance. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(4) The financial institutions under Article 93 (2) and (3) of the Act are as follows:

<Amended by Presidential Decree No. 22493, Nov. 15, 2010>

1. Banks prescribed in Article 2 (1) 2 of the Banking Act (excluding foreign banks);
2. Korea Development Bank prescribed in the Korea Development Bank Act;
3. Export - Import Bank of Korea prescribed in the Export - Import Bank of Korea Act;
4. Deleted.<by Presidential Decree No. 21360, Mar. 25, 2009>

(5) The Bank of Korea and the financial institutions that handle the securities in the custody of the State pursuant to Article 93 (2) and (3) of the Act shall submit a statement on supply and demand for the securities to the Minister of Strategy and Finance and the Board of Audit and Inspection, respectively. In such cases, the statement on supply and demand submitted to the Board of Audit and Inspection shall be accompanied by evidentiary documents.<Amended by Presidential Decree No. 20720, Feb. 29, 2008>

Article 47 (Keeping of Accounting Books)(1) The head of each central government agency shall keep accounting books for recording the State's obligations and other accounting books as deemed necessary.

(2) The Bank of Korea entrusted with securities for safekeeping pursuant to Article 93 (2) of the Act shall keep accounting books to record receipts and disbursements pertaining to the issuance and redemption of state bonds and accounting books to record the supply of and demand for the securities, and keep records of the receipts and disbursements of cash or the supply and demand for securities handled for and on behalf of the State.

(3) The financial institutions entrusted with securities for safekeeping pursuant to Article 93 (2) of the Act shall keep accounting books to record supply and demand for the securities, and keep records of supply and demand for the securities.

Article 48 (Control of Financial Execution)(1) The head of each central government agency and each fund managing entity alike shall submit a report on execution of activities and a report on execution of the budget and the fund management plans under Article 97 (1) of the Act covering the following matters to the Minister of Strategy and Finance on or before the 20th day of the following month after the end of each month (or after the end of each quarter in the case of the foreign exchange

equalization fund under Article 13 of the Foreign Exchange Transactions Act). In such cases, the fund managing entity who is not the head of a central government agency, shall submit the said reports via the head of the competent central government agency: <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

1. The results of monthly execution of the budget and fund management plans;
2. The grounds as to why the execution of the budget, the fund, etc. has made poor progress and the future improvement plan;
3. Reported cases of extravagant budget spending by ministries and agencies and the results of countermeasures taken (including the details of demands for redressing pursuant to Article 100 of the Act and the results of measures taken accordingly);
4. Other matters prescribed by the Minister of Strategy and Finance for efficient execution of the budget and fund management plans.

(2) The Minister of Strategy and Finance may establish and operate the financial management monitoring team in order to check and monitor the current state of execution of the budget and the funds under Article 97 (2) of the Act and the cases of extravagant spending. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(3) Further details of the matter concerning organization, management, etc. of the financial management monitoring team shall be prescribed by the Minister of Strategy and Finance. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

Article 48 - 2 (Provision of Finance - related Information for the National Assembly)(1)

Scope of the finance - related information mandated to be submitted by the Minister of Strategy and Finance and the heads of central government agencies pursuant to Article 97 - 2 (3) of the Act shall be as follows:

1. Status regarding collection of tax revenues of each central government agency and status regarding execution of expenditure budgets;
2. Status regarding operation of funds by each central government agency;
3. Other details demanded by the National Assembly and deemed necessary to efficiently conduct the inspection or investigation of state administration.

(2) The finance - related information prescribed in paragraph (1) shall be provided to the National Assembly by either of the following means:

1. Electronic documents, computer magnetic tape, computer magnetic disc, or other similar media;

2. Information disclosure system.

(3) If deemed necessary to provide information to the National Assembly pursuant to Article 97 - 2 (3) of the Act, the Minister of Strategy and Finance may request the provision of information from the head of the central government agency relevant to the provision of information.

[This Article Newly Inserted by Presidential Decree No. 26340, Jun. 30, 2015]

Article 49 (Deliberative Council on Budget Execution)(1) The head of each central government agency shall establish and operate a Deliberative Council on Budget Execution, comprised of public officials concerned under his/her control and of people having much knowledge and experience in budget accounting in order to ensure appropriateness of internal control under Article 98 of the Act.

