ACT ON ACCIDENT COMPENSATION INSURANCE FOR FISHERS AND FISHING VESSELS

Act No. 6866, Mar. 19, 2003
Amended by Act No. 7311, Dec. 31, 2004
Act No. 7796, Dec. 29, 2005
Act No. 8373, Apr. 11, 2007
Act No. 8377, Apr. 11, 2007
Act No. 8694, Dec. 14, 2007
Act No. 8852, Feb. 29, 2008
Act No. 9007, Mar. 28, 2008
Act No. 9727, May 27, 2009
Act No. 10682, May 19, 2011
Act No. 11024, Aug. 4, 2011
Act No. 11080, Nov. 14, 2011
Act No. 11141, Dec. 31, 2011
Act No. 11355, Feb. 22, 2012
Act No. 11690, Mar. 23, 2013
Act No. 11698, Mar. 23, 2013
Act No. 13191, Feb. 3, 2015
Act No. 14242, May 29, 2016
Act No. 14839, Jul. 26, 2017
Act No. 16652, Nov. 26, 2019
Act No. 17043, Feb. 18, 2020
Act No. 17758, Dec. 29, 2020
Act No. 20132, Jan. 23, 2024

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CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to protect fishers, etc. by compensating for accidents involving fishers, etc. promptly and fairly through performance of accident compensation insurance business for fishers, etc.

engaging in fishery and fishing vessels and thereby supporting their rehabilitation and return to society, and by promoting the restoration of damaged fishing vessels, and to contribute to stabilization of fishery management. *<Amended on Jun. 15, 2021>*

Article 2 (Definitions)

(1) The terms used in this Act are defined as follows:

1. The term "fishing vessel" mean any vessel under subparagraph 1 (d) of Article 2 of the Fishing Vessels Act;
2. The term "fisher" means any person employed to provide his/her labor in a fishing vessel in exchange for a wage;
3. The term "family fisher" means a spouse (including any person having a de facto marital relation) and a lineal ascendant or descendant of the owner of a fishing vessel who provides his/her labor in the fishing vessel;
4. The term "owner of a fishing vessel" means any person who employs and pays wages to fishers irrespective of names, such as ship owner, borrower of fishing vessel, manager of fishing vessel, and charterer, or who engages in fishing activities for himself/herself or with a family fisher;
5. The term "wage", "ordinary wage", and "average boarding wage" means each wage, ordinary wage, and average boarding wage under the Seafarers' Act;
6. The term "accident of a fisher, etc." means any injury, disease, physical disability, or decease of a fisher, a family fisher, and the owner of a fishing vessel (hereinafter referred to as "fishers, etc.") related to fishing activities;
7. The term "accident involving fishing vessels" means any accident involving fishing vessels, such as submergence, stranding, collision, fire, and damage (including an accident that occurs while fishing vessels are repaired or anchored);
8. The term "cure" means a status where an injury or disease is completely cured or an effect of treatment cannot be expected anymore and its symptom becomes fixed;
9. The term "disability" means a status where the ability to perform labor is lost or reduced due to mental or physical damage although an injury or disease is cured.

(2) Article 37 of the Industrial Accident Compensation Insurance Act shall apply mutatis mutandis to matters concerning standards for recognizing an accident of fishers, etc.

(3) Detailed standards for recognizing accidents under paragraph (2) shall be prescribed by Presidential Decree.

Article 3 (Control of Insurance and Insurance Year, etc.)

(1) The Minister of Oceans and Fisheries shall take charge of accident compensation insurance business (hereinafter referred to as "insurance business") under this Act. *<Amended on Mar. 23, 2013>*

(2) Insurance business shall be classified into either accident compensation insurance business for fishers, etc. (hereinafter referred to as "insurance business for fishers") or accident compensation insurance business for fishing vessels (hereinafter referred to as "insurance business for fishing vessels").
(3) The insurance year of insurance business shall coincide with the fiscal year of the Government.

Article 4 (Assistance of National Treasury)
(1) The State may assist a part of insurance premium to be borne by an insured within budgetary limits every fiscal year.
(2) A local government may further pay for part of the insurance premium payable by an insured within budgetary limits. *<Added on Feb. 18, 2020>*
(3) Matters necessary for paying the State subsidy under paragraph (1) shall be determined by the Minister of Oceans and Fisheries, and matters necessary for paying the amount subsidized by the relevant local government under paragraph (2) shall be determined by the head of a relevant local government. *<Amended on Mar. 23, 2013; Feb. 18, 2020>*

Article 5 (Standard Wages)
(1) Where it is impracticable to calculate and confirm wages due to falling under any of the following cases in application of this Act, the wage (hereinafter referred to as "standard wage") shall be the amount determined and publicly announced by the Minister of Oceans and Fisheries: *<Amended on Mar. 23, 2013>*
1. Where a fishery is closed;
2. Where fishers, etc. are family fishers or owners of fishing vessels and wages are not paid to them;
3. Other cases prescribed by Presidential Decree.
(2) Standard wages shall be determined by taking into account the size of fishing vessels, type of fishery, level of wages, etc.

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Article 6 (Scope of Application)
(1) This Act shall apply to all fishing vessels: Provided, That this Act shall apply to any fishing vessel falling under any of the following only where it is specially provided in this Act:
1. Fishing vessels that have obtained the license of deep-sea fishery under Article 6 (1) of the Distant Water Fisheries Development Act;
2. Fishing vessels engaging in the transportation of marine products under Article 24 (2) of the Marine Transportation Act;
3. Other fishing vessels determined by Presidential Decree by taking into account the size of fishing vessels, number of fishers, level of risk, place of fishery, etc.
(2) The Industrial Accident Compensation Insurance Act shall not apply to fishing vessels subject to this Act under paragraph (1).

Article 7 (Deliberation on Insurance Business)

The following matters concerning insurance business shall be deliberated upon by the Central Fisheries and Fishing Village Policy Review Committee under Article 8 (1) of the Framework Act on Fisheries and Fishing Villages Development: *<Amended on Mar. 23, 2013; Oct. 31, 2023>*

1. Matters concerning determination of standard wages under Article 5:
2. Matters concerning establishment, administration and management of reserves for losses under Article 13;
3. Matters concerning standards for calculating medical care benefits, such as scope and expenses of medical care under Article 22 (4);
4. Matters concerning determination of insurance premium rate under Articles 39 and 53 (2);
5. Matters concerning standards for calculating residual values of fishing vessels under Article 52;
6. Matters concerning insurance business which the Minister of Oceans and Fisheries refers for deliberation.

Article 8 (Investigation, Research, etc. related to Insurance Business)

The Minister of Oceans and Fisheries may conduct business to investigate, research, etc. insurance business in order to efficiently manage and operate insurance business. *<Amended on Feb. 29, 2008; Mar. 23, 2013>*

CHAPTER II OPERATION OF INSURANCE BUSINESS

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Article 9 (Entrustment of Business)

The Minister of Oceans and Fisheries shall entrust the following duties of insurance business to the National Federation of Fisheries Cooperatives (hereinafter referred to as the "Federation") established under the Fisheries Cooperatives Act in order to efficiently conduct business for accomplishing the purposes referred to in Article 1: *<Amended on Mar. 23, 2013>*

1. Management and maintenance of records on the insured, beneficiaries and fishing vessels concerned;
2. Collection of an amount to be collected, such as insurance premiums, under this Act;
3. Determination and payment of insurance benefits;
4. Deliberation and determination of requests for examination concerning insurance benefits;
5. Other duties delegated by the Minister of Oceans and Fisheries related to insurance business under this Act.

Article 10 (Supervision of Duties)

(1) The Federation shall report the actual results of insurance business and settlement of accounts to the Minister of Oceans and Fisheries within two months after the close of each fiscal year. *<Amended on Mar.*

23, 2013>

(2) The Minister of Oceans and Fisheries may take necessary measures for supervision, such as ordering the Federation to report on insurance business or having any public official under his/her jurisdiction inspect the status of insurance business of the Federation. *<Amended on Mar. 23, 2013>*

Article 11 (Accounting)

(1) The Federation shall calculate and reconcile the accounting of insurance business by separating it from other accounting of the Federation and treat the accounting by separating insurance business for fishers and insurance business for fishing vessels, respectively.

(2) The Federation shall establish accounting regulations for insurance business by obtaining the approval from the Minister of Oceans and Fisheries. *<Amended on Mar. 23, 2013>*

Article 12 (Accumulation of Liability Reserves)

(1) The Federation shall separate the insurance business for fishers and insurance business for fishing vessels every fiscal period and appropriate each liability reserve and emergency-risk reserve.

(2) Necessary matters concerning the appropriation of liability reserves and emergency-risk reserves under paragraph (1) shall be prescribed by Presidential Decree.

Article 13 (Establishment of Reserves for Losses)

(1) The Federation shall accumulate reserves for losses for a smooth operation of insurance business, such as stability of insurance finance.

