

## **FISHING VESSELS ACT**

Act No. 4559, jun. 11, 1993

Amended by Act No. 5131, Dec. 30, 1995

Act No. 5153, Dec. 30, 1995

Act No. 5453, Aug. 8, 1996

Act No. 5454, Dec. 13, 1997

Act No. 5470, Dec. 17, 1997

Act No. 5921, Feb. 8, 1999

Act No. 5971, Apr. 15, 1999

Act No. 5972, Apr. 15, 1999

Act No. 6609, Jan. 14, 2002

Act No. 8221, Jan. 3, 2007

Act No. 8852, Feb. 29, 2008

Act No. 9007, Mar. 28, 2008

Act No. 9718, May 27, 2009

Act No. 10219, Mar. 31, 2010

Act No. 10847, Jul. 14, 2011

Act No. 11690, Mar. 23, 2013

Act No. 11754, Apr. 5, 2013

Act No. 12482, Mar. 18, 2014

Act No. 12537, Mar. 24, 2014

Act No. 12844, Nov. 19, 2014

### **CHAPTER I GENERAL PROVISIONS**

#### **Article 1 (Purpose)**

The purpose of this Act is to prescribe matters concerning the construction, registration, equipment, inspection of fishing vessels, and matters concerning investigations and research, thereby securing the efficient management and safety of fishing vessels, and contributing to the advancement of fish

harvesting capacity and enhancing the growth of fisheries by promoting improvement in the functions of fishing vessels. <Amended by Act No. 9718, May 27, 2009>

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

#### Article 2 (Definitions)

The definitions of terms used in this Act shall be as follows:

1. The term "fishing vessel" means a vessel falling under any of the following items:
  - (a) Vessel engaged in fishing activities, transporting fish caught, or processing fishery products (hereinafter referred to as "fisheries");
  - (b) Vessel engaged in examinations, investigations, guidance, surveillance, or lessons concerning fisheries;
  - (c) Vessel which is being built or has been built by obtaining a building permission under Article 8 (1);
  - (d) Vessel which is registered as a fishing vessel under Article 13 (1);
2. The term "remodeling" means a case falling under any of the following items:
  - (a) Alterations of the length, width, and depth of fishing vessels (hereinafter referred to as "major measurements");
  - (b) New installation of the propelling engine of a fishing vessel or alterations of the kinds or generating capacity of the propelling engine;
  - (c) Alterations of the structure or equipment of fishing vessels for the sake of altering the usage purpose of fishing vessels or changing the types of fisheries.

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

#### Article 3 (Equipment of Fishing Vessels)

Fishing vessels shall be fully or partially equipped with the following facilities in accordance with the criteria prescribed and publicly notified by the Minister of Oceans and Fisheries: <Amended by Act No. 11690, Mar. 23, 2013>

1. Hull;
2. Engine;
3. Drainage system;
4. Mast;
5. Steering, anchoring, equipment to raise the anchor;
6. Electric facilities;
7. Equipment for fishing operations, and loading and unloading;

8. Emergency rescue facilities and fire-fighting equipment;
9. Quarters and hygiene equipment;
10. Freezing, refrigeration, and processing facilities for marine products;
11. Navigational facilities;
12. Other facilities prescribed by Ordinance of the Ministry of Oceans and Fisheries.

[This Article Newly Inserted by Act No. 9718, May 27, 2009]

#### Article 4 (Marking of Load Lines)

The owner of each fishing vessel with a length exceeding 24 meters shall mark a load line on his/her vessel in accordance with the criteria prescribed and publicly notified by the Minister of Oceans and Fisheries: Provided, That fishing vessels prescribed by Ordinance of the Ministry of Oceans and Fisheries, such as fishing vessels sailing after undergoing a provisional navigation inspection under Article 21 (1) 5, need not have load lines. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 11754, Apr. 5, 2013>

[This Article Newly Inserted by Act No. 9718, May 27, 2009]

#### Article 5 (Radio Equipment)

(1) The owner of each fishing vessel shall equip his/her fishing vessel with radio equipment under the Radio Waves Act, in accordance with the criteria prescribed and publicly notified by the Minister of Oceans and Fisheries: Provided, That fishing vessels prescribed by Ordinance of the Ministry of Oceans and Fisheries, such as fishing vessels used for transporting fish, among fishing vessels with a gross tonnage of at least 300 tons, engaged on international voyages shall be equipped with radio equipment necessary for the Global Maritime Distress and Safety System in accordance with the International Convention for the Safety of Life at Sea. In such cases, radio equipment shall satisfy the performance standards and requirements of the Radio Waves Act. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 11754, Apr. 5, 2013>

