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**ACT ON SPECIAL CASES CONCERNING SUPPORT FOR
TECHNOPARKS**

[Enforcement Date 18. May, 2015.] [Act No.13311, 18. May, 2015., Partial
Amendment]



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CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to cluster human and physical resources of enterprises, universities, research institutes, etc. in certain places to jointly develop technology and to bring about regional innovation based on close connections and collaboration among such entities, thereby contributing to creating jobs, invigorating regional economies, and promoting national competitiveness. <Amended by Act No. 12606, May 20, 2014 >

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

Article 2 (Definitions)

The terms used in this Act shall be defined as follows: <Amended by Act No. 11690, Mar. 23, 2013 >

1. The term "Technopark" means a cluster of land, buildings, facilities, etc. which functions as a base of regional innovation where enterprises, universities, research institutes, local governments, and other entities can jointly conduct the following business activities:

(a) Establishment of a cooperative system among enterprises, universities, research institutes, and local governments or institutions supporting technology or corporate management, with the aim of creating, utilizing, and expanding regional development capability according to the respective local conditions and characteristics in terms of the development of human resources and science and technology, industrial production, and business support;

(b) Assistance in the formulation of regional development strategies in industries and technologies;

(c) Joint research or development and the transfer and commercialization of technology;

- (d) Education and training of human resources for industries and technologies;
 - (e) Distribution of information about industries and technologies;
 - (f) Protecting and fostering new technology and business start - ups;
 - (g) Provision of facilities for joint research and development;
 - (h) Test production;
 - (i) Production and sale of commodities utilizing the outcomes of research or development;
 - (j) Other activities prescribed by Ordinance of the Ministry of Trade, Industry and Energy to commercialize technology and invigorate a cooperative system between enterprises, universities, research institutes, local governments or institutions supporting technology or corporate management;
2. The term "urban factories" means urban factories prescribed in Article 28 of the Industrial Cluster Development and Factory Establishment Act.

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

Article 2 - 2 (Relationship with other Acts)

Even where there exist provisions in other Acts which are different from those of this Act with respect to the management and supervision, etc. of a person designated as a project implementer under Article 4, this Act shall prevail over other Acts.

[This Article Newly Inserted by Act No. 12606, May 20, 2014]

CHAPTER II DEVELOPMENT, ETC. OF TECHNOPARKS

Article 3 (Formulation of Plans to Develop Technoparks) (1) The Minister of Trade, Industry and Energy shall formulate, and publicly notify a plan to develop Technoparks to facilitate the development thereof. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Matters necessary for the formulation of such plan to develop Technoparks shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

Article 4 (Designation of Project Implementers) (1) The Minister of Trade, Industry and Energy may designate a person who shall develop and operate a Technopark (hereinafter referred to as "project implementer"). <Amended by Act No. 11690,

Mar. 23, 2013>

(2) Matters necessary for the qualifications, etc. for designation as a project implementer under paragraph (1) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

Article 4 - 2 (Business, etc. of Project Implementers) (1) In order to facilitate regional technological innovation and to make sure that a Technopark performs its function as a base of regional innovation, a project implementer may conduct the following business:

1. Support for the business referred to in items of subparagraph 1 of Article 2;
2. Promotion of regional industries and creation of jobs;
3. Management of and support for a Technopark;
4. Business related to a regional industrial policy, such as survey, analysis and performance evaluation, and identification, planning, etc. of regional research and development projects;
5. Other business prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

(2) In order to create jobs and stimulate regional economy, a project implementer may conduct surveys on the following matters and provide the outcomes thereof to local residents:

1. Present status of industrial technical equipment that can be utilized in the region;
2. Information on job openings in regional companies and on job searches;
3. Information on training of human resources in the region;
4. Information on regional exhibitions related to the fields of industries and technologies;
5. Information on regional support projects related to the fields of industries, technologies and finance;
6. Other information prescribed by Ordinance of the Ministry of Trade, Industry and Energy.

(3) In order to conduct surveys on matters referred to in subparagraphs of paragraph (2), a project implementer may request cooperation from a local government and other agencies prescribed by Presidential Decree. In such cases, an agency upon receipt of such request shall comply therewith, except in extenuating

circumstances.

(4) The State or a local government may subsidize funds required to conduct the survey and to provide the outcomes thereof under paragraph (2).