(2) Necessary matters concerning the establishment and management of Deliberative Councils on Budget Execution under paragraph (1) shall be prescribed by the Minister of Strategy and Finance.<Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

Article 50 (Citizen Monitoring against Unlawful Spending of Budget and Funds)(1) The head of a central government agency or a fund managing entity may demand to supplement the data within a certain period as prescribed, in cases where it finds that a demand for correction under Article 100 (1) of the Act fails to satisfy the requirements.

(2) The head of the central government agency or the fund managing entity concerned shall issue a notice of the results of the measures taken to the person who filed a demand for correction in accordance with Article 100 (2) of the Act within 30 days (excluding period for supplementation under paragraph (1)) from the date the request for correction was delivered: Provided, That in cases where it is found difficult to take corrective measures within the afore - said time period, the reasons, the period required for such measures, etc. shall be notified to the person who filed the request for correction.

(3) A fund managing entity who is not the head of a central government agency, shall consult with the head of the competent central government agency about the measures taken before notifying the results of such measures taken in accordance with Article 100 (2) of the Act.

(4) The head of the central government agency or the fund managing entity shall not disclose or suggest the identification of the person who requests a corrective measure in accordance with Article 100 (1) of the Act to someone else without his/her consent.

(5) Matters necessary for operation of the citizen monitoring system against unlawful spending of a budget and funds, including the procedure for notification of the results of measures taken in accordance with Article 100 (2) of the Act shall be prescribed by the Minister of Strategy and Finance in further detail. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

Article 51 (Establishment and Operation of Reporting Center on Extravagant Budget Spending)

(1) The head of each central government agency or each fund managing entity shall establish and operate the reporting center on extravagant budget spending that shall receive and process citizens' demands for corrective measures against unlawful spending of budget and funds pursuant to Article 100 (1) of the Act, reports on extravagant budget spending, proposals relating to budget reduction, etc.

(2) The head of a central government agency or a fund managing entity shall, upon receiving a report on cases of extravagant budget spending or a proposal relating to budget reduction pursuant to paragraph (1), notify the person who made such a report or proposal of the results of the measures taken accordingly.

(3) The head of a central government agency or a fund managing entity may pay the budgetary incentive under Article 49 of the Act to a person who made a report on an extravagant budget spending case, a proposal relating to budget reduction, etc. pursuant to paragraph (1).

(4) The provisions of Article 50 (2) through (5) shall apply mutatis mutandis to the processing of reports on cases of extravagant budget spending, proposals on budget reduction, etc.

(5) Further specific matters necessary for establishment and management of the reporting center on extravagant budget spending under paragraph (1) shall be prescribed by the Minister of Strategy and Finance. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

Article 51 - 2 (Payment of Monetary Reward)

(1) The head of each central government agency, or each fund managing entity may pay a monetary reward not exceeding

three million won to any of the following persons: Provided, That a monetary reward shall not be paid, where any reward, etc. is granted pursuant to the Regulations on Citizen Proposals or other statutes and it is deemed inappropriate to pay a monetary reward under this Decree:

1. A person demanding the rectification of any unlawful spending of budget and funds under Article 100 (1) of the Act;
2. A person reporting any budget waste;
3. A person making a proposal concerning budget reduction.

(2) Matters necessary for the concrete standards, methods, procedures, etc. for paying monetary rewards under paragraph (1) shall be determined and publicly notified by the Minister of Strategy and Finance.

[This Article Newly Inserted by Presidential Decree No. 28010, May 8, 2017]

Article 52 (Training of Finance - Related Public Officials)(1) The Minister of Strategy and Finance may conduct training programs for public officials accountable for financial affairs, including budgeting and settlement of accounts at least once annually. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(2) The Minister of Strategy and Finance may entrust the training programs under paragraph (1) to the National HRD Institute prescribed in Article 3 of the Act on the Capacity Development of Public Officials, an external educational institution, etc. <Amended by Presidential Decree No. 20720, Feb. 29, 2008; Presidential Decree No. 26944, Feb. 3, 2016 >

(3) The Minister of Strategy and Finance may prescribe other matters necessary for training of public officials accountable for financial affairs separately. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

Article 53 (Handling of Personally Identifiable Information)

When the Minister of Strategy and Finance allows the use of information and communication mediums and programs, etc. developed pursuant to Article 97 - 2 of the Act and deems it unavoidable to discern users who perform fiscal tasks, he/she may handle materials in which a resident registration number or an alien registration number is included pursuant to subparagraph 1 or 4 of Article 19 of the Enforcement Decree of the Personal Information Protection Act.