(2) Reserves for losses shall be established with proceeds realized by managing surplus in settlement of accounts and reserves for losses, loan, contributions received from the Government and other funds, and other earnings: Provided, That the approval from the Minister of Oceans and Fisheries shall be obtained in order to borrow funds for establishing reserves for losses. *<Amended on Mar. 23, 2013>*

(3) Necessary matters concerning the administration, management, etc. of reserves for losses shall be prescribed by Presidential Decree.

Article 14 (Treatment of Year-End Balance)

(1) Where any surplus accrues in settlement of accounts of insurance business, the Federation shall accumulate it as a reserve for loss.

(2) Where any loss occurs in settlement of accounts of insurance business, the Federation shall appropriate such loss with an emergency-risk reserve and a reserve for loss.

Article 15 (Vicarious Execution of Duties)

(1) The Federation may have the district fisheries cooperatives, fisheries cooperatives by category of business, and fisheries cooperatives processing maritime products under subparagraph 4 of Article 2 of the

Fisheries Cooperatives Act (hereinafter referred to as "member cooperatives") and Suhyup Bank established under Article 141-4 of that Act (hereinafter referred to as "Suhyup Bank") discharge, on its behalf, the duties concerning receipt of an amount to be collected under this Act including insurance premiums, payment of insurance benefits, confirmation of payment of insurance premiums, etc. *<Amended on May 29, 2016>*

(2) The scope of the duties that the Federation may have the member cooperatives and Suhyup Bank discharge on its behalf under paragraph (1), shall be prescribed by Presidential Decree. *<Amended on May 29, 2016>*

Article 15-2 (Requests for Data)

(1) Where it is necessary to efficiently conduct insurance business, the Federation may request the State organizations, local governments, and organizations, institutions, etc. related to insurance business, such as the Ministry of the Interior and Safety, the National Tax Service, and the Korea Coast Guard, to submit any data necessary. In such cases, the State organizations, local governments, and organizations and institutions, etc. related to insurance business which have been requested to submit data shall not refuse such request without justifiable grounds. *<Amended on Mar. 23, 2013; Nov. 19, 2014; Jul. 26, 2017>*

(2) Any data to be provided to the Federation under paragraph (1) shall be exempted from any fees, usage fees, etc.

CHAPTER III ACCIDENT COMPENSATION INSURANCE FOR FISHERS

Section 1 Insured and Insurance Relationship

Article 16 (Insured)

(1) An owner of a fishing vessel to which this Act applies shall become an insured (hereinafter referred to as "ex officio insured") of an accident compensation insurance for fishers, etc. (hereinafter referred to as "insurance for fishers"): Provided, That an owner of a fishing vessel under Article 6 (1) 3 may be insured for insurance for fishers by obtaining approval from the Federation.

(2) Where the owner of a fishing vessel insured for insurance for fishers under the proviso to paragraph (1) (hereinafter referred to as "voluntary insured") cancels such insurance contract, he/she shall obtain the approval from the Federation.

(3) Where insurance relationship cannot be maintained continuously for two years or more after the establishment date of insurance for any reason prescribed by Presidential Decree, such as unknown whereabouts of a fishing vessel, the Federation may terminate such insurance relation.

Article 17 (Legal Fiction of Purchase of Insurance)

(1) Where a fishing vessel subject to ex officio insurance falls under a fishing vessel under Article 6 (1) 3 due to a change of its size, etc., its owner shall be deemed insured for the insurance for fishers on the same day under the proviso to Article 16 (1).

(2) Article 16 (2) shall apply mutatis mutandis to a person deemed legal fiction as voluntary insured under paragraph (1): Provided, That termination in such cases shall be limited to cases where one year elapses from the day when such insurance relationship has been established.

Article 18 (Establishment Date of Insurance Relationship)

Insurance relationship for insurance for fishers shall be established on the day falling under any of the following:

1. In cases of a fishing vessel subject to ex officio insurance, following day after a fishing vessel is registered under Article 13 (1) of the Fishing Vessels Act;
2. In cases of a fishing vessel, the owner of which becomes an ex officio insured due to change of its size, etc. under Article 6 (1) 3, day when such owner becomes an ex officio insured;
3. In cases of a fishing vessel insured for insurance for fishers under the proviso to Article 16 (1), following day after the approval from the Federation is obtained.

Article 19 (Termination Date of Insurance Relationship)

Insurance relationship for insurance for fishers shall terminate on the day falling under any of the following:

1. Following day after the registration of a fishing vessel is cancelled under Article 19 (1) and (2) of the Fishing Vessels Act;
2. Where an owner of a fishing vessel terminates the insurance relationship under Article 16 (2) (including cases applicable mutatis mutandis in Article 17 (2)), following day after the approval from the Federation concerning such termination is obtained;
3. Where the Federation terminates the insurance relationship under Article 16 (3), following day after the notice on such termination arrives: Provided, That where it is impossible to give a notice due to unknown whereabouts, a public announcement of such fact in the member cooperatives having the jurisdiction over the port of ship registry of such fishing vessel for ten days may substitute such notice.

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Article 20 (Reports on Insurance Relationship and Change thereof)

(1) Where the owner of a fishing vessel has become an ex officio insured under the main sentence of Article 16 (1), or insurance relationship has terminated under subparagraph 1 of Article 19, he/she shall report such fact to the Federation within fourteen days from the date when such relevant reason occurs.

(2) The owner of a fishing vessel insured for insurance for fishers shall, where matters prescribed by Presidential Decree such as the name of an insured and port of ship registry of the fishing vessel

concerned, have been changed, report such change to the Federation within fourteen days from the date when the matters have been changed.

Section 2 Insurance Benefits

Article 21 (Types, etc. of Insurance Benefits)

(1) The type of insurance benefits of insurance for fishers shall be as follows: *<Amended on Jun. 15, 2021>*

1. Medical care benefits;
2. Injury and disease benefits;
3. Disability benefits;
4. Lump-sum compensation benefits;
5. Bereaved family benefits;
6. Funeral expenses;
7. Missing benefits;
8. Benefits for lost belongings.

(2) Insurance benefits under paragraph (1) shall be paid by accepting a request from any person who can receive insurance benefits under Articles 22, 23, 23-2 through 23-6 and 24 through 30 (hereinafter referred to as "beneficiary").

(3) Insurance benefits shall be paid within 14 days from the date when such payment is determined.

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Article 22 (Medical Care Benefits)

(1) Medical care benefits shall be paid to fishers, etc. who have been injured or suffered from any disease in the course of discharging their duties.

(2) Medical care benefits under paragraph (1) shall be the total expenses for medical care and fishers, etc. concerned shall receive medical care in a medical institution designated by the Federation or a medical institution for industrial accident insurance under Article 43 (1) of the Industrial Accident Compensation Insurance Act (hereinafter referred to as "designated medical institution, etc."): Provided, That where it is unavoidable, expenses for medical care may be paid in lieu of medical care.

(3) The scope of medical care benefit under paragraph (1) shall be as follows: *<Amended on Mar. 23, 2013; Jun. 15, 2021>*

1. Medical examination and inspection;
2. Provision of medicine or material for medical treatment, artificial limbs, and other orthoses;
3. Operation or other treatment;
4. Rehabilitation treatment;
5. Accommodation in a hospital, clinic or place other than their own house which is necessary for treatment (including the provision of meals);

6. Nursing;
7. Transfer;
8. Transportation expenses incurred in receiving outpatient treatment;
9. Other matters prescribed by Ministerial Decree of Oceans and Fisheries.

(4) Standards for calculating medical care benefits, such as the scope and expenses of medical care benefits under paragraphs (2) and (3), shall be prescribed by Ministerial Decree of Oceans and Fisheries. *<Amended on Mar. 23, 2013>*

Article 23 (Payment, etc. of Medical Care Benefits for Reasons other than Duties while Serving Aboard)

(1) Where fishers, etc. are injured or suffer from any disease for reasons, other than their duties, while serving aboard (including the disembarkation period at a port of call and period of travel subject to embarkation and disembarkation; hereinafter the same shall apply) and they are entitled to medical care benefits under Article 41 of the National Health Insurance Act, the Federation shall pay the expenses (limited to the expenses within the first three months of the period of medical care, including re-treatment under Article 23-6) to be borne by fishers, etc. under Article 44 of the same Act as medical care benefits. *<Amended on Dec. 31, 2011>*

(2) Where fishers, etc. are injured or suffer from any disease for reasons, other than their duties, while serving aboard and they are not entitled to medical care benefits under Article 41 of the National Health Insurance Act, necessary expenses for their medical care (limited to the expenses within the first three months of the period of medical care, including re-treatment under Article 23-6 shall be paid as medical care benefits. *<Amended on Dec. 31, 2011>*

(3) Notwithstanding paragraphs (1) and (2), where fishers, etc. are injured or suffer from diseases intentionally or due to gross negligence, medical care benefits are not necessary to be paid.