[This Article Newly Inserted by Act No. 12606, May 20, 2014]

Article 5 (Applications, etc. for Designation as Project Implementers) (1) Any person who intends to be designated as a project implementer shall file an application for designation as a project implementer with the Minister of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Any person who files an application for designation as a project implementer pursuant to paragraph (1) shall be a corporation.

(3) When a corporation under paragraph (2) appoints its executive officers, it shall evenly select persons who have abundant experiences in the respective areas of technology, business management, and public administration, from among those who once served, or are currently serving, for an enterprise, university, research institute, etc.

(4) Except as otherwise provided for in this Act, the provisions of the Civil Act governing incorporated foundations shall apply mutatis mutandis to the corporations under paragraph (2).

(5) Necessary matters concerning procedures for filing applications for designation as a project implementer shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

Article 5 - 2 (Revocation, etc. of Designation of Project Implementers) (1) Where a project implementer designated under Article 4 (1) falls under any of the following cases, the Minister of Trade, Industry and Energy may revoke such designation, or suspend construction, or rebuild or relocate manmade structures, or take other necessary measures: Provided, That in cases falling under subparagraph 1, the Minister shall revoke such designation: <Amended by Act No. 11690, Mar. 23, 2013>

1. Where the project implementer has been designated by fraud or other improper means;

2. Where the project implementer fails to construct and operate a Technopark by not later than five years from the date of designation as a project implementer;

3. Where the project implementer no longer meets the qualifications for designation under Article 4 (2).

(2) Where the Minister of Trade, Industry and Energy intends to revoke the designation of a project implementer under paragraph (1), he/she shall hold a hearing. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

Article 6 (Procedures for Development of Technoparks)

Notwithstanding Articles 3 and 4, if an industrial complex or a regional comprehensive development district needs to be established when promoting the development of a Technopark, such Technopark may be designated and developed as a national industrial complex, general industrial complex, or an up - to - date city industrial complex under the Industrial Sites and Development Act, and may be developed as a regional comprehensive development district under the Balanced Regional Development and Support for Local Small and Medium Enterprises Act.

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

Article 7 (Guidelines for Operating Technoparks)

The Minister of Trade, Industry and Energy shall establish and publicly notify guidelines regarding fundamental matters relating to the operation of Technoparks, as prescribed by Presidential Decree. The foregoing shall also apply to amendments to such guidelines. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

Article 7 - 2 (Evaluation of Business Performance) (1) The Minister of Trade, Industry and Energy may evaluate the business performance of project implementers each year. <Amended by Act No. 11690, Mar. 23, 2013>

(2) The Minister of Trade, Industry and Energy may request the project implementers to submit data prescribed by Presidential Decree, such as a report on the business performance of the previous year, to evaluate business performance under paragraph (1). <Amended by Act No. 11690, Mar. 23, 2013>

(3) The Minister of Trade, Industry and Energy may apply differential rates of wages paid by achievements at work to a project implementer who has shown exemplary business performance and recommend a project implementer who has

fared poorly in the evaluation of business performance under paragraph (1) to take measures, etc. in terms of human resources management, budget, or business management necessary for the improvement of business. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12606, May 20, 2014>

(4) The Minister of Trade, Industry and Energy may provide differential amounts referred to in Article 19 (1), taking into account the outcomes of evaluation of business performance conducted under paragraph (1). <Newly Inserted by Act No. 12606, May 20, 2014>

(5) Methods and procedures for evaluating business performance prescribed in paragraph (1) and other necessary matters shall be prescribed by Presidential Decree. <Amended by Act No. 12606, May 20, 2014>

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

CHAPTER III MEASURES FOR SMOOTH SUPPLY OF SITES

Article 8 (Special Cases concerning Establishment, etc. of Factories) (1)

Notwithstanding Article 2 of the Industrial Cluster Development and Factory Establishment Act and Article 2 of the Industrial Sites and Development Act, any facility for test production prescribed by Presidential Decree which is installed inside a Technopark (excluding Technoparks developed in accordance with the procedures for designation of national industrial complexes, general industrial complexes, or up-to-date city industrial complexes pursuant to Article 6) in order to carry out test production referred to in subparagraph 1 (h) of Article 2 shall be deemed excluded from the scope of factories.

