

## 건축정책 실행력 제고를 위한 건축기본법 개정 연구

Revision of the Framework Act on Building to Improve the Implementation of Architectural Policy

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SUMMARY

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In December 2007, the Framework Act on Building was enacted to present policy directions for architecture and to establish and promote related policies. The Framework Act on Building declared the living space and social and cultural publicness of architecture as the basic directions of architectural policy, contributing to raising social awareness of the publicness of architecture. Subsequent laws have been enacted according to policies newly identified as necessary during the process of establishing and implementing the architectural policy basic plan and as per legislative demands. This study is designed to clarify the nature and role of the Framework Act on Building as a basic law in the context of the policy-making conditions of subdivided and specialized architectural fields, and to identify directions for revising the law in a way that will enhance the continuity and executive performance of architectural policies.

Chapter 2 studies the legal characters and particularities of basic laws, and reviews the necessity of revision after analyzing the current status and related conditions of the Framework Act on Building. In order to clarify the nature of the basic law, research is

conducted on categorizing the basic functions of the basic law, and the status of the basic law within the legal system is reviewed to establish the role of the basic law. In addition, the study reviews the composition of the current Framework Act on Building and identifies any missing agenda and any revisions deemed necessary to the legislative composition.

Chapter 3 reviews the progress of each architectural policy implementation system and conducts perception surveys on architectural policies to draw a conclusion on the necessity for law revision. A perception survey was conducted centering on the workers from related fields in order to analyze the perception of architectural policy stakeholders and persons concerned with respect to the effectiveness of current architectural policies and to investigate and analyze the problems and causes in terms of architectural policy execution.

In Chapter 4, the direction of revision of the Framework Act on Building is presented by examining the system and composition of the Framework Act on Building, the nature of the basic law, and the questionnaire survey as well as other recently enacted/revised basic laws.

- Revision direction of architectural policies presented in Chapters 1 and 2

Considering the increasing importance and interest in the sustainability of architecture and urban spatial environment as seen in Sustainable Development Goals (SDGs), the value of “sustainability” is proposed to be added to “publicness,” the core concept of existing architectural policies.

- Revision direction of Chapter 3 (Establishment of Architectural Policy)

Architectural policy plans are classified according to the government body responsible for establishing them, i.e., central government, metropolitan city government, municipal government), and the nature of each plan established by local governments is clearly defined. In addition, it was proposed to revise the main contents of the Basic Plan for Architectural Policy to have them become consistent with the plans established under other building-related laws (Green Buildings Construction Support Act, Act on Value

Enhancement of Hanok and Other Architectural Assets, etc.) and provide a comprehensive framework.

- Revision direction of Chapter 4 (Presidential Commission on Architecture Policy)

When the law stipulates matters concerning committees, it generally stipulates related matters regarding the scope of a committee's role, work scope, composition, and support. However, the current law includes various other regulations, such as performance reports and basic surveys on buildings. Therefore, in this chapter, proposals are made to reduce and revise the related regulation to the extent that only committee-related matters remain, rather than establish new regulations.

- Revision Direction of Chapter 5 (Monitoring of Architectural Policy)

The nature of the architectural policy performance inspection is clarified by separating related matters covered in Chapter 4 of the current law. In addition, proposals are made regarding regulations on monitoring policies for the systematic implementation of performance inspections. The integrated establishment and operation of an information system in the field of architecture and construction is also suggested for monitoring and to efficiently manage and standardize the data generated by monitoring.

- Revision direction of Chapter 6 (Promotion of Architectural Culture)

Regulations related to the promotion of the architectural culture are the policies that are in practice. The current law consists of provisions on financial support, establishment of architectural design standards and pilot projects, participation of private experts, and design competitions. In addition to the existing regulations, new regulations on related events, research, and funding are proposed.

In conclusion, this study aimed to systematically reorganize the legislative structure by dividing the existing five chapters into six chapters and rearrange detailed provisions. Next, reorganizing was proposed in a manner so that the Framework Act on Building would integrate and coordinate the related laws and organically interlink them. In detail, the contents of regulations are reinforced in the provisions on architectural policy and the promotion of architectural culture. Lastly, the regulations for enhancing social

responsibility in terms of technology and environment are supplemented so that architecture and spatial environment can contribute to solving social global issues, and not be treated as a mere spatial domain. Comprehensive regulations are specified in terms of basic philosophy and policy direction, and new provisions related to technology, industry, education, and cultural events are proposed in detailed regulations for the promotion of architectural culture.

The recent increase in the number of architecture related acts and their diversification may likely cause contradictions and conflicts between laws. Thus, it is meaningful to research on the revision of the basic law which integrates policies and coordinates different fields. This study aims to identify relationships between architecture-related laws and to suggest a direction for reinforcing the connectivity between normativity that embraces all building policy areas and detailed policies. We hope that the suggested study is utilized in drafting the legislation for revising the Framework Act on Building.

**Keyword**

Framework Act on Building, architectural policy, publicness of architecture, sustainability of architecture