Article 23-2 (Application for Medical Care Benefits)

(1) Any person who intends to receive medical care benefits under Articles 22 (1) and 23 shall apply for medical care benefits to the Federation accompanied by documents describing the vessel concerned, circumstances of accident, medical opinion on accident and other matters prescribed by Ministerial Decree of Oceans and Fisheries. *<Amended on Mar. 23, 2013>*

(2) Procedures for and methods of application for medical care benefits shall be prescribed by Ministerial Decree of Oceans and Fisheries. *<Amended on Mar. 23, 2013>*

Article 23-3 (Request, etc. for Medical Expenses)

(1) Where a designated medical institution, etc. intends to receive any expenses incurred in conducting a medical care (hereinafter referred to as "medical expenses") after conducting it under Article 22 (2), it shall request such expenses to the Federation.

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(2) Examination, determination, payment method, and procedures for payment of medical expenses applied for under paragraph (1) shall be prescribed by Ministerial Decree of Oceans and Fisheries. *<Amended on Mar. 23, 2013>*

Article 23-4 (Medical Care by Transfer)

(1) Where any ground falling under any of the following exists, the Federation may transfer fishers, etc. who are under medical care to another designated medical institution, etc. for their medical care: *<Amended on Jun. 15, 2021>*

1. Where it is necessary to transfer fishers, etc. to another designated medical institution, etc. because human resources, facilities, etc. of the medical institution, etc. in which they have been under medical care do not fit into their professional medical treatment;
2. Where it is necessary to transfer fishers, etc. to another designated medical institution, etc. for medical care in their base of living;
3. Where it is necessary to transfer fishers, etc. to another designated medical institution, etc. after treating them professionally in a tertiary hospital under Article 43 (1) 2 of the Industrial Accident Compensation Insurance Act;
4. Where it is deemed that any unavoidable ground exists through a procedure prescribed by Presidential Decree.

(2) Where any ground falling under any of paragraph (1) 1 through 3 exists, fishers, etc. under medical care may apply for medical care by transfer to the Federation.

Article 23-5 (Application for Medical Care Benefits Due to Additional Injury and Disease)

Where fishers, etc. under medical care fall under any of the following, they may apply for medical care benefits for injury or disease: *<Amended on Jun. 15, 2021>*

1. Where medical care is necessary after any injury or disease that has already occurred by the relevant accident is additionally found;
2. Where medical care is necessary because a new disease occurs due to any injury or disease caused by the relevant accident.

Article 23-6 (Re-Treatment)

(1) Where any injury or disease related to the duties which were the objects of medical care reoccurs after cure to a person who has received medical care benefits under Articles 22 and 23, or there exists a medical opinion that his/her status becomes worse than at the time of cure and an active treatment is necessary for the purpose of cure, he/she may receive medical care benefits again under Articles 22 and 23 (hereinafter referred to as "re-treatment").

(2) Necessary matters concerning the requirements, procedures, etc. of re-treatment shall be prescribed by Presidential Decree.

Article 23-7 (Preferential Application of Health Insurance)

(1) Any person who applies for medical care benefits pursuant to Article 23-2 may be entitled to medical care benefits under Article 41 of the National Health Insurance Act or medical benefits under Article 7 of the Medical Care Assistance Act (hereinafter referred to as "medical care benefits under health insurance, etc.") before the Federation makes a decision on the medical care benefits under this Act.

(2) Where a person who has received medical care benefits under health insurance, etc. pursuant to paragraph (1) is determined as a beneficiary of medical care benefits under this Act after paying his/her co-payment under Article 44 of the National Health Insurance Act or Article 10 of the Medical Care Assistance Act to a medical institution, he/she may file a claim with the Federation for an amount equivalent to the medical care benefits under Article 22 (4) out of the amount of co-payment he/she already paid.

Article 23-8 (Settlement of Expenses for Medical Care Benefits)

(1) Where the National Health Insurance Service under Article 13 of the National Health Insurance Act or the head of a Si/Gun/Gu under Article 5 of the Medical Care Assistance Act (hereinafter referred to as "National Health Insurance Service, etc.") has paid in advance medical care benefits under health insurance, etc. to a beneficiary of medical care benefits under this Act pursuant to Article 23-7 (1) and then claims the expenses, the Federation may pay an amount equivalent to the medical care benefits if the medical care benefits under health insurance, etc. are deemed equivalent to the medical care benefits payable under this Act.

(2) Where the Federation has paid a beneficiary medical care benefits and the payment decision has been revoked thereafter, it may claim an amount equivalent to the medical care benefits under health insurance, etc. from National Health Insurance Service, etc. if the medical care benefits paid are deemed equivalent to the medical care benefits under health insurance, etc., which are payable under the National Health Insurance Act or the Medical Care Assistance Act.

Article 24 (Injury and Disease Benefits)

(1) The amount equivalent to ordinary wage shall be paid once each month to fishers, etc. who are under medical care due to an injury or disease in the course of discharging their duties within the limit of four months until such injury or disease is cured, and where such injury or disease is not cured after four months, the amount equivalent to 70/100 of ordinary wage shall be paid once each month as injury and disease benefits until such injury or disease is cured. *<Amended on Jun. 15, 2021>*

(2) The Federation shall pay the amount equivalent to 70/100 of ordinary wage once each month during the period of medical care (limited to the period not exceeding first three months) to fishers, etc. who are under medical care due to an injury or disease (excluding any injury or disease occurred intentionally or due to gross negligence by fishers, etc.) for any reason, other than their duties, while serving aboard.

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<Amended on Jun. 15, 2021>

(3) Where injury and disease benefits calculated under the latter part of paragraph (1) and paragraph (2) fall short of the minimum wage under Article 59 of the Seafarers' Act, such minimum wage shall be the amount payable of injury and disease benefits. *<Amended on Aug. 4, 2011; Jun. 15, 2021>*

Article 25 (Disability Benefits)

(1) Disability benefits shall be paid to fishers, etc. to whom disability remains left after having been cured of an injury or disease related to their duties.

(2) Disability benefits shall be calculated by multiplying the number of days of lump-sum compensation for disability according to the level of disability under Article 57 (2) of the Industrial Accident Compensation Insurance Act by average boarding wage.

Article 25-2 (Preventive Management of Complications)

(1) The Federation may require a person who is likely to need re-treatment, due to complications, etc., from among persons who have recovered from, or have been cured of, a work-related injury or disease, to receive care necessary for the prevention thereof at a designated medical institution, etc.

(2) Detailed matters for preventive management, such as subjects and details of care under paragraph (1) and standards for calculating the cost of care, shall be prescribed by Presidential Decree.

Article 26 (Lump-Sum Compensation Benefits)

Where any injury or disease of fishers, etc. who have received medical care benefits and injury and disease benefits under Articles 22 (1) and 24 (1) is not cured after two years since the commencement of medical care, the amount calculated by multiplying the number of days of the lump-sum compensation for disability falling under the first-class disability level under Article 57 (2) of the Industrial Accident Compensation Insurance Act by average boarding wage, shall be paid to such fishers, etc. in lump sum. In such cases, the responsibility for insurance benefits under Articles 22 (1), 24 (1) and 25 (1) shall be exempted. *<Amended on Jun. 15, 2021>*

Article 27 (Bereaved Family Benefits)

(1) Where any fishers, etc. has deceased in the course of discharging his/her duties (including cases where he/she has deceased under medical care due to any injury or disease in the course of discharging his/her duties; hereinafter the same shall apply), the amount equivalent to the portion of 1,300 days of the average boarding wage shall be paid to his/her bereaved family prescribed by Presidential Decree (hereinafter referred to as "bereaved family") as bereaved family benefits.

(2) Where any of the fishers, etc. has deceased for any reason, other than his/her duties, while serving aboard (including cases where he/she has deceased under medical care due to injury or disease for any reason, other than his/her duties, while serving aboard under Article 23 (1) and (2); hereinafter the same

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shall apply), the Federation shall pay his/her bereaved family the amount equivalent to the portion of 1,000 days of average boarding wage as bereaved family benefits: Provided, That where such fisher, etc. has deceased intentionally or due to gross negligence, bereaved family benefits are not necessary to be paid.

Article 28 (Funeral Expenses)

(1) Where any of the fishers, etc. has deceased in the course of discharging his/her duties or due to any reason, other than his/her duties, while serving aboard, the Federation shall reimburse the amount equivalent to the portion of 120 days of average boarding wage as funeral expenses to his/her bereaved family who has held a funeral for such deceased fisher.

(2) Where no bereaved family exists under paragraph (1), the Federation shall reimburse funeral expenses provided for in paragraph (1) to those who have actually held a funeral for such deceased fisher.