(2) An enterprise prescribed by Presidential Decree, which has moved into a Technopark developed and operated in an area, other than the areas prescribed by Presidential Decree, among the specific-use areas prescribed in Article 36 of the National Land Planning and Utilization Act, to carry out the production and sale of commodities utilizing the outcomes of research or development prescribed in subparagraph 1 (i) of Article 2, may establish an urban factory prescribed by Presidential Decree in such Technopark insofar as it does not pose a threat to structural safety, notwithstanding the following provisions:

1. Article 19 (1) of the Building Act;
2. Article 76 (1) of the National Land Planning and Utilization Act;
3. Articles 6 and 9 of the Act on Designation and Management of Free Economic Zones.

(3) An enterprise intending to establish an urban factory under paragraph (2) shall obtain approval from a project implementer, and the project implementer shall obtain confirmation on the structural safety of the building from the Governor of a Special Self - Governing Province or the head of a Si/Gun/Gu (referring to the head of an autonomous Gu) under Article 48 of the Building Act before granting such approval.

[<Amended by Act No. 12606, May 20, 2014>](#)

(4) The total area of an urban factory established under paragraph (2) (referring to the sum of areas of respective factories, if at least two urban factories exist) shall not exceed the area calculated by multiplying the total floor area of all buildings within the relevant Technopark by the rate prescribed by Presidential Decree.

(5) The Governor of a Special Self - Governing Province or the head of a Si/Gun/Gu (referring to the head of an autonomous Gu) shall, upon receiving an application for registration of an urban factory established in accordance with paragraph (2) from an enterprise that has moved into a Technopark, shall register the factory in accordance with Article 16 of the Industrial Cluster Development and Factory Establishment Act.

(6) Except as otherwise expressly prescribed for in paragraphs (2) through (5), matters necessary for the establishment and operation of urban factories, and any other matters shall be prescribed by Presidential Decree.

[\[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011\]](#)

Article 9 (Restrictions on Installation of Facilities and Occupancy) (1) The Minister of Trade, Industry and Energy may impose restrictions on installation of any building or facility, other than buildings or facilities necessary for carrying out the activities referred to in the items of subparagraph 1 of Article 2, inside a Technopark, as prescribed by Presidential Decree. [<Amended by Act No. 11690, Mar. 23, 2013>](#)

(2) The Minister of Trade, Industry and Energy may impose restrictions on occupancy, within a Technopark, of any person, other than those related to the activities referred to in the items of subparagraph 1 of Article 2, as prescribed by Presidential Decree. [<Amended by Act No. 11690, Mar. 23, 2013>](#)

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

- Article 10 (Sale, etc. of State or Public Property)** (1) Notwithstanding the State Property Act or the Public Property and Commodity Management Act, the State or any local government may sell or lease any State or public property to a project implementer or a person who moves into a Technopark (hereinafter referred to as "occupant") by a private contract, if deemed necessary for developing or operating a Technopark. In such cases, such property may be gratuitously leased to any of the following persons: <Amended by Act No. 12606, May 20, 2014>
1. A project implementer, which is a non - profit corporation, to which contributions are made by the State or a local government;
 2. A project implementer, which is a non - profit corporation, to which contribution are made by a national school or public school under Article 3 of the Higher Education Act.
- (2) Notwithstanding Article 18 of the State Property Act, Articles 13, 19, and 28 of the Public Property and Commodity Management Act, and the Higher Education Act and the Private School Act, the State, any local government, or the educational foundation of a private school may lease part of the State or public land or part of the site of a university or college to a project implementer or an occupant to build a building or any other permanent structure thereon. In such cases, the condition that such building or structure shall be donated to the State, the local government, or the educational foundation, or that the land or the site of the school shall be reinstated and returned, upon expiration of the lease contract, shall be attached to the lease.
- (3) The educational foundation of a private school may lease part of the site of a university or college gratuitously to a project implementer which is a non - profit corporation, when it leases part of the site pursuant to paragraph (2).
- (4) No occupant may lease any structure built pursuant to paragraph (2) to a third party.
- (5) Notwithstanding Article 30 (2) of the State Property Act, Article 20 (3) of the Public Property and Commodity Management Act, and the Higher Education Act or the Private School Act, any project implementer may allow a third person who intends to use a structure built in accordance with paragraph (2) for the same purpose as lease purposes to use it or profit therefrom.