[This Article Newly Inserted by Presidential Decree No. 24317, Jan. 16, 2013]

ADDENDA <No. 19806, 29. Dec, 2006 >

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2007.

Article 2 (Repealed Statutes)

The Enforcement Decree of the Budget and Accounts Act, the Enforcement Decree of the Framework Act on Fund Management, and the Regulations on the Deliberative Council on Budgeting and Accounting Systems are hereby repealed respectively.

Article 3 (Applicability, etc. to Preliminary Feasibility Survey)

(1) The preliminary feasibility survey of the projects under Articles 13 (1) 2 and 3 and 39 shall be applicable to the projects included in a budget Bill and the draft fund management plans for fiscal year 2009 first and each year thereafter.

(2) As to the projects of which the feasibility survey has already been completed or is in progress at the time when this Decree enters into force, the provisions of Articles 13 and 39 shall not apply.

Article 4 (Preparation of Tax Expenditure Report)

(1) The term "report on the results of national tax amounts rebated or reduced, tax rebate or reduction rates, etc. for the preceding year and the estimates of those for the current year" in Article 6 (2) of the Addenda of the Act means the report prepared by the Minister of Strategy and Finance with an analysis of the national tax amounts rebated or reduced, etc. for each year made in the following ways (hereinafter referred to as "tax expenditure report"): <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

1. An analysis of national tax amounts rebated or reduced, etc. by categorizing them by function in accordance with the categories prescribed by the Minister of Strategy and Finance, such as aids for workers, farmers, fishermen, etc.;

2. An analysis of national tax amounts abated or reduced, etc. by categorizing them by tax item, including national taxes under subparagraph 1 of Article 2 of the Framework Act on National Taxes; and

3. An analysis of national tax amounts rebated or reduced, etc. by categorizing them by the means of rebate or reduction in accordance with the means of special

treatment in taxation under Article 2 (1) 8 of the Restriction of Special Taxation Act including application of special tax rates.

(2) The Commissioner of the National Tax Service and the Commissioner of the Korea Customs Service shall submit the results of abatement and reduction of internal taxes and customs duties, etc. to the Minister of Strategy and Finance as required for preparation of the tax expenditure report. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

(3) The method of furnishing data under paragraph (2) and other necessary matters shall be prescribed by the Minister of Strategy and Finance. <Amended by Presidential Decree No. 20720, Feb. 29, 2008 >

Article 5 Omitted.

Article 6 (Relationship to other Statutes)

A citation of any provision in the Enforcement Decree of the Budget and Accounts Act, the Enforcement Decree of the Framework Act on Fund Management, or any provision thereof enforceable at the time this Act enters into force, in cases where any, shall be deemed to be a citation of this Decree or a corresponding provision hereof in lieu of the former applicable provision, in cases where there is such a corresponding provision herein.

ADDENDA <No. 20720, 29. Feb, 2008 >

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation. (Proviso Omitted.)
Articles 2 through 8 Omitted.

ADDENDA <No. 20923, 23. Jul, 2008 >

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Preliminary Feasibility Survey)

The preliminary feasibility survey falling under the amended provisions of Article 13 (1) 4 shall apply, beginning from the budget Bill and draft fund management plan for the fiscal year 2010.

Article 3 (Applicability to Management, etc. of Total Project Cost)

The amended provisions of Article 21 shall also apply to the project that is already under way at the time this Decree enters into force.

ADDENDA <No. 20947, 29. Jul, 2008 >

Article 1 (Enforcement Date)

This Decree shall enter into force on February 4, 2009. (Proviso Omitted.)

Articles 2 through 28 Omitted.

ADDENDA <No. 21201, 31. Dec, 2008 >

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2009.

Articles 2 through 4 Omitted.

ADDENDA <No. 21360, 25. Mar, 2009 >

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

ADDENDA <No. 21641, 27. Jul, 2009 >

Article 1 (Enforcement Date)

This Decree shall enter into force on July 31, 2009. (Proviso Omitted.)