Article 29 (Missing Benefit)

(1) Where it is unknown whether any of the fishers, etc. aboard in a fishing vessel to which an accident occurs is alive or dead, or where a fisher aboard in a fishing vessel engaging in fishing activities or in navigation is missing and it is unknown whether he/she is alive or dead for other reasons, and such period (hereinafter referred to as "missing period") exceeds one month, the Federation shall pay the amount equivalent to one-month ordinary wage and three-month average boarding wage as missing benefits to his/her dependents prescribed by Presidential Decree.

(2) When one month has elapsed since any of the fishers, etc. under paragraph (1) was missing, the bereaved family benefits and funeral expenses under Articles 27 and 28 shall be paid.

(3) When a missing person is confirmed alive after payment of insurance benefits under paragraph (2), the Federation shall be returned the amount paid where the person who has received insurance benefits acted in good faith, and the amount equivalent to twice the amount paid where such person acted in bad faith.

(4) Where it is unknown whether any of the fishers, etc. aboard in a fishing vessel to which an accident occurs is alive or dead, the missing period shall be reckoned from the day when such accident occurs, and where any of the fishers, etc. aboard in a fishing vessel engaging in fishing activities or in navigation is missing and it is unknown whether he/she is alive or dead for other reasons, the missing period shall be reckoned from the day when the relevant fisher, etc. is missing: Provided, That where it is impossible to ascertain the day when the fishing vessel accident occurs, the missing period shall be reckoned from the last day of communication, and where it is impossible to ascertain the last day of communication, the missing period shall be reckoned from the following day after the vessel departs from a port.

Article 30 (Benefits for Lost Belongings)

Where any of the fishers, etc. has lost his/her belongings due to a vessel accident while serving aboard, the amount equivalent to the price of such lost belongings shall be paid as benefits for lost belongings within

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the limit of two-month ordinary wage.

Article 31 (Relationship with other Compensation or Indemnities)

(1) Where a beneficiary has received or is able to receive insurance benefits under this Chapter, an insured shall be exempted from his/her liability for accident compensation for the same reason under the Seafarers' Act and the Labor Standards Act.

(2) Where a beneficiary has received insurance benefits under this Chapter due to an accident of any of the fishers, etc., an insured shall be exempted from his/her liability to compensate for damage within the limit of amount under the Civil Act or other statutes.

(3) Where a beneficiary has received money or goods equivalent to insurance benefits referred to in this Act under the Civil Act or other statutes for the same reason, the Federation shall not pay insurance benefits under this Act within the limit of the amount converted by a method prescribed by Presidential Decree.

Article 31-2 (Unpaid Insurance Benefits)

(1) Where a beneficiary of any insurance benefit deceases, and any unpaid insurance benefit to be paid to such beneficiary remains, such insurance benefit shall be paid at the request of his/her bereaved family (in cases of bereaved family benefits, referring to any other bereaved family who can receive such bereaved family benefits).

(2) In cases of paragraph (1), where the relevant beneficiary does not file a claim for insurance benefits prior to his/her decease, such insurance benefits shall be paid at the request of his/her bereaved family under that paragraph.

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Article 31-3 (Restrictions on Payment of Insurance Benefits)

(1) Where any of the fishers, etc. under medical care has violated the decision on medical care without any justifiable ground and has deteriorated status of his/her injury, disease or disability or has obstructed relevant treatment, the Federation is not necessary to pay an insurance benefit in whole or in part.

(2) Where a person who is entitled to receive bereaved family benefits or missing benefits referred to in Article 21 (1) 5 or 7 or to receive unpaid insurance benefits under Article 31-2, had the responsibility of raising a fisher, etc. but failed to fulfill such responsibility, the Federation need not fully or partially pay the relevant benefits, taking into account the period, severity, etc. of the non-fulfillment of the responsibility, as prescribed by Presidential Decree. *<Added on Jan. 23, 2024>*

(3) Where the Federation determines not to pay an insurance benefit under paragraph (1) or (2), it shall notify such fact to the relevant insured and the person who has filed a claim for the insurance benefit. *<Amended on Jan. 23, 2024>*

(4) The type of insurance befits subject to restriction on payment of insurance benefits under paragraph (1) and the scope of restriction shall be prescribed by Presidential Decree. *<Amended on Jan. 23, 2024>*

Article 32 (Collection, etc. of Unlawful Profits)

(1) Where any person who has received an insurance benefit under this Chapter falls under any of the following, the Federation shall collect the amount equivalent to the amount of such insurance benefit: Provided, That in cases of subparagraph 1, the Federation shall collect twice the amount of such insurance benefit:

1. Where he/she has received an insurance benefit by fraud or other improper means;
2. Where an insurance benefit has been paid erroneously.

(2) In cases of paragraph (1) 1, when an insurance benefit has been paid by a false report or false proof of an insured or false diagnosis by a medical care institution, such insured or medical care institution shall be jointly and severally liable with the beneficiary.

(3) Where an insurance benefit to be paid to the person who has earned any unlawful profit under paragraph (1) exists, the Federation may appropriate it to the amount to be collected under paragraph (1).

Article 33 (Subrogation, etc. of Claims for Damages)

(1) Where the Federation has paid an insurance benefit under this Chapter to fishers, etc. due to an accident caused by an act of a third party, it shall subrogate a person who has received an insurance benefit with respect to his/her claim for damages against such third party within the limit of the amount of benefit.

(2) Where any reason for payment of insurance benefits has occurred due to an accident caused by an act of a third party, the Federation shall not pay insurance benefits under this Chapter to fishers who have received compensation for damage from such third party due to such accident, within the limit of the amount of compensation.

(3) When any accident has occurred due to an act of a third party, a beneficiary and an insured shall, without delay, report such fact to the Federation.

Article 33-2 (Method of Paying Insurance Benefits of Insurance for Fishers)

(1) The Federation shall deposit insurance benefits of insurance for fishers, into the designated account under the name of the recipient of the benefits (hereinafter referred to as "insurance benefits account"): Provided, That when it is impossible to deposit the insurance benefits due to communication failure or other unavoidable reasons prescribed by Presidential Decree, it may pay such insurance benefits as prescribed by Presidential Decree.

(2) The relevant financial institutions of the insurance benefits account shall manage it so as to ensure insurance benefits under this Act are solely deposited into the relevant insurance benefit account.

(3) Necessary matters for the procedure for payment of insurance benefits provided in paragraph (1) and the management of insurance benefits account provided in paragraph (2) shall be prescribed by Presidential Decree.

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Article 34 (Protection of Entitlement to Insurance Benefits)

(1) No entitlement to receive insurance benefits of fishers, etc. shall terminate due to their retirement.

(2) No entitlement to receive insurance benefits and claims for a specified amount of money from an insurance benefits account under Article 33-2 (1), not exceeding that prescribed by Presidential Decree, shall be transferred or confiscated. *<Amended on Feb. 3, 2015>*

(3) Deleted. *<Feb. 3, 2015>*

Article 35 (Subrogation of Entitlement to Insurance Benefits)

Where an insured has already paid beneficiary money or goods equivalent to insurance benefits concerning accidents of the relevant fisher, etc. under the Civil Act or other statutes for the same reason as that for payment of insurance benefits pursuant to this Act, and it is deemed that such money or goods have been paid in lieu of insurance benefits, the insured shall subrogate the position of such beneficiary with his/her entitlement to receive insurance benefits, as prescribed by Presidential Decree.

Section 3 Insurance Premiums

Article 36 (Collection of Insurance Premiums)

(1) The Federation shall collect insurance premiums (hereinafter referred to as "insurance premiums of fishers") from the insured in order to appropriate such premiums in the expenses incurred in conducting insurance business for fishers.

(2) The Federation may collect insurance premiums of fishers in installments in order to reduce burden of the insured.

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Article 37 (Calculation of Insurance Premiums)

The Federation shall calculate insurance premiums of fishers by multiplying the annual total amount of wages (hereinafter referred to as "total amount of wage") payable to fishers, etc. of a fishing vessel operated by an insured by the insurance premium rates under Article 39 or 40.

Article 38 (Report on Change of Total Amount of Wages)

Where the total amount of wages has been changed due to an increase or reduction of wage and number of fishers, etc., an insured shall report the details thereof to the Federation, and the Federation may adjust insurance premiums of fishers thereby.

Article 39 (Determination of Insurance Premium Rates)

Insurance premium rates shall be determined by Ministerial Decree of Oceans and Fisheries per category of business and size of a fishing vessel, in consideration of the rate of total amount of insurance benefits to the total amount of wages for the last three years (where the period from the reckoning date to the registration date of a fishing vessel is less than three years, such period refers to the period from such reckoning date to registration date of a fishing vessel) from June 30 each year, necessary amount for insurance benefits under this Chapter, operating expenses, etc. of insurance business for fishers. *<Amended on Mar. 23, 2013>*

Article 40 (Special Cases concerning Insurance Premium Rates)

Notwithstanding Article 39, in cases of fishing vessels determined by Ministerial Decree of Oceans and Fisheries, the Federation may have any increased or reduced insurance premium rate as the insurance premium rate for the following insurance year, in consideration of insurance premiums of fishers collected per insured and fishery, rate of insurance benefits paid, period of work, etc., as prescribed by Ministerial Decree of Oceans and Fisheries. *<Amended on Mar. 23, 2013>*

Article 41 (Reporting on and Payment of Insurance Premiums)

(1) An insured shall report on and pay the amount calculated by multiplying the total amount of wages (including the amount determined to be paid) that have been paid to all fishers, etc. during the insurance period in each insurance year by the insurance premium rates under Article 39 or 40, within 70 days from the first of the following insurance year.