(6) The sale price of State or public property under paragraph (1) shall be the arithmetical average of the prices appraised by at least two appraisal corporations (referring to the appraisal corporations under Article 28 of the Public Notice of Values and Appraisal of Real Estate Act). <Newly Inserted by Act No. 12606, May 20, 2014 >

(7) Notwithstanding Articles 32 through 34 of the State Property Act or Articles 22 through 24 of the Public Property and Commodity Management Act, rental fees for lease of the State or public property under paragraph (1) or (2) shall be governed by Presidential Decree. <Newly Inserted by Act No. 12606, May 20, 2014 >

(8) The lease period of State and public property under paragraphs (1) and (2) shall not exceed 20 years. <Newly Inserted by Act No. 12606, May 20, 2014 >

(9) A lease contract referred to in paragraphs (1) through (3) may be renewed: Provided, That the lease period under a renewed lease contract for National property shall not exceed the lease period prescribed in paragraph (8) whenever a renewal is made. <Newly Inserted by Act No. 12606, May 20, 2014 >

(10) In renewing a lease contract under paragraph (9), if a project implementer or an occupant requests for the renewal of the lease contract one to six months before the expiration of the lease period, the State, a local government or the educational foundation of a private school shall not reject such request except in cases prescribed by Presidential Decree, such as consecutive delay in payment of rental fees for at least three months. <Newly Inserted by Act No. 12606, May 20, 2014 >

(11) Matters necessary for the method of leasing State or public property or the site of a private school prescribed in paragraphs (1) through (3), and other matters necessary for the sale or lease with or without compensation of State or public property or the site of a private school shall be prescribed by Presidential Decree. <Amended by Act No. 12606, May 20, 2014 >

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

Article 10 - 2 (Cancellation of Lease without Compensation)

The State or any local government may cancel lease without compensation referred to in the latter part of the main body of Article 10 (1) or Article 10 (3) in any of the following cases: <Amended by Act No. 12606, May 20, 2014 >

1. Where the purposes of the lease without compensation have been achieved;
2. Where a project implementer has used State or public property for any purpose other than for the purpose of lease without compensation;
3. Where a project implementer has violated any condition of lease without compensation.

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

Article 11 (Subsidization of Facility Costs)

The State or a local government may bear all or some of the facility costs or operation expenses incurred in relation to the development of an industrial technology complex.<Amended by Act No. 12606, May 20, 2014>

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

Article 12 (Special Cases concerning Building Construction, etc.) (1) Notwithstanding

Article 76 (1) of the National Land Planning and Utilization Act, prohibition and restriction of building construction within a Technopark shall be governed by an industrial complex development plan (referring to industrial complex development plans referred to in Articles 6, 7 and 7 - 2 of the Industrial Sites and Development Act) and a master plan for the management of an industrial complex (referring to master plans for the management of an industrial complex under Article 33 of the Industrial Cluster Development and Factory Establishment Act).

(2) Where a person designated as a project implementer pursuant to Article 4 intends to lease an industrial site, factory, etc. in an industrial facilities zone, etc. in order to conduct business referred to in Article 4 - 2, he/she may conclude a contract of occupancy with a management agency before making a report on the completion of establishment, etc. of a factory under Article 15 (1) of the Industrial Cluster Development and Factory Establishment Act or a report on the commencement of his/her business under paragraph (2) of the same Article, notwithstanding Article 38 - 2 (1) of the same Act.<Newly Inserted by Act No. 13311, May 18, 2015>

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

Article 13 (Establishment of Infrastructure)

The State or a local government shall preferentially support the establishment of infrastructure, such as roads, water supply systems, and sewerage systems, for the

smooth development of a Technopark.

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

Article 14 (Promotion of Informatization, etc.) (1) The State or a local government may provide support for matters necessary for facilitating informatization, such as the progress toward informatization in Technoparks and the establishment and use of an information and communications network between Technoparks.

(2) Any person who has installed a private telecommunications system in accordance with Article 64 of the Telecommunications Business Act may, if he/she has any spare facility, allow a project implementer to use such spare facility.

(3) Matters necessary for the use of any spare facility prescribed in paragraph (2) shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

Article 15 (Assumption of Costs of Installing Electric Facilities)

@Article 24 of the Act on Special Measures for the Deregulation of Corporate Activities, which stipulate special cases related to the assumption of costs for industrial complex development projects, shall apply mutatis mutandis to the installation of electric facilities and the assumption of costs thereof, etc. in Technoparks developed in accordance with the procedures for designation of a national industrial complex, general industrial complex, or an up - to - date city industrial complex pursuant to Article 6.