(2) Notwithstanding the provisions of paragraph (1), any fishing vessel engaged on voyages for any purpose prescribed by Ordinance of the Ministry of Oceans and Fisheries, may sail without radio equipment. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Newly Inserted by Act No. 9718, May 27, 2009]

#### Article 5-2 (Automatic Identification System Equipment for Fishing Vessels)

(1) In order to ensure the safe navigation of a fishing vessel, the owner of each fishing vessel prescribed by Ordinance of the Ministry of Oceans and Fisheries shall equip his/her fishing vessel with an automatic identification system which automatically provides information about the location of the vessel (hereinafter referred to as "AIS equipment") and operate such AIS equipment in accordance with the criteria set by the Minister of Oceans and Fisheries: Provided, That if necessary for the rapid response to marine accidents and the automatic reporting for port entry and departure, such criteria may be otherwise prescribed by the Minister of Public Safety and Security. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>

(2) If a fishing vessel is equipped with radio equipment specified in Article 5 (1) which has the same function as that of AIS equipment, the fishing vessel shall be deemed equipped with AIS equipment.

(3) If AIS equipment is malfunctioning or lost, the owner or captain of the fishing vessel having such AIS equipment under paragraph (1) shall report such fact to the Minister of Public Safety and Security without delay. <Amended by Act No. 12844, Nov. 19, 2014>

(4) The State or a local government may fully or partially subsidize the owner of a fishing vessel who installs AIS equipment in his/her vessel within budgetary limits.

(5) Matters necessary for methods of, procedures for, etc. reporting under paragraph (3) shall be determined by the Minister of Public Safety and Security. <Amended by Act No. 12844, Nov. 19, 2014>

[This Article Newly Inserted by Act No. 10847, Jul. 14, 2011]

#### Article 6 (Application of International Conventions)

Any fishing vessel subject to international conventions shall be preferentially governed by the relevant international conventions, where the provisions of such international conventions are in conflict with those of this Act.

[This Article Newly Inserted by Act No. 9718, May 27, 2009]

### CHAPTER II BUILDING OF FISHING VESSELS

Article 7 Deleted. <by Act No. 5921, Feb. 8, 1999>

#### Article 8 (Permission, etc. for Building or Remodeling Fishing Vessels)

(1) Each person, who intends to build or remodel a fishing vessel or who intends to place a contract for building or remodeling a fishing vessel, shall obtain permission (hereinafter referred to as "permission for building or remodeling") from the Minister of Oceans and Fisheries, the Mayor of the competent Special Self-Governing City, the Governor of the competent Special Self-Governing Do, or the head of the competent Si/Gun/Gu (referring to the head of the competent autonomous Gu; hereinafter referred to as "head of a Si/Gun/Gu") as prescribed by Ordinance of the Ministry of Oceans and Fisheries (excluding cases prescribed by Ordinance of the Ministry of Oceans and Fisheries, such as remodeling fishing vessels with a gross tonnage not exceeding two tons). The same shall also apply to any change of permitted matters. <Amended by Act No. 9007, Mar. 28, 2008; Act No. 11690, Mar. 23, 2013; Act No. 11754, Apr. 5, 2013>

(2) The Minister of Oceans and Fisheries or the head of a relevant Si/Gun/Gu shall grant permission referred to in paragraph (1), except in any of the following cases: <Newly Inserted by Act No. 11754, Apr. 5, 2013>

1. Where necessary to control fishing activities of the applicant to increase, protect, etc. fishery resources under the Fisheries Act;
2. Where the applicant is deemed unable to conduct licensed fishery business, permitted fishery business, or reported fishery business under the Fisheries Act, the Distant Water Fisheries Development Act, and the Inland Water Fisheries Act;

3. Where an administrative disposition taken against the applicant who violated the Fisheries Act, the Distant Water Fisheries Development Act ,and the Inland Water Fisheries Act is in effect;

4. Where any serious public interest issue impedes the effective management of fishing vessels or where it is prescribed by Ordinance of the Ministry of Oceans and Fisheries, except as otherwise expressly provided for in subparagraphs 1 through 3.