(2) Where an insured does not report under paragraph (1) or the report is different from the fact, the Federation shall investigate such fact and calculate insurance premiums of fishers.

(3) The Federation shall collect the total insurance premiums from an insured who has not paid insurance premiums of fishers calculated under paragraph (2), and return any excess amount to or collect any shortfall from an insured who has paid such premiums if any difference of insurance premium paid exists.

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Article 41-2 (Reduction of Insurance Premiums, etc.)

(1) With respect to an insured for whom it is deemed necessary to reduce an amount to be collected under this Chapter, such as insurance premiums of fishers due to natural disaster or other special reasons prescribed by Presidential Decree, the Minister of Oceans and Fisheries may reduce an amount to be collected under this Chapter, such as insurance premiums of fishers through deliberation by the Central Fisheries and Fishing Village Policy Review Committee under Article 8 (1) of the Framework Act on Fisheries and Fishing Villages Development. In such cases, the rate to be reduced shall be prescribed by Presidential Decree by up to 50/100. *<Amended on Mar. 23, 2013; Oct. 31, 2023>*

(2) The Federation may furnish proprietary benefits, such as reduction of insurance premiums of fishers or provision of free gift by lot, to an owner of a fishing vessel who pays such premiums by automatic transfer, as prescribed by Presidential Decree.

Article 41-3 (Partial Exemption from Insurance Premiums, etc.)

Where an ex officio insured of an insurance under the main sentence of Article 16 (1) is insured for an insurance after the lapse of one year or more from the establishment date of insurance relationship under Article 18, he/she shall be exempted from insurance premiums of fishers and arrears during the previous insurance years, except for the insurance year to which the date when an insured is insured belongs and the immediately previous insurance year.

Article 41-4 (Payment of Insurance Premiums by Credit Card)

(1) An insured (including an insured of an insurance for fishing vessels under Article 49) may pay insurance premiums, etc. by credit card, debit card, etc. (hereafter in this Article referred to as "credit card, etc.") through a payment service provider for insurance premiums prescribed by Presidential Decree.

(2) Where any insurance premium is paid by credit card, etc. pursuant to paragraph (1), the date of approval by the relevant payment service provider for insurance premiums shall be deemed the payment date.

(3) A payment service provider for insurance premiums may receive payment service fees in return for payment services for insurance premiums, etc. by credit card, etc., from persons liable for payment.

(4) Necessary matters regarding designating and operating payment service providers for insurance premiums, fees, etc., shall be prescribed by Presidential Decree.

Article 42 (Appropriation and Return of Amount Paid In Excess, such as Insurance Premiums)

(1) The Federation shall preferentially appropriate the following amounts to an amount to be collected under this Chapter, such as insurance premiums of fishers, according to the order prescribed by Presidential Decree, and return any balance to the insured concerned:

1. Amount paid erroneously, of amounts paid as an amount to be collected under this Chapter, such as insurance premiums of fishers, and expenses for disposition on default;
2. Amount subrogated by an insured under Article 35;
3. Amount of insurance benefits to be paid to an insured for any accident that has occurred during the period of default on an amount to be collected under this Chapter, such as insurance premiums of fishers.

(2) Where the Federation appropriates any amount paid erroneously under paragraph (1) 1 to an amount to be collected under this Chapter, such as insurance premiums of fishers, or returns it, it shall add the amount calculated at the interest rate determined by Presidential Decree during the period from the day following the payment date to the date of appropriation or return, to such amount paid erroneously.

Article 43 (Collection of Arrears)

Where an insured fails to pay an amount to be collected under this Chapter, such as insurance premiums of fishers, by the deadline for payment, the Federation shall collect the arrears on a daily basis, as prescribed

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by Presidential Decree, by taking into account the penalty interest rate, etc. of banks during such period in arrears within the period not exceeding thirty six months: Provided, That the same shall not apply where the arrears are marginal or such collection is deemed inappropriate and prescribed by Presidential Decree. *<Amended on Feb. 22, 2012>*

Article 44 (Collection of Amount of Insurance Benefits from Insured)

Where the Federation pays insurance benefits for an accident of fishers, etc. falling under any of the following, it may collect a part of amount of such insurance benefits from an insured, as prescribed by Presidential Decree:

1. Any accident that has occurred during the period in which an insured was negligent in reporting on coverage under Article 20;
2. Any accident that has occurred during the period in which an insured was negligent in paying insurance premiums of fishers.

Article 45 (Notice and Compulsion of Amount to be Collected)

(1) Where the Federation collects an amount to be collected under this Chapter, such as insurance premiums of fishers, it shall notify a person liable for the payment of the relevant amount and deadline for payment in writing.

(2) Where the person liable for the payment fails to pay an amount to be collected under this Chapter, such as insurance premiums of fishers, by the deadline for payment, the Federation shall compel him/her to pay it within a fixed period.

(3) In compelling the payment under paragraph (2), the Federation shall issue a notice of compulsion. In such cases, the deadline for payment shall have a stay period for 10 days or more.

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Article 46 (Dispositions, etc. on Default of Amount to be Collected)

(1) Where any person compelled to pay under Article 45 (2) and (3) fails to pay an amount to be collected under this Chapter, such as insurance premiums of fishers, by the deadline for payment, the Federation may collect it in the same manner as delinquent national taxes are collected, upon obtaining the approval from the Minister of Oceans and Fisheries. *<Amended on Mar. 23, 2013>*

(2) Where the Federation executes a public sale of any attached property in the same manner as delinquent national taxes are collected under paragraph (1), and where it is deemed inappropriate to execute a public sale directly because expert knowledge is necessary or any other special condition exists, it may have the Korea Asset Management Corporation (hereinafter referred to as "KAMCO"), established under the Act on the Establishment of Korea Asset Management Corporation, execute a vicarious public sale of attached property. In such cases, a public sale shall be deemed executed by the Federation. *<Amended on May 19, 2011; Nov. 26, 2019>*

(3) Where the Federation causes KAMCO to execute a vicarious public sale under paragraph (2), it may pay the fees to KAMCO, as prescribed by Ministerial Decree of Oceans and Fisheries. *<Amended on Mar. 23, 2013>*

(4) Where KAMCO executes a vicarious public sale under paragraph (2), any executive officers and employees of KAMCO shall be deemed public officials for the purposes of Article 129 through 132 of the Criminal Act.

Article 46-2 (Succession of Liability to Pay due to Merger of Corporations)

Where a corporation is merged with any other corporation, a corporation that survives or is to be established by, a merger shall be liable to pay an amount to be collected under this Chapter, such as insurance premiums of fishers, and expenses for disposition on default, which have been imposed on such corporation as ceasing to exist thereby or should be paid by such corporation.

Article 46-3 (Succession of Liability to Pay due to Inheritance)

(1) Where an inheritance commences, any heir (including a person who has been subject to universal legacy under Article 1078 of the Civil Act) or administrator of inherited property under Article 1053 of the Civil Act (hereinafter referred to as "administrator of inherited property") shall be liable to pay an amount to be collected under this Chapter, such as insurance premiums of fishers, and expenses for disposition on default, which have been imposed on, or should be paid by such predecessor within the limit of property earned by inheritance.

(2) Where the number of heirs is two or more in cases of paragraph (1), each heir shall be jointly and severally liable to pay an amount to be collected under this Chapter, such as insurance premiums of fishers, and expenses for disposition on default, which have been imposed on, or should be paid by such predecessor and have been calculated in proportion to his/her share of inheritance under Articles 1009, 1010, 1012 and 1013 of the Civil Act, within the limit of property earned by inheritance. In such cases, each heir shall designate a representative to pay an amount to be collected under this Chapter, such as insurance premiums of fishers of the predecessor, and expenses for disposition on default, from among the heirs, and report him/her to the Federation, as prescribed by Presidential Decree.

(3) Where it is unknown whether any heir exists or not in cases of paragraph (1), a notice, compulsion and other necessary matters concerning the payment of an amount to be collected under this Chapter, such as insurance premiums of fishers, and expenses for disposition on default to be given to heir, shall be notified to the administrator of inherited property.

(4) Where it is unknown whether any heir exists or not and no administrator of inherited property exists in cases of paragraph (1), the Federation may request the court, having the jurisdiction over the location in which inheritance commences, to appoint the administrator of inherited property.

(5) Any disposition taken against a predecessor or procedure in cases of paragraph (1) shall be also effective to an heir or administrator of inherited property.