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

Article 16 (Exemption, etc. from Various Charges) (1) Each Technopark shall be exempt from the following charges:

1. Development charges referred to in Article 5 of the Restitution of Development Gains Act;
2. Development costs of substitute forest resources referred to in Article 19 of the Management of Mountainous Districts Act;
3. Farmland preservation charges referred to in Article 38 of the Farmland Act;
4. Development costs of substitute grasslands referred to in Article 23 of the Grassland Act;

5. Traffic inducement charges referred to in Article 36 of the Urban Traffic Improvement Promotion Act.

(2) The owner of a facility or the operator of any business within a Technopark shall be exempt from traffic inducement charges referred to in Article 36 of the Urban Traffic Improvement Promotion Act.

(3) Notwithstanding Article 9 of the Culture and Arts Promotion Act, any person who intends to erect a building within a Technopark may choose not to install any artistic decoration.

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

CHAPTER IV MEASURES FOR SMOOTH FUNDING

Article 17 (Contributions, etc. by State and Local Governments) (1) The State or a local government may contribute funds to a project implementer to support the development and operation of a Technopark.

(2) A public institution referred to in Article 4 of the Act on the Management of Public Institutions (hereinafter referred to as "public institutions"), Government-contributed institution, or Government-funded institution, etc. that is related to the projects of a Technopark may contribute funds to a project implementer.

(3) A national school referred to in Article 3 of the Higher Education Act or an industry-academic cooperation foundation established in a national school under Article 25 of the Promotion of Industrial Education and Industry-Academic Cooperation Act, which participates in the development and operation of a Technopark, may contribute part of the expenditure from the account of the school supporting association of relevant national school (referring to an account, other than the National Treasury accounts, which autonomously compiles and executes the revenue and expenditure budgets with sources of revenues, such as membership fees of the supporting association and earnings from profit-making projects, for the creation of an academic atmosphere and the improvement of educational conditions) or part of the disbursement of the relevant industry-academic cooperation foundation prescribed in Article 32 of the Promotion of Industrial Education and Industry-Academic Cooperation Act, to the project implementer to support the development and operation of the Technopark.

(4) Matters necessary for the payment, use, and management of the contributions referred to in paragraphs (1) through (3) shall be prescribed by Presidential Decree.
making, using and managing of contributions

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

Article 18 (Contribution, etc. of Property by Private Schools, etc.) (1) Notwithstanding Article 28 of the Private School Act, the educational foundation of a private school may contribute or sell to a project implementer, or permit him/her to use, infrastructure facilities for research (hereinafter referred to as "research infrastructure"), such as research facilities and equipment for testing and evaluation that have been installed with subsidies from the State or a local government.

<Amended by Act No. 12606, May 20, 2014>

(2) Any person (excluding the educational foundation of a private school) who has installed any research infrastructure with subsidies from the State or a local government may contribute or sell to a project implementer, or permit him/her to use, such research infrastructure.<Amended by Act No. 12606, May 20, 2014>

(3) Any private school referred to in Article 3 of the Higher Education Act or any industry - academic cooperation foundation established in a private school, referred to in Article 25 of the Promotion of Industrial Education and Industry - Academic Cooperation Act, which participates in the development and operation of a Technopark, may contribute part of the expenditure from the account of the relevant private school belonging to the duties of corporations under Article 29 (1) of the Private School Act or part of the disbursement of the relevant industry - academic cooperation foundation prescribed in Article 32 of the Industrial Education Enhancement and Industry - Academia - Research Cooperation Promotion Act, to any project implementer to support the development and operation of the Technopark.

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

Article 19 (Subsidization, etc.) (1) The State or any local government may give preferential treatment, such as subsidization, to project implementers and occupants of a Technopark, to support the business activities prescribed in the items of subparagraph 1 of Article 2.

(2) The Minister of Trade, Industry and Energy shall publicly notify necessary matters concerning persons eligible for support, eligibility criteria and the

procedures and methods of support provided for in paragraph (1), and other relevant matters. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

Article 20 (Tax Support)

The State or a local government may grant an exemption or reduction of income tax, corporate tax, acquisition tax, property tax, registration license tax, etc., as prescribed by the Restriction of Special Taxation Act, the Restriction of Special Local Taxation Act, and any other relevant Acts, in order to support the development and operation of Technoparks.

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

CHAPTER V MEASURES FOR SMOOTH SUPPLY OF HUMAN RESOURCES

Article 21 (Permission for Leave of Absence or Concurrent Holding of Office by Public Educational Officials, etc.)

