**Laws and Regulations Regarding Management of Hazardous Chemicals**

**(Extracted from Key Provisions)**

1. **Provisions pertaining to Q1**

**[Act on the Registration, Evaluation, etc. of Chemical Substances]**

- Article29 **(Provision of Information on Chemical Substances)** ① A person who transfers a chemical substance registered pursuant to Article 10 or a preparation containing such chemical substance to a transferee shall compile and provide the information determined by the Ordinance of the Ministry of Environment, including the registration number, name of the substance, hazards and risks, and instructions for safe use, to the transferee, as prescribed by the Ordinance of the Ministry of Environment.

- Article35 **(Provision of Information on Chemical Substance Contained in Product)** ① A person who transfers a product containing any hazardous chemical substance declared under Article 32 shall compile information on the name, use, and conditions of chemical substances contained in the product and provide such information for a transferee, as prescribed by the Ordinance of the Ministry of Environment.

- Article42 **(Disclosure of Information on Chemical Substances)** The Minister of Environment shall disclose information on chemical substances such as name or hazards thereof in order for the general public to readily verify and utilize the information on hazards and risks of chemical substances, as prescribed by the Ordinance of the Ministry of Environment.

**[Chemicals Control Act]**

- Article12 **(Disclosure of Investigation Results and Information on Chemical Substances)** ①The Minister of Environment shall promptly make a public announcement of the results of statistical survey on chemical substances and investigation on the quantity of chemicals discharged by place of business, when the survey and investigation are completed.

- Article48 **(Establishment and Operation of Information Processing System for Chemical Substances)** ②The Minister of Environment shall provide the information regarding safety management, etc. of chemical substances collected through the Information Processing System for Chemical Substances pursuant to Paragraph 1, to any person handling the chemical substance, any institute responding to chemical accidents and the public, as prescribed by the Presidential Decree.

1. **Provisions pertaining to Q2**

**[Enforcement Rules of the Act on the Registration, Evaluation, etc. of Chemical Substances]**

-Article51 **(Disclosure of Information on Chemical Substances, etc.)** The President of the National Institute of Environmental Research shall make a public announcement of the information that falls under the following subparagraphs on its website or other media pursuant to Article 42.

 1. Name and registration number of chemical substance;

2. Use of chemical substance according to a chemicals-use classification system;

3. Classification and labeling of chemical substance;

4. Identification of whether a chemical substance is a toxic substance, a substance subject to authorization, a restricted substance or a prohibited substance;

5. Outcomes regarding physical and/or chemical properties of chemical substance;

6. Outcomes regarding hazards and risks; or

7. Matters regarding safe use such as cautions when handling chemical substances.

**[Enforcement Rules of the Chemicals Control Act]**

-Article52 **(Establishment and Operation of Information Processing System for Chemical Substances)** ①The President of the National Institute of Chemical Safety shall collect, analyze and manage domestic and overseas information that falls under the following subparagraphs pursuant to Article 48, in order to establish and operate the Information Processing System for Chemical Substances.

 1. General information on chemical substances such as name, CAS Number and UN Number;

2. Information on chemical substances, which is managed under the laws related to toxic substance, restricted substance, prohibited substance, substance to be prepared for chemical accidents, dangerous substance, toxic gas, etc.;

3. Information on hazards and risks;

4. Information on the amount of chemical substance handled and a facility where handling chemical substance, etc. in each place of business; or

5. Information that is required to prevent chemical accidents, including use, risks, accident prevention methods of chemical substance.

1. **Provisions pertaining to Q3**

Please refer to those for Question 1 and 2.