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Article 46-4 (Liability for Joint and Several Payment)

(1) An amount to be collected under this Chapter, such as insurance premiums of fishers, and expenses for disposition on default related to joint business shall be jointly and severally paid by businessmen in a partnership.

(2) Where a corporation is subject to division or merger through division, an amount to be collected under this Chapter, such as insurance premiums of fishers, and expenses for disposition on default, which have been imposed on, or should be paid by such corporation subject to division prior to the date of division or date of division through merger, shall be jointly and severally paid by any of the following corporations:

1. Corporation subject to division;
2. Corporation to be established by division or merger through division;
3. Where part of a corporation subject to division is merged with any other corporation and such other corporation survives, such other corporation.

(3) Where a corporation is dissolved due to a division or merger through division, an amount to be collected under this Chapter, such as insurance premiums of fishers, and expenses for disposition on default, which have been imposed on, or should be paid by such dissolving corporation, shall be jointly and severally paid by a corporation referred to in paragraph (2) 2 and 3.

Article 46-5 (Application Mutatis Mutandis of the Civil Act to Liability for Joint and Several Payment)

The provisions of Articles 413 through 416, 419, 421, 423 and 425 through 427 of the Civil Act shall apply mutatis mutandis to the liability to pay jointly and severally an amount to be collected under this Chapter, such as insurance premiums of fishers, and expenses for disposition on default.

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Article 46-6 (Application Mutatis Mutandis of the Framework Act on National Taxes)

The provisions of Articles 18 through 23 of the National Tax Collection Act shall apply mutatis mutandis to the furnishing of security for payment for the postponement of disposition against default of an amount to be collected under this Chapter, such as insurance premiums of fishers. In such cases, "tax-related Act" shall be construed as "this Act"; "security for tax payment" as "security for payment"; "head of a tax office" as "the Federation"; "guaranty insurance policy for tax payment" as "guaranty insurance policy for payment"; "certificate of guaranty for tax payment" as "certificate of guaranty for payment"; "secured property for tax payment" as "secured property for payment"; and "national taxes, additional dues and expenses for disposition on default" as "amount to be collected under this Chapter, such as insurance premiums of fishers, and expenses for disposition on default". *<Amended on Dec. 29, 2020>*

Article 47 (Disposition on Deficits of Amount to be Collected)

(1) In any of the following cases, the Federation may dispose of an amount to be collected under this Chapter, such as insurance premiums of fishers, as deficits by obtaining the approval from the Minister of Oceans and Fisheries: *<Amended on Mar. 23, 2013>*

1. Where the disposition on default is concluded and the portion appropriated for the amount in arrears is smaller than such amount in arrears;
2. Where the extinctive prescription is completed;
3. Where it is deemed impossible to collect and prescribed by Presidential Decree.

(2) Where the Federation finds another property to be attached after the disposition on deficits under paragraph (1) 3, it shall, without delay, revoke such disposition and re-execute the disposition on default.

Article 47-2 (Priority Order of Collection of Insurance Premiums)

An amount to be collected under this Chapter, such as insurance premiums of fishers, and expenses for disposition on default shall be collected in preference to other claims except for national taxes and local taxes: Provided, That in cases of selling any property on which establishment of right to lease on a deposit basis, pledge or mortgage has been registered prior to the deadline for payment of insurance premiums, etc. of fishers and such fact can be proved and collecting such insurance premiums from the purchase price of such property, the same shall not apply to any claim secured pursuant to such right to lease on a deposit basis, pledge or mortgage.

Article 48 (Service of Documents)

Articles 8 through 12 of the Framework Act on National Taxes shall apply mutatis mutandis to the service of documents related to an amount to be collected under this Chapter, such as insurance premiums of fishers.

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CHAPTER IV ACCIDENT COMPENSATION INSURANCE FOR FISHING VESSELS

Article 49 (Insured of Insurance for Fishing Vessels)

(1) An owner of fishing vessels except for those under Article 6 (1) 1 and 2 may be insured for accident compensation insurance for fishing vessels (hereinafter referred to as "insurance for fishing vessels").

(2) Insurance amount of insurance for fishing vessels (hereinafter referred to as "insurance amount") shall exceed the amount calculated by multiplying the insured value under Article 52 by the rate prescribed by Presidential Decree.

Article 50 (Scope of Objects of Insurance and Insurance Period)

(1) The subject matter for insurance for fishing vessels shall be considered as one unit by having the body of the ship, the engine, and the equipment installed in the relevant fishing vessel, which are constituents of the vessel en bloc. *<Amended on Jan. 23, 2024>*

(2) The insurance period of insurance for fishing vessels shall be within one year after being insured.

Article 51 (Fishing Vessel Insurance Benefits)

(1) Where any damage occurs to the subject matter of insurance for fishing vessels due to fishing vessel accidents, the Federation shall pay the amount calculated according to the insurance amount and loss rate as fishing vessel insurance benefits after receiving the request of an insured.

(2) Fishing vessel insurance benefits under paragraph (1) shall be paid within fourteen days from the date when such payment is determined.

Article 52 (Insured Value)

Insured value shall be the residual value of the fishing vessel subject to insurance. In such cases, standards for calculating residual values shall be prescribed by Ministerial Decree of Oceans and Fisheries. *<Amended on Mar. 23, 2013>*

Article 53 (Determination of Fishing Vessel Insurance Premiums and Insurance Premium Rates)

(1) Fishing vessel insurance premiums shall be the amount multiplying the insurance amount by insurance premium rates.

(2) Insurance premium rates shall be determined by Ministerial Decree of Oceans and Fisheries per category of business and size of a fishing vessel, in consideration of the rate of total of insurance benefits to the total insurance amount of insurance for fishing vessels, operating expenses, etc. of insurance business on the basis of the last three years from June 30 each year. *<Amended on Mar. 23, 2013>*

(3) Article 40 shall apply mutatis mutandis to the special cases concerning the insurance premium rates of fishing vessels.

Article 54 (Subrogation of Subject Matter of Insurance and Third Parties)

(1) Where the whole subject matter of insurance for fishing vessels have been damaged and the total insurance amount has been paid, the Federation shall subrogate the position of an insured with respect to his/her right to such subject matter and any remnants: Provided, That where part of insured value has been insured, the Federation shall subrogate the position of an insured with respect to his/her entitlement to such insurance amount only.

(2) Where the Federation has paid fishing vessel insurance benefits due to an accident caused by an act of a third party, it shall subrogate the position of an person who has received insurance benefits, with respect to his/her claim for damages against such third party within the limit of the amount of benefits.

(3) Where any reason for payment of fishing vessel insurance benefits has occurred due to an accident caused by an act of a third party, the Federation shall not pay insurance benefits to the insured who has received compensation for damage from such third party due to such accident, within the limit of the amount of compensation.
(4) Where a fishing vessel subject to insurance for fishing vessels has been damaged due to an accident caused by an act of a third party, an insured shall report, without delay, such fact to the Federation.

Article 55 (Succession of Rights and Obligations due to Transfer of Fishing Vessels subject to Insurance)

Where an insured transfers a fishing vessel insured for insurance for fishing vessels, the transferee of such vessel shall be presumed to succeed the rights and obligations of the transferor concerning the insurance contract of fishing vessels.

Article 56 (Protection of Entitlement to Insurance Benefits)

No entitlement to receive fishing vessel insurance benefits may be confiscated: Provided, That the same shall not apply to cases where the right to preferential payment exists concerning the fishing vessel which is the subject matter of insurance for fishing vessels under the Civil Act, the Commercial Act and other Acts.

CHAPTER V REQUESTS FOR EXAMINATION AND REEXAMINATION

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Article 57 (Filing of Requests for Examination)

(1) Any person who is dissatisfied with a determination on insurance benefits may file a request for examination to the Federation through the member cooperatives. In such cases, the member cooperatives shall file a written request for examination accompanied by a statement of its opinion to the Federation within five days.
(2) A request for examination under paragraph (1) shall be made within ninety days from the date when a relevant person is aware of the determination on insurance benefits concerned.
(3) No administrative appeal under the Administrative Appeals Act may be filed concerning the determination on insurance benefits.

Article 58 (Deliberation and Determination of Requests for Examination)

(1) When the Federation receives a request for examination under Article 57 (1), it shall determine such request within 60 days from the date when it receives the request: Provided, That where it cannot determine within the above period due to unavoidable reasons, it may extend such period only once by up to 20 days.

(2) Where it is necessary to deliberate a request for examination, the Federation may engage in any of the following acts, at a request of an applicant or by its authority:

1. Having an applicant or a person concerned be present at a designated place and ask him/her questions or have him/her state his/her opinion;

2. Having an applicant or a person concerned submit any document or other articles that can be evidence;

3. Having a third person who has expert knowledge or experience appraise;

4. Having any employee under its jurisdiction gain access to a fishing vessel related to an accident or other places, ask questions of an insured, fishers, etc. or other persons concerned, or inspect documents or other articles;

5. Having fishers, etc. related to a request for examination take a medical examination in a medical institution under the main sentence of Article 22 (2).