(1) Notwithstanding the Educational Officials Act, the State Public Officials Act, and the Local Public Officials Act, any of the following persons may take a leave of absence to work as an executive officer or employee of a project implementer, or concurrently hold a position of the executive officer or employee of a project implementer:

1. A teaching staff of a school defined in Article 2 of the Higher Education Act (excluding various kinds of schools defined in subparagraph 7 of the same Article);
2. A researcher in a national or public research institute (including a teaching staff and a researcher under Article 15 of the Korea Advanced Institute of Science and Technology Act, Article 14 of the Gwangju Institute of Science and Technology Act, and Article 12 - 3 of the Daegu Gyeongbuk Institute of Science and Technology Act).

(2) The period of a leave of absence under paragraph (1) shall not exceed three years. In such cases, the period of leave of absence of any teaching staff of a university or college may exceed the remaining term of his/her employment, notwithstanding Article 45 (2) of the Educational Officials Act.

(3) Where teaching staff members of a university or college, or researchers of a national or public research institute take a leave of absence for at least six months

pursuant to paragraph (1), such national or public research institute shall be deemed to have an additional number of teaching staff or researchers corresponding to the number of persons taking such leave of absence.

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

Article 22 (Technical Guidance, etc.) (1) The State or a local government may dispatch its public officials to a Technopark to provide guidance to the occupants on technology and business management.

(2) The State or a local government may request the Small Business Corporation established under Article 68 of the Small and Medium Enterprises Promotion Act, or a public institution, Government - contributed institution, or Government - funded institution prescribed by Presidential Decree (hereinafter referred to as "guiding institution") to provide guidance on technology and business management to persons who moved into a Technopark.

(3) The State or a local government may pay all or some of the expenses incurred in providing guidance on technology and business management under paragraph (2) to guiding institutions.

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

CHAPTER V - 2 MANAGEMENT, SUPERVISION, ETC. OF PROJECT IMPLEMENTERS

Article 22 - 2 (Approval, etc. of Articles of Incorporation) (1) A project implementer shall obtain approval of its articles of incorporation from the Minister of Trade, Industry and Energy within three months after being designated as a project implementer under Article 4 (1). In such cases, the articles of incorporation of the project implementer shall conform to the provisions of this Chapter.

(2) Where a project implementer intends to modify the articles of incorporation approved under paragraph (1), the concurring vote of at least two thirds of all incumbent directors present at a meeting of the board of directors shall be needed to pass a resolution thereon, and approval of the Minister of Trade, Industry and Energy shall be required.

[This Article Newly Inserted by Act No. 12606, May 20, 2014]

Article 22 - 3 (Organization of Executive Officers) (1) A project implementer shall have up to 15 directors, including a chairperson and a president, and two auditors, as its executive officers, and all of the executive officers shall be non - standing except for the president.

(2) The president shall be appointed by the board of directors upon the recommendation by the committee for recommendation of the president prescribed by the articles of incorporation, and the appointment shall require approval from the Minister of Trade, Industry and Energy.

(3) The president shall represent the project implementer, and direct and supervise the employees belonging thereto, and shall have overall control over all business performed by the project implementer, as the person finally responsible therefor.

[This Article Newly Inserted by Act No. 12606, May 20, 2014]

Article 22 - 4 (Board of Directors) (1) A board of director shall be set up under a project implementer to pass resolutions on important matters prescribed by Presidential Decree, such as the matters related to the enactment and amendment of the articles of incorporation, and the dissolution and liquidation of the corporation.

(2) Meetings of the board of directors shall be classified into ordinary meetings and extraordinary meetings.

(3) An extraordinary meeting of the board of directors shall be convened by the chairperson if requested by the chairperson, president, auditor, or by the majority of incumbent directors, or by the Minister of Trade, Industry and Energy.

(4) If it is deemed there is significant hindrance in performance of duties of the president because of his/her violation of any statute or the articles of incorporation, or negligence in performing his/her duties, or other reasons, the board of directors may request the Minister of Trade, Industry and Energy to cancel approval under Article 22 - 3 (2).

[This Article Newly Inserted by Act No. 12606, May 20, 2014]

Article 22 - 5 (Property and Accounting) (1) The property of a project implementer shall be classified into ordinary property and permanent property.