Articles 2 through 15 Omitted.

ADDENDA <No. 21698, 21. Aug, 2009 >

Article 1 (Enforcement Date)

This Decree shall enter into force on August 23, 2009.

Articles 2 through 4 Omitted.

ADDENDA <No. 21836, 23. Nov, 2009 >

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

ADDENDA <No. 22076, 15. Mar, 2010 >

Article 1 (Enforcement Date)

This Decree shall enter into force on March 19, 2010.

Articles 2 and 3 Omitted.

ADDENDA <No. 22268, 09. Jul, 2010 >

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Establishment, etc. of National Financial Management Plans)

The amended provisions of Article 2 (4) shall apply, beginning with the first medium - and long - term plan established after this Decree enters into force.

Article 3 (Applicability to Particulars of Gender - Sensitive Budget and Standards for Preparation thereof, etc.)

The amended provisions of Article 9 shall apply, beginning with a budget Bill in fiscal year 2011.

Article 4 (Special Cases concerning Submission of Medium - and Long - Term Fund Financial Management Plans)

Notwithstanding the amended provisions of the proviso to Article 31 (3), the deadline for submit

ADDENDA <No. 22472, 10. Nov, 2010 >

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Control of Total Project Costs)

The amended provisions of Article 21 (1) and (2) shall also apply to projects already under way at the time this Decree enters into force.

ADDENDA <No. 22493, 15. Nov, 2010 >

Article 1 (Enforcement Date)

This Decree shall enter into force on November 18, 2010.

Articles 2 through 5 Omitted.

ADDENDA <No. 23433, 30. Dec, 2011 >

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Preliminary Feasibility Survey)

The amended provisions of Article 13 (2) 8 shall apply, starting with the fiscal year 2014 budget bill and draft fund management plan.

ADDENDA <No. 23644, 29. Feb, 2012 >

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <No. 24317, 16. Jan, 2013 >

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

ADDENDA <No. 24368, 15. Feb, 2013 >

Article 1 (Enforcement Date)

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

Articles 2 and 32 Omitted.

ADDENDA <No. 24496, 05. Apr, 2013 >

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <No. 25032, 30. Dec, 2013 >

This Decree shall enter into force on January 1, 2014.

ADDENDA <No. 25279, 24. Mar, 2014 >

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <No. 25283, 01. Apr, 2014 >

Article 1 (Enforcement Date)

This Decree shall enter into force on Apr. 2, 2014.

Article 2 (Applicability to Procedures for Granting Exemptions from Preliminary Feasibility Studies)

The amended provisions of Article 13 - 2 shall begin to apply to the head of a central government agency who submits an application for exemption from a preliminary feasibility study to the Minister of Strategy and Finance pursuant paragraph (1) of the same Article after this Decree enters into force.

Article 3 (Transitional Measures Concerning Exemptions from Preliminary Feasibility Studies)

The projects that are exempt from a preliminary feasibility study pursuant the former Article 13 (2) as at the time this Decree enters into force shall governed by the former provisions, notwithstanding the amended provisions of Article 13 (2) and Article 13 - 2.

ADDENDA <No. 25358, 22. May, 2014 >

Article 1 (Enforcement Date)

This Decree shall enter into force on May 23, 2014.

Articles 2 through 13 Omitted.

ADDENDA <No. 25606, 18. Sep, 2014 >

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

ADDENDA <No. 26340, 30. Jun, 2015 >

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

ADDENDA <No. 26369, 30. Jun, 2015 >

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <No. 26844, 31. Dec, 2015 >

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

ADDENDA <No. 26944, 03. Feb, 2016 >

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <No. 27544, 18. Oct, 2016 >

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

ADDENDA <No. 28010, 08. May, 2017 >

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measure Concerning Management of Total Project Expenses)

(1) The amended provisions of Article 11 - 2 shall apply beginning with the budget bill for fiscal year 2016.

(2) The amended provisions of Article 21 (2) 1 and 5 and Article 22 (1) 1 and 3 shall also apply to the projects which are underway at the time this Decree enters into force.

Article 3 (Transitional Measure Concerning Management of Total Project Expenses)

Notwithstanding the amended provisions of Article 21 (1) 1, former provisions shall apply to the determination of whethe