(3) Any employee under the jurisdiction of the Federation who asks questions or inspects under paragraph (2) 4 shall carry identification indicating his/her authority and show it to related persons.

Article 59 (Filing of Requests for Reexamination)

(1) Any person who is dissatisfied with a determination of the Federation on a request for examination under Article 58 (1) may file a request for reexamination to the examination committee of fishery disaster compensation insurance under Article 60.

(2) Requests for reexamination under paragraph (1) shall be filed to the examination committee of fishery disaster compensation insurance through the Federation.

(3) The Federation that receives a request for reexamination under paragraph (2) shall send such request accompanied by a statement of its opinion to the examination committee of fishery disaster compensation insurance within 10 days.

(4) Requests for reexamination under paragraph (1) shall be filed within 90 days from the date when the relevant person is aware of the determination on the request for examination.

Article 60 (Examination Committee of Fishery Disaster Compensation Insurance)

(1) An examination committee of fishery disaster compensation insurance (hereinafter referred to as the "Examination Committee") shall be established in the Ministry of Oceans and Fisheries in order to deliberate and rule on requests for reexamination under Article 59. *<Amended on Mar. 23, 2013>*

(2) The Examination Committee shall be comprised of less than 15 members, including a chairperson, and one of the members shall be an ex officio member.

(3) Members of the Examination Committee shall be commissioned by the Minister of Oceans and Fisheries from among any of the following persons, and three or more persons recommended by the association of fishers and the association of owners of fishing vessels, respectively, shall be included: Provided, That an ex officio member shall be the person designated by the Minister of Oceans and

Fisheries from among the public officials of Grade III in general service under his/her jurisdiction or belonging to the Senior Executive Service: *<Amended on Mar. 23, 2013>*

1. A person who is or was in office as a public official of Grade III or higher or a public official in general service belonging to the Senior Executive Service;
2. A person who has a career working as a judge, prosecutor, attorney or certified labor affairs consultant for 10 years or more;
3. A person who is or was in office as an associate professor or higher in a college under the Higher Education Act;
4. A person who engaged in the labor-related business for 15 years or more and is deemed appropriate as a member of the Examination Committee;
5. A person who has knowledge and experience in social insurance or industrial medicine and is deemed appropriate as a member of the Examination Committee.

(4) Any of the following persons shall be disqualified to be appointed as a member: *<Amended on Mar. 18, 2014>*

1. A person under adult guardianship and a person under limited guardianship;
2. A person declared bankrupt and not yet reinstated;
3. A person for whom three years have not elapsed since his/her imprisonment without labor or greater punishment declared by a court was completely executed (including cases where the execution of the sentence is deemed completed) or exempted.

(5) The term of office of the members (excluding the ex officio member) shall be three years and the consecutive appointment may be permitted: Provided, That the term of office of a member for filling a vacancy shall be the remaining term of his/her predecessor.

(6) Necessary matters concerning the composition, operation, etc. of the Examination Committee shall be prescribed by Presidential Decree.

Article 61 (Deliberation and Rulings on Requests for Reexamination)

(1) Article 58 shall apply mutatis mutandis to the deliberation and rulings on requests for reexamination. In such cases, "the Federation" shall be considered as "the Examination Committee", "request for examination" as "request for reexamination", "determination" as "ruling", and "employee under his/her jurisdiction" as "member of the Examination Committee".

(2) Rulings of the Examination Committee shall be binding to the Federation.

Article 62 (Succession of Position of Applicant for Examination and Reexamination)

Where an applicant for examination or reexamination deceases and such applicant is a beneficiary of insurance benefits, his/her bereaved family under Article 27 (1) shall succeed to the position of such applicant, and where such applicant is not a beneficiary of insurance benefits, his/her heir or any person who succeeds to the rights and obligations related to insurance benefits subject to a request for

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examination or reexamination shall succeed to the position of such applicant.

Article 63 (Relationship with other Ac)

(1) The filing on a request for examination and request for reexamination under Articles 57 and 59 shall be deemed a judicial claim under Article 168 of the Civil Act concerning the interruption of prescription.

(2) The ruling on a request for reexamination under Article 61 shall be deemed a ruling on administrative appeal for the purposes of Article 18 of the Administrative Litigation Act.

(3) The Administrative Appeals Act shall apply to the matters not provided for in this Act concerning a request for examination and request for reexamination under Articles 57 and 59.

CHAPTER VI SUPPLEMENTARY PROVISIONS

Article 64 (Notice)

When the Federation intends to collect an amount to be collected under this Act, such as insurance premiums, it shall give written notice to an insured of the relevant amount and deadline for payment in advance, as prescribed by Presidential Decree.

Article 64-2 (Extension of Deadline for Payment)

Where it is deemed impossible to report, apply for, submit other documents, give notice, pay or collect by the fixed deadline provided for in this Act for the reasons prescribed by Ministerial Decree of Oceans and Fisheries, such as natural disaster, the Federation may extend such deadline for payment. *<Amended on Mar. 23, 2013>*

Article 64-3 (Notification, etc. of Fishing Vessels' Registration Data)

Where the head of a Si/Gun/Gu has registered fishing vessels or registered any change or cancelled the registration of fishing vessels under Article 13, 17 or 19 of the Fishing Vessels Act, he/she shall, without delay, notify the Federation of such fact, as prescribed by Ministerial Decree of Oceans and Fisheries. *<Amended on Mar. 23, 2013>*

Article 64-4 (Confirmation and Notification as to Fishing Vessel's Insurance)

The head of a reporting organization at a port where the fishing vessel enters or leaves shall confirm whether the vessel has been insured for insurance for fishers when it enters or leaves the port, and he/she shall, without delay, notify to the Federation with respect to the fishing vessel that is not so covered, as prescribed by Ministerial Decree of Oceans and Fisheries. *<Amended on Mar. 23, 2013>*

Article 65 (Prescription)

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(1) If the right to collect or recover an amount under this Act, such as insurance premiums, and the entitlement to receive insurance benefits are not exercised or claimed for three years, they shall terminate by prescription: Provided, That the entitlement to receive disability benefits, bereaved family benefits, or funeral expenses in the category of insurance benefits shall terminate by prescription, if not claimed for five years. *<Amended on Jun. 15, 2021>*

(2) The right of the Federation and National Health Insurance Service, etc. under Article 23-8 shall terminate by prescription, if not exercised for three years. *<Added on Feb. 18. 2020>*

(3) Except as provided in this Act, the Civil Act shall apply to extinctive prescription referred to in paragraphs (1) and (2). *<Amended on Feb. 18, 2020>*

Article 66 (Interruption of Prescription)

(1) The prescription under Article 65 shall be interrupted for the following reasons:

1. Request under Articles 21 (2) and 51 (1);
2. Notification or compulsion under Article 45;
3. Request for payment of an amount to be collected or attachment to be made pursuant to the procedure for disposition on default under Article 46.

(2) The prescription interrupted under paragraph (1) shall recommence from the time after the lapse of the deadline or period falling under the following:

1. Deadline for payment pursuant to compulsion;
2. Deadline for payment notified by Article 45 (1);
3. Period during which a request for payment of an amount to be collected is made;
4. Period of seizure.

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Article 67 (Reporting, etc.)

The Federation may, where it is deemed necessary, request an insured to whom this Act applies or fishers, etc. engaging in the relevant fishing vessel and member cooperatives to make a necessary report on insurance business or to submit the related documents, as prescribed by Presidential Decree.

Article 68 (Verification, etc. of Insured)

(1) Where a person to receive insurance benefits requests any necessary verification for him/her to receive such benefits, an insured shall verify it.

(2) Where an insured cannot verify under paragraph (1) since an insured is missing or for other unavoidable reasons, such verification may be omitted.

(3) Where a person to receive insurance benefits has difficulty in going through a procedure for request, etc. for insurance benefits due to an accident, an insured shall assist him/her.

Article 69 (Inspections, etc.)

(1) Where it is deemed necessary for the determination and payment of insurance benefits, the deliberation and determination of requests for examination regarding the determination of insurance benefits, and other relevant matters, the Federation may have any employee under its jurisdiction gain access to a fishing vessel, fishing workplace and other related places to which this Act applies and ask persons concerned or inspect related documents. *<Amended on Jun. 15, 2021>*

(2) Where it is deemed necessary for provision of insurance benefits, the Federation may request a doctor, etc. in charge of conducting a medical examination of fishers, etc. who receive insurance benefits, to report on such medical examination or submit any documents or articles concerning such medical examination or have any employee under its jurisdiction ask such doctor, etc. or inspect related documents or articles, as prescribed by Presidential Decree.

(3) When any accident of a fishing vessel has occurred and where it is deemed necessary to ascertain the status of such accident, loss rate, etc., the Federation may order the insured to take measures or move such fishing vessel to another place so that it may inspect the fishing vessel.