(2) A project implementer shall obtain approval from the Minister of Trade, Industry and Energy following a resolution of the board of directors to perform any of the following acts:

1. Altering his/her permanent property (including the alteration of type and amount of permanent property);
2. Bearing an extra - budgetary debt;
3. Waiver of receivables;
4. Borrowing funds (limited to where at least 5/100 of the amount computed by deducting the total amount of liabilities as at the time of borrowing from the total amount of permanent property is borrowed for at least one year).

(3) The fiscal year of a project implementer shall coincide with the fiscal year of the Government for general accounting.

(4) In order to clarify management outcomes and financial status, a project implementer shall manage the accounting of economic transactions, etc. occurring in the course of conducting management activities in accordance with the double entry bookkeeping system based on the time of their occurrence.

(5) The standards and methods for accounting necessary for accounting treatment under paragraph (4) shall be prescribed and publicly notified by the Minister of Trade, Industry and Energy.

[\[This Article Newly Inserted by Act No. 12606, May 20, 2014\]](#)

Article 22 - 6 (Supervision of Personnel Affairs, Budget, etc.) (1) The Minister of Trade, Industry and Energy may prepare and publicly notify the standards for the personnel affairs, budget, organization, and the operation of other matters by a project implementer.

(2) A project implementer shall comply with standards publicly notified under paragraph (1), except in extenuating circumstances.

[\[This Article Newly Inserted by Act No. 12606, May 20, 2014\]](#)

Article 22 - 7 (Inspection, Management, Supervision, etc.) (1) The Minister of Trade, Industry and Energy shall manage and supervise the business affairs of a project implementer, including inspection of property or accounting, and guidance for improvement of management.

(2) Where necessary for the management and supervision under paragraph (1), the Minister of Trade, Industry and Energy may request a project implementer to submit data concerning the management status and the creation and operation of the Technopark or to report thereon.

(3) Where a project implementer or any executive officer or employee of a project implementer falls under any of the following cases, the Minister of Trade, Industry and Energy may order the project implementer to take corrective measures within a prescribed period of up to two months:

1. Where he/she violates any statute or the articles of incorporation;
2. Where he/she engages in any conduct that is likely to incur a significant loss to the property of the project implementer.

(4) The Minister of Trade, Industry and Energy may withdraw the approval of appointment of the president in any of the following cases:

1. Where the board of directors of the project implementer has requested the withdrawal of the approval of appointment of the president under Article 22 - 4 (4);
2. Where the project implementer has failed to take corrective measures within a period referred to in paragraph (3).

(5) Where a project implementer falls under any of the following cases, the Minister of Trade, Industry and Energy may issue an order to suspend all or part of the relevant business:

1. Where the earnings of the corporation are used for business other than those prescribed in Article 4 - 2 (1) and (2);
2. Where the continuation of the relevant business is deemed to be against the purposes of the establishment of the corporation.

(6) Where any executive officer or employee of an implementer has committed the following acts, the Minister of Trade, Industry and Energy may request the relevant project implementer to take disciplinary measures against the executive officer or employee:

1. Violating this Act, statutes, regulations, etc. related to his/her the duty;
2. Engaging in wrongful conduct incurring any loss to the property of the project implementer;
3. Performing or trying to perform any business other than those prescribed in Article 4 - 2 (1) and (2);

4. Obstructing or evading a request for correction under paragraph (3) of this Article.

[This Article Newly Inserted by Act No. 12606, May 20, 2014]

CHAPTER VI SUPPLEMENTARY PROVISIONS

Article 23 Deleted. <by Act No. 12606, May 20, 2014>

Article 24 (Delegation and Entrustment of Authority)

The Minister of Trade, Industry and Energy may, as prescribed by Presidential Decree, delegate part of his/her authority under this Act to the heads of its affiliated agencies or the Special Metropolitan City Mayor, a Metropolitan City Mayor, the Mayor of a Metropolitan Autonomous City, a Do Governor, or the Governor of a Special Self - Governing Province, or entrust it to the heads of other administrative agencies, or institutions or organizations prescribed by Presidential Decree.

<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12606, May 20, 2014>

[This Article Wholly Amended by Act No. 10589, Apr. 14, 2011]

Article 25 (Legal Fiction as Public Official in Application of Penalty Provisions)

Executive officers and employees of a project implementer shall be deemed public officials in the application of Articles 129 through 132 of the Criminal Act.

[This Article Newly Inserted by Act No. 11830, May 28, 2013]