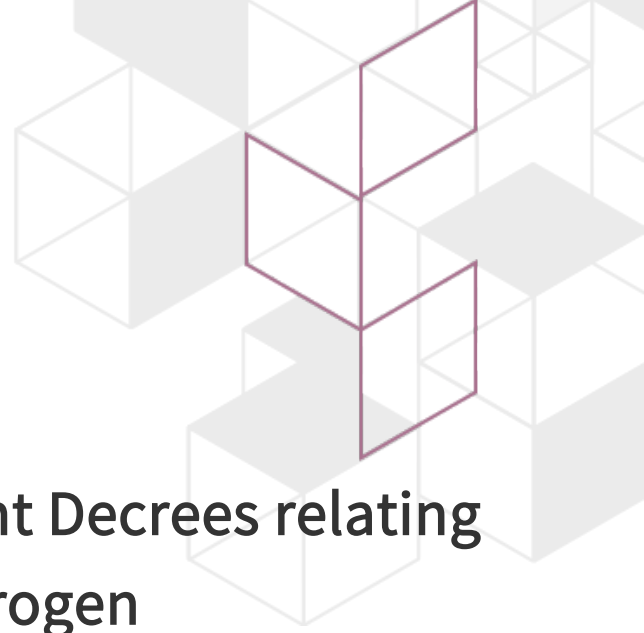




Korea Amends the Enforcement Decrees relating to Renewable Energy and Hydrogen

2026.08.27

On 18 August 2026, the Enforcement Decree of the *Act on the Promotion of the Development, Use and Diffusion of New and Renewable Energy* and the Enforcement Decree of the *Hydrogen Economy Promotion and Hydrogen Safety Management Act* were amended to take effect on 18 September 2026.

Key takeaways

Relaxed setback distances: the amended Renewable Energy Act Enforcement Decree establishes new standards that will apply to applications for development permits for solar and wind power generation facilities. Independently of the relaxed setback regulations, the new caps do not remove other location-specific restrictions or special setback regulations in designated areas.

- **Solar setback cap:** Local regulations may impose solar setback requirements only within 200 meters of a project-site boundary. These requirements do not apply where the number of qualifying residential units within that area is below the threshold specified in the ordinance. The threshold must be at least five houses. There are no separate regulations with respect to road setback requirements for solar facilities.
- **Wind setback cap:** Local regulations may impose wind setback requirements within a 1,500-meter radius of qualifying houses and within 500 meters of designated roads, measured from the project-site boundary. In each case, the applicable setback must be at least twice the turbine height, calculated as hub height plus blade length under the proposed notification.

Comments sought on setback rules: Public-comment process ends on 14 September 2026 after which the Ministry of Climate, Energy and Environment will be releasing the “Notification on Methods for Calculating Setback Distances for Renewable-Energy Generation Facilities and Related Matters” which is expected to include important matters concerning how setback distances are calculated.

Renewable-energy mandate for public buildings: Under the amended Renewable Energy Act, public buildings of at least 1,000 square meters newly constructed, expanded, or reconstructed by national or local

governments and public-sector entities for which the relevant building permit or approval is applied for in 2026–2027 must meet at least 36% of their projected energy use through renewable energy. Fuel cells will no longer count towards the mandate.

Transitional measure: Under Korea Energy Agency guidelines, an existing project may continue to rely on previous regulations only if it obtains the Korea Energy Agency’s final conformity notice for an installation plan for fuel cells before 18 September. Projects without the final conformity notice by such date will not qualify for transitional treatment.

Future public-building hydrogen-facility requirement: the amended Hydrogen Act authorizes the Minister to require hydrogen-energy facilities to be installed in certain public buildings. However, the amended Hydrogen Act Enforcement Decree does not yet establish the detailed standards needed to apply this obligation.

If you have any questions or need help with the above, please feel free to contact us. Our dedicated Project & Energy Group is recognised as a top-ranking team in various international publications such as Chambers & Partners. It is the only Korean law firm that provides a one-stop service that can assist project and energy clients with regulatory advice, project finance, construction and operation and M&A.

[\[Korean version\]](#) 재생에너지법 시행령 및 수소법 시행령 개정

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