(4) A person who inspects or orders under paragraphs (1) through (3) shall carry identification indicating his/her authority and show it to related persons.

Article 69-2 (Requests for Medical Examination)

Where it is deemed necessary for provisions of insurance benefits, the Federation may request a person who has received or will receive insurance benefits to receive a medical examination in a medical institution designated by the Federation, as prescribed by Presidential Decree.

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Article 69-3 (Temporary Suspension of Insurance Benefits)

(1) Where a person who intends to receive insurance benefit falls under any of the following, the Federation may temporarily suspend the payment of such insurance benefits:

1. Where any of the fishers, etc. under medical care has failed to follow a determination by the Federation of medical care by transfer under Article 23-4 (1) without justifiable grounds;
2. Where he/she has failed to follow a request to report or submit related documents under Article 67 or has made a false report;
3. Where he/she has refused to answer questions or has refused, obstructed or evaded an inspection of an employee belonging to the Federation under Article 69 (1) and (2);
4. Where he/she has failed to follow a request for medical examination under Article 69-2.

(2) Type of insurance benefits subject to temporary suspension under paragraph (1), period of temporary suspension and procedure for temporary suspension shall be prescribed by Presidential Decree.

Article 69-4 (Exemption from Public Charges)

The State or a local government shall not impose any public charge on money or goods paid as insurance benefits under this Act.

Article 70 (Legal Fiction as Public Officials in Application of Penalty Provisions)

Among the executive officers and employees of the Federation, the member cooperatives, and Suhyup Bank and the members of the Examination Committee engaging in insurance business under this Act, those who are not public officials shall be deemed public officials for the purposes of Articles 129 through 132 of the Criminal Act. *<Amended on Feb. 18, 2020>*

Article 70-2 (Delegation of Authority)

The Minister of Oceans and Fisheries may delegate part of his/her authority vested under this Act to the heads of the competent organizations, as prescribed by Presidential Decree. *<Amended on Mar. 23, 2013>*

CHAPTER VII PENALTY PROVISIONS

Article 71 (Administrative Fines)

(1) Any person who fails to report on insurance relationship under Article 20 (1) or makes a false report shall be subject to an administrative fine not exceeding one million won.

(2) Any of the following persons shall be subject to an administrative fine not exceeding five hundred thousand won:

1. Any person who fails to report on any change of insurance relationship under Article 20 (2) or makes a false report on any change;
2. Any person who makes a false reply to questions, fails to follow a request for submission of documents or other articles, or refuses, obstructs or evades an inspection under Article 58 (2) (including cases applicable mutatis mutandis in Article 61 (1));
3. Any person who fails to follow a request for report or submission of related documents under Article 67 or makes a false report;
4. Any person who refuses to answer questions or refuses, obstructs or evades an inspection of an employee belonging to the Federation under Article 69 (1) and (2);
5. A person who violates an order under Article 69 (3).

(3) Administrative fines under paragraphs (1) and (2) shall be imposed and collected by the Minister of Oceans and Fisheries, as prescribed by Presidential Decree. *<Amended on Mar. 23, 2013>*

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ADDENDA *<Act No. 6866, Mar. 19, 2003>*

(1) (Enforcement Date) This Act shall enter into force on January 1, 2004.

(2) (Special Cases of Application concerning Insured of other Insurance) The provisions of this Act concerning the insurance for fishers shall apply to a person who was insured of an insurance or mutual aid

under the Industrial Accident Compensation Insurance Act, the Seafarers Act and other Acts before this Act enters into force and has remained insured of such insurance or mutual aid at the time this Act enters into force, from the following day after such insurance period (including the insurance year in cases of the Industrial Accident Compensation Insurance Act) or mutual aid period expires.

ADDENDA *<Act No. 7311, Dec. 31, 2004>*

Article 1 (Enforcement Date)

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

Articles 2 through 16 Omitted.

ADDENDA *<Act No. 7796, Dec. 29, 2005>*

Article 1 (Enforcement Date)

This Act shall enter into force on July 1, 2006.

Articles 2 through 6 Omitted.

ADDENDA *<Act No. 8373, Apr. 11, 2007>*

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

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ADDENDA *<Act No. 8377, Apr. 11, 2007>*

Article 1 (Enforcement Date)

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

Articles 2 through 16 Omitted.

ADDENDA *<Act No. 8694, Dec. 14, 2007>*

Article 1 (Enforcement Date)

This Act shall enter into force on July 1, 2008. (Proviso Omitted.)

Articles 2 through 26 Omitted.

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

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That ... <*omitted*> ... *the amendments to the Acts to be amended pursuant to Article 6 of the Addenda, which were promulgated before this Act enters into force but the enforcement dates of which have yet to arrive, shall enter into force on the enforcement date of the relevant Act.*

Articles 2 through 7 Omitted.

ADDENDA <*Act No. 9007, Mar. 28, 2008*>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <*Act No. 9727, May 27, 2009*>

(1) (Enforcement Date) This Act shall enter into force on January 1, 2010.

(2) (Period of Validity) The amended provisions of Article 41-3 shall remain in effect until December 31, 2010.

(3) (Transitional Measures) Those insured for accident compensation insurance for fishing vessels and fishers under the previous provisions before this Act enters into force shall be deemed to have been insured under this Act.

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ADDENDA <*Act No. 10682, May 19, 2011*>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

Article 3 Omitted.

ADDENDA <*Act No. 11024, Aug. 4, 2011*>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDA <*Act No. 11080, Nov. 14, 2011*>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Protection of Entitlement to Receive)

The amended provisions of Article 34 (3) shall also apply to a person who has obtained entitlement to receive before this Act enters into force.

ADDENDA <*Act No. 11141, Dec. 31, 2011*>

Article 1 (Enforcement Date)

This Act shall enter into force on September 1, 2012. (Proviso Omitted.)

Articles 2 through 23 Omitted.

ADDENDA <*Act No. 11355, Feb. 22, 2012*>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Collection of Arrears)

The amended provisions of Article 43 shall apply, beginning with the arrears of insurance premiums to be collected as at the time this Act enters into force.

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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. 11698, Mar. 23, 2013*>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <*Act No. 12483, Mar. 18, 2014*>

Article 1 (Enforcement Date)

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

Articles 2 (Transitional Measures concerning Incompetent Persons, etc.)

Persons under adult guardianship and persons under limited guardianship referred to in the amended provision of Article 60 (4) 1 shall be deemed to include persons for whom the declaration of incompetency or quasi-incompetency remains effective under Article 2 of the Addenda to the Civil Act (Act No. 10429).

ADDENDUM <*Presidential Decree No. 12844, Nov. 19, 2014*>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of any Act, which is amended pursuant to Article 5 of the Addenda and promulgated before this Act enters into force but the enforcement date of which has yet to arrive, shall enter into force on the enforcement date of such Act.

Articles 2 through 7 Omitted.

ADDENDUM <*Act No. 13191, Feb. 3, 2015*>

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

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ADDENDA <*Act No. 14242, May 29, 2016*>

Article 1 (Enforcement Date)

This Act shall enter into force on December 1, 2016. (Proviso Omitted.)

Articles 2 through 22 Omitted.

ADDENDA <*Act No. 14839, Jul. 26, 2017*>

Article 1 (Enforcement Date)

(1) This Act shall enter into force on the date of its promulgation: Provided, That the amendments to the Acts to be amended pursuant to Article 5 of the Addenda, which were promulgated before this Act enters into force but the enforcement dates of which have yet to arrive, shall enter into force on the enforcement date of the relevant Act.

Articles 2 through 6 Omitted.

ADDENDA <*Act No. 16652, Nov. 26, 2019*>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

Article 3 Omitted.

ADDENDUM <*Act No. 17043, Feb. 18, 2020*>

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Article 4 shall enter into force on the date of its promulgation.

ADDENDA <*Act No. 17758, Dec. 29, 2020*>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2021.

Articles 2 through 25 Omitted.

ADDENDA <*Act No. 18290, Jun. 15, 2021*>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Extension of Prescription)

The amended provisions of Article 65 (1) shall begin to apply to a person for whom the grounds for payment of benefits occur after this Act enters into force.

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ADDENDA <*Act No. 19807, Oct. 31, 2023*>

Article 1 (Enforcement Date)

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

Articles 2 through 10 Omitted.

ADDENDA <*Act No. 20132, Jan. 23, 2024*>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Article 50 (1) shall enter into force on the date of the promulgation.

Article 2 (Applicability to Restrictions on Payment of Insurance Benefits)

(1) The amended provisions of Article 31-3 (2) shall also apply to a person for whom the grounds for payment of bereaved family benefits, missing benefits, or unpaid insurance benefits occurred before this Act enters into force.

(2) The restrictions on insurance benefits under paragraph (1) shall begin to apply to the first benefit to be paid after this Act enters into force.

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