1. **Provisions pertaining to Q4**

**[Act on the Registration, Evaluation, etc. of Chemical Substances]**

- Article24 **(Risk Evaluation)** ①The Minister of Environment shall evaluate the risk of any chemical substance falling under any of the following subparagraphs, among the chemical substances registered under Article 10, based on the result of the hazard examination thereof, as prescribed by the Ordinance of the Ministry of Environment, and notify the registrant of the result of such risk evaluation. 1. Chemical substances of which manufacturing and/or import quantity is more than 10 tons per year; or

2. Chemical substances deemed necessary to make risk evaluation based on the result of hazard examination.

- Article33 **(Risk Evaluation, etc. of Product)** ①To prevent any hazardous chemical substance contained in a product from doing any harm to human health or the environment, the Minister of Environment shall carry out risk evaluation for each item of a product of concern over risks, as prescribed by the Ordinance of the Ministry of Environment.

- Article36 **(Prohibition of Sale, etc.)** ①No one may sell, give, or import, or display, keep, or store for the purpose of sale or gift any product that is not compliant with the safety and labeling standards for a product of concern over risks that are publicly announced under Article 34.

- Article49 **(Penal Provisions)** A person who falls under any of the following subparagraphs shall be imprisoned for not more than seven years or fined not more than 200 million won:

1. A person who sold or gave, or imported, displayed, kept, or stored for the purpose of sale or gift any product that is not compliant with the safety and labeling standards for a product in violation of Article 36 (1).

**[Chemicals Control Act]**

- Article10 **(Statistical Survey on Chemical Substances, and Establishment and Operation of Chemicals Information System)** ①The Minister of Environment shall carry out a statistical survey on the status of handling chemical substances, facilities where handling chemical substances, etc. every two year. ④The Minister of Environment shall order a person handling chemical substances to submit data necessary to carry out a statistical survey on chemical substances, or appropriate public officials to enter places of business in question to investigate the status related to chemical substances. In this case, any public official who enters places of business shall carry with him/her a certificate indicating his/her authority and present it to the persons concerned.

- Article11 **(Investigation on Discharged Quantity of Chemical Substances)** ①The Minister of Environment shall carry out an annual investigation on the status of chemical substances that are designated by the Presidential Decree and are discharged when handling them in places of business, in order to protect the public health and the environment from discharged chemical substances and make the places of business reduce discharged quantity of chemical substances voluntarily. ②The Minister of Environment shall order a person handling chemical substances to submit data necessary for an investigation on discharged quantity of chemical substances, or appropriate public officials to enter an operational site for the investigation, as prescribed by the Ordinance of the Ministry of Environment.

- Article23 **(Preparation and Submission of Off-site Risk Assessment)** ①A person who intends to install or operate a facility where handles hazardous chemical substances shall prepare an off-site risk assessment about the impacts of any potential chemical accidents on human health and the environment in surroundings of the facility, and submit it to the Minister of Environment.

- Article41 **(Preparation and Submission of Risk Management Plan)** ①Any person who handles substances requiring preparation for accidents in excess of the quantity prescribed by the Ordinance of the Ministry of Environment shall formulate a risk management plan including the following subparagraphs every five year, and submit the risk management plan to the Minister of Environment.

1. List of chemical substances requiring preparation for accidents, and their hazards information;

2. List of facilities where handle chemical substances requiring preparation for accidents, prevention facilities, and the status of prevention equipment, etc.

- Article58 **(Penal Provisions)** A person who falls under any of the following subparagraphs shall be imprisoned for not more than five years or fined not more than 100 million won:

7. A person who has not submitted a risk management plan or submitted it in a fraudulent manner in violation of Article41(1)

- Article64 **(Fines for Negligence)** ①A person who falls under any of the following subparagraphs shall be fined not more than 10 million won for negligence:

2. A person who has failed to perform an order of data submission for statistical survey or submitted the data in a fraudulent manner in violation of Article10(4);

3. A person who has failed to perform an order of data submission for an investigation on discharged quantity of chemical substances or submitted the data in a fraudulent manner in violation of Article11(2)

**[Enforcement Rules of the Chemicals Control Act]**

- Article24 **(Safety Diagnosis, etc.)** A person who completes installation of a facility handling hazardous chemical substances, installs or operates a facility handling hazardous chemical substance in (a) case(s) falling under Article 24(4-1) shall go through a safety diagnosis on the facility pursuant to Article24(4), within 20 days from the issuing date of results of inspection conducted under Article24(2) and (3).

