

PUBLIC HEALTH AND ENVIRONMENT RESEARCH INSTITUTE ACT

Act No. 4356, Mar. 8, 1991
Amended by Act No. 4363, Mar. 8, 1991
Act No. 4970, Aug. 4, 1995
Act No. 5443, Dec. 13, 1997
Act No. 5454, Dec. 13, 1997
Act No. 5529, Feb. 28, 1998
Act No. 5864, Feb. 8, 1999
Act No. 6145, Jan. 12, 2000
Act No. 6146, Jan. 12, 2000
Act No. 6906, May 29, 2003
Act No. 7148, Jan. 29, 2004
Act No. 7170, Feb. 9, 2004
Act No. 8014, Sep. 27, 2006
Act No. 8260, Jan. 19, 2007
Act No. 8466, May 17, 2007
Act No. 8852, Feb. 29, 2008
Act No. 9770, jun. 9, 2009
Act No. 9847, Dec. 29, 2009
Act No. 9932, Jan. 18, 2010
Act No. 10310, May 25, 2010
Act No. 11516, Oct. 22, 2012
Act No. 11690, Mar. 23, 2013
Act No. 11862, jun. 4, 2013

Article 1 (Purpose)

The purpose of this Act is to contribute to the promotion of public health and the environmental conservation by establishing public health and environment research institutes and operating such institutes rationally for examinations and research on public health and the environment.

Article 2 (Establishment)

(1) A public health and environment research institute (hereinafter referred to as "research institute") shall be established in the Special Metropolitan City and each Metropolitan City, Do, and Special Self-governing Province.

(2) Matters necessary for the establishment of a research institute shall be prescribed by municipal ordinance of each local government.

Article 3 (Establishment of Branch Institutes)

If the Special Metropolitan City Mayor or a Metropolitan City Mayor, Do Governor, or Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor") deems necessary in consideration of the population within his/her jurisdiction, workload, local circumstances, etc., he/she may establish branch institutes of the research institute in the region by municipal ordinance of the competent local government.

Article 4 (Prohibition of Use of Similar Name)

No person, other than a research institute under this Act, shall use the name, "public health and environment research institute" or any similar name.

Article 5 (Business Activities)

(1) A research institute shall conduct the following business activities in order to achieve the purpose specified in Article 1: *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 11862, Jun. 4, 2013>*

1. Diagnosis, examination, testing, investigation, or research with respect to infectious diseases under the Infectious Disease Control and Prevention Act, and the acquired immunodeficiency syndrome under the Prevention of Acquired Immunodeficiency Syndrome Act;

2. Examination, testing, investigation, and research with respect to medical and pharmaceutical products and therapeutic devices under the Pharmaceutical Affairs Act, cosmetics under the Cosmetics Act, medical devices under the Medical Devices Act, narcotics under the Act on the Control of Narcotics, etc., food, additives, appliances, containers, packing materials, and the content of pesticide residues on agricultural products under the Food Sanitation Act, edible meat distributed after inspected in accordance with the Livestock Products Sanitary Control Act, drinking water and water treatment chemicals under the Drinking Water Management Act, detergents and other sanitary products controlled by the former Public Health Act (referring to the Act before repealed by Act No. 5839) pursuant to Article 3 of the Addenda to the Public Health Control Act (Act No. 5839), toys, and hot spring water under the Hot Spring Act;

3. Examination, testing, investigation, and research with respect to air under the Clean Air Conservation Act, malodor under the Malodor Prevention Act, water quality and the content of pesticide residues on soil under the Water Quality and Aquatic Ecosystem Conservation Act, noise and vibration under the Noise and Vibration Control Act, wastes and water discharged from private sewage disposal facilities, treatment facilities, excreta treatment facilities, etc. under the Wastes Control Act, the Sewerage Act, and the Act on the Management and Use of Livestock Excreta, marine pollution under the Marine Environment Management Act, and toxic chemicals under the Chemicals Control Act;

4. Technical guidance for, and monitoring of, inspections conducted by institutions related to public health and the environment within its jurisdiction;
 5. Training of inspectors of institutions related to public health and the environment within its jurisdiction;
 6. Other activities of examination, testing, investigation, and research that the Minister of Health and Welfare, the Minister of Environment, or the Minister of Food and Drug Safety deems necessary for the improvement of public health and environmental conservation.
- (2) In performing the business activities specified in each subparagraph of paragraph (1), matters necessary for the extent of, and the procedure for, sampling, etc. and the scope of institutions related to public health and the environment within jurisdiction shall be prescribed by municipal ordinance of each local government.

