



Korean offshore wind projects take note

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The National Assembly passed amendments to the Public Waters Management and Reclamation Act (the “**Public Waters Act**”) on 9 December 2021. The amendments are likely to be effective around June 2022.

[1] Key takeaway

Before a relevant public waters agency approves a permit to occupy or use public waters, the amendments mandatorily require that it identifies, and collects the views of, relevant persons who may be adversely affected by such permit.

The amendments seek to provide permit seekers and opponents with a transparent and fair procedure for dealing with their concerns.

[2] Implications

The key permit for an offshore wind project is the permit to occupy and use certain public waters under the Public Waters Act. Historically, opponents to the granting of such a permit have been local residents and fishermen.

Prior to the amendments, this was a process that a permit seeker would undertake if it deemed necessary. This discretionary process led to civil complaints and disputes. Approval for permits was often held in purgatory without any clear path forward.

[3] Something to keep an eye on

The Special Act on the Promotion of Wind Power Development and Distribution (colloquially known as the “**One-stop Shop Act**”) was proposed last May to dramatically shorten the development period for offshore wind power projects by

requiring a central administrative agency to be responsible for issuing licences and permits under various laws and regulations for wind power projects.

Currently, fishermen are in fierce opposition to the relaxation of the environmental regulations to be effected under the One-stop Shop Act. It remains to be seen whether the One-stop Shop Act will be passed in its current proposed form.

If you have any questions in relation to the above, please feel free to contact the market-leading Shin & Kim Energy Team. We are recognised in Chambers as a Band 1 firm in Projects & Energy, among others, and the top-ranked law firm in the latest Bloomberg's new and renewable energy sector league table.

[\[Korean version\]](#) 공유수면법 개정에 따른 주민수용성 확보 절차 변경

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