1. **Provisions pertaining to Q5**

**[Act on the Registration, Evaluation, etc. of Chemical Substances]**

- Article29 **(Provision of Information on Chemical Substances)** ① A person who transfers a chemical substance registered pursuant to Article 10 or a preparation containing such chemical substance to a transferee shall compile and provide the information determined by the Ordinance of the Ministry of Environment, including the registration number, name of the substance, and hazards and risks, and instructions for safe use, to the transferee, as prescribed by the Ordinance of the Ministry of Environment.

- Article35 **(Provision of Information on Chemical Substance Contained in Product)** ①A person who transfers a product containing any hazardous chemical substance declared under Article 32 shall compile information on the name, use, and conditions of chemical substances contained in the product and provide such information for a transferee, as prescribed by the Ordinance of the Ministry of Environment.

- Article52 **(Penal Provisions)** A person who falls under any of the following subparagraphs shall be imprisoned for not more than one year or fined not more than 30 million won:

1. A person who has not provided information on chemical substances or provided such in a fraudulent manner in violation of Articles 29(1) and 35(1)

**[Chemicals Control Act]**

- Article42 **(Notification on Risk Management Plan to Local Community)** ①A person who handles a chemical substance requiring preparation for accidents shall notify local residents around chemicals-handling site of the following subparagraphs written on a risk management plan under Article 41(1) at least more than once a year, so as to make it easily available to the public.

1. Information on hazards of hazardous chemical substances handled, and dangers of relevant chemical accidents;

2. The scope of accident impact on air, water, ground water, soil and the environment when a chemical accident occurs;

3. Action plans including how to give early warnings when a chemical accident occurs, and how to be evacuated from the area of chemical accident.

- Article58 **(Penal Provisions)** A person who falls under any of the following subparagraphs shall be imprisoned for not more than five years or fined not more than 100 million won;

8. A person who has not notify a risk management plan in violation of Article 42.

1. **Provisions pertaining to Q6**

**[Chemicals Control Act]**

- Article12 **(Disclosure of Investigation Results and Information on Chemical Substances)** ①The Minister of Environment shall promptly make a public announcement of the results of statistical survey on chemical substances and investigation on the quantity of chemicals discharged by place of business when the survey and investigation are completed, except any of the following subparagraphs.

1. When it is admitted that the results is deemed to pose an obvious threat to the national security, the public order or the public well-being if they are disclosed;

 2. When it is admitted that the results can cause confusion in using them due to their lack of credibility; or

3. When it is admitted that there is the need not to disclose a part of the results that is related to confidential business information.

1. **Provisions pertaining to Q7**

**[Enforcement Rules of the Act on the Regulation, Evaluation, etc. of Chemical Substances]**

- Article35 **(Provision of Information on Chemical Substances)** ②Despite Paragraph 1, any information that is considered as confidential business information such as components, the amount of content of chemical substance, etc. that falls under any confidential business information under Article 2(2) of the Unfair Competition Prevention and Trade Secret Protection Act shall not be involved in the chemical safety information pursuant to Paragraph 1, except when the chemical substance is a hazardous chemical substance.

**[Enforcement Rules of the Chemicals Control Act]**

- Article45 **(Provision of Information on Chemical Substance Containing in Products)**

③Despite Paragraph 1, any information that is considered as confidential business information such as components, the amount of content of chemical substance, etc. that falls under any confidential business information under Article 2(2) of the Unfair Competition Prevention and Trade Secret Protection Act shall not be involved in the chemical safety information pursuant to Paragraph 1, except products of concern over risk that their safety and labeling standards are announced pursuant to Article 24.