Article 6 (Public Officials in Research Institutes)

- (1) Each research institute shall have one president and public officials, as necessary.
- (2) The president shall be appointed by the competent Mayor/Do Governor from among persons who have abundant knowledge and experience in the fields of public health and the environment.
- (3) The president shall have overall control over the business of the research institute under the direction of the competent Mayor/Do Governor and shall lead and supervise public officials under his/her control.
- (4) The director of a branch institute established pursuant to Article 3 shall be appointed by the competent Mayor/Do Governor from among persons who have abundant knowledge and experience in the fields of public health and the environment.

Article 7 (Use, etc. of Facilities)

A research institute may allow any medical doctor, dentist, doctor of oriental medicine, veterinarian, pharmacist, or person specializing in the field of the environment to use its facilities for experimentation and testing on public health and the environment or may conduct an experiment or test on public health and the environment at the request of any other person.

Article 8 (Fees, etc.)

- (1) A research institute may collect fees or actual cost from persons who use its facilities or who request to conduct an experiment or test.
- (2) Fees or actual cost under paragraph (1) shall be prescribed by municipal ordinance of each local government.

Article 9 (Subsidies from National Treasury)

The Government may partially subsidize research institutes and their branch institutes for expenses incurred in the establishment, operation, and research projects of such institutes within budgetary limits.

Article 10 (Guidance)

- (1) Each research institute shall receive technical guidance provided by the Ministry of Food and Drug Safety, the Korea Centers for Disease Control and Prevention, and the National Institute of Environmental Research for its business activities specified in Article 5 (1). *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) Matters necessary for technical guidance under paragraph (1) shall be determined by the Minister of Health and Welfare, the Minister of Environment, or the Minister of Food and Drug Safety. <Amended by Act No. 11690, Mar. 23, 2013>

Article 11 (Administrative Fines)

- (1) Any person who violates Article 4 shall be punished by a fine for negligence not exceeding one million won.
- (2) Administrative fines under paragraph (1) shall be imposed and collected by each Mayor/Do Governor.

ADDENDA

- (1) (Enforcement Date) This Act shall enter into force on the date of its promulgation.
- (2) (Transitional measures concerning Public Health Research Institute) A public health research institute as at the time this Act enters into force shall be construed as a public health and environment research institute under this Act.
- (3) (Transitional Measures concerning Prohibition of Use of Similar Name) A person who uses the name, "public health and environment research institute" or a similar name as at the time this Act enters into force shall change the name within six months from the date this Act enters into force.

ADDENDA <Act No. 4363, Mar. 8, 1991>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Act No. 4970, Aug. 4, 1995>

Article 1 (Enforcement Date)

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

Articles 2 through 8 Omitted.

ADDENDA <Act No. 5443, Dec. 13, 1997>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDUM <Act No. 5454, Dec. 13, 1997>

This Act shall enter into force on January 1, 1998. (Proviso Omitted.)

ADDENDA <Act No. 5529, Feb. 28, 1998>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Act No. 5864, Feb. 8, 1999>

Article 1 (Enforcement Date)

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

(2) through (4) Omitted.

Articles 2 through 10 Omitted.

ADDENDUM <Act No. 6145, Jan. 12, 2000>

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

ADDENDA <Act No. 6146, Jan. 12, 2000>

Article 1 (Enforcement Date)

This Act shall enter into force on July 1, 2000.

Articles 2 through 9 Omitted.

ADDENDA <Act No. 6909, May 29, 2003>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 6 Omitted.

ADDENDA <Act No. 7148, Jan. 29, 2004>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Act No. 7170, Feb. 9, 2004>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 4 Omitted.

ADDENDA <Act No. 8014, Sep. 27, 2006>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 11 Omitted.

ADDENDA <Act No. 8260, Jan. 19, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 24 Omitted.

ADDENDA <Act No. 8466, May 17, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Act No. 8852, Feb. 29, 2008>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Act No. 9770, Jun. 9, 2009>

Article 1 (Enforcement Date)

This Act shall enter into force on July 1, 2010. (Proviso Omitted.)

Articles 2 through 7 Omitted.

ADDENDA <Act No. 9847, Dec. 29, 2009>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 22 Omitted.

ADDENDA <Act No. 9932, Jan. 18, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Act No. 10310, May 25, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 14 Omitted.

ADDENDUM <Act No. 11516, Oct. 22, 2012>

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

ADDENDA <Act No. 11690, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

(2) Omitted.

Articles 2 through 7 Omitted.

ADDENDA <Act No. 11862, Jun. 4, 2013>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2015.

Articles 2 through 12 Omitted.