(3) The Minister of Oceans and Fisheries may prescribe a margin of error with respect to the dimensions, performance, gross tonnage, etc., of a fishing vessel permitted to be built or remodeled. In such cases, any fishing vessel built or remodeled within the margin of error shall be deemed permitted under the latter part of paragraph (1). <Amended by Act No. 9007, Mar. 28, 2008; Act No. 11690, Mar. 23, 2013>

(4) Where the Minister of Oceans and Fisheries or the head of a Si/Gun/Gu grants permission for building or remodeling, he/she may attach any condition, as prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 9007, Mar. 28, 2008; Act No. 11690, Mar. 23, 2013>

(5) Deleted. <by Act No. 11754, Apr. 5, 2013>

Article 9 Deleted. <by Act No. 5921, Feb. 8, 1999>

Article 10 (Cancellation, etc. of Permission)

(1) Where a person, who is building or remodelling a fishing vessel after obtaining permission for building or remodeling the fishing vessel or after being awarded a contract to build or remodel the fishing vessel, falls under any of the following subparagraphs, the Minister of Oceans and Fisheries or the head of the relevant Si/Gun/Gu may cancel such permission: Provided, That in cases falling under subparagraph 1, such permission shall be cancelled: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 11754, Apr. 5, 2013>

1. Where he/she obtains permission by deceit or other wrongful means;

2. Where he/she builds or remodels a fishing vessel, in violation of matters permitted.

(2) Where a person, who is building or remodeling a fishing vessel after obtaining permission for building or remodeling the fishing vessel or after being awarded a contract to build or remodel the fishing vessel, falls under paragraph (1) 2, the head of the competent Si/Gun/Gu may order him/her to suspend the building or remodeling of the fishing vessel or to remove the fishing vessel or fishing vessel equipment. <Newly Inserted by Act No. 11754, Apr. 5, 2013>

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

Articles 11 and 12 Deleted. <by Act No. 5921, Feb. 8, 1999>

### CHAPTER III REGISTRATION OF FISHING VESSELS

Article 13 (Recording and Registration of Fishing Vessels)

(1) The owner of each fishing vessel or the owner of each ship prescribed by Ordinance of the Ministry of Oceans and Fisheries shall file registration for such vessel or ship in the Fishing Vessel Register with the head of a Si/Gun/Gu having jurisdiction over the port or dock which such fishing vessel or ship mainly arrives or departs from (hereinafter referred to as "port of registry") as

prescribed by Ordinance of the Ministry of Oceans and Fisheries. In such cases, fishing vessels falling under Article 2 of the Ship Registry Act shall be registered as fishing vessels after they are registered as ships. <Amended by Act No. 11690, Mar. 23, 2013>

- (2) No fishing vessel shall be used for fishing without registration under paragraph (1).
- (3) The head of a Si/Gun/Gu shall issue a certificate, etc. to a fishing vessel registered pursuant to paragraph (1) according to the following classifications:
  1. Fishing vessels with a gross tonnage of at least 20 tons: Certificates of ship's nationality;
  2. Fishing vessels with a gross tonnage not exceeding 20 tons (excluding non-power fishing vessels with a gross tonnage not exceeding five tons): Certificates of ship registration;
  3. Non-power fishing vessel with a gross tonnage not exceeding five tons: Certificates of completion of registration.
- (4) Matters necessary for the designation of a port of registry, restrictions, etc. shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

#### Article 13-2 (Validity of Amendment to Ownership of Small-sized Fishing Vessels)

Any amendments to the acquisition and loss of the ownership for small-sized fishing vessels of less than 20 tons gross tonnage shall be registered to be effective.

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

#### Article 13-3 (Registration of Seizure)

Where the head of a Si/Gun/Gu receives a request for the registration of seizure from the court under the Civil Execution Act or a request for the registration of seizure from the administrative agency under the National Tax Collection Act or the Framework Act on Local Taxes, he/she shall file seizure registration in the original register of fishing vessels for the relevant small-sized fishing vessel as prescribed by Presidential Decree and notify the owner of the vessel thereof. <Amended by Act No. 10219, Mar. 31, 2010>

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

#### Article 14 (Measurement, etc. of Gross Tonnage of Fishing Vessels)

- (1) The owner of each fishing vessel, who intends to file registration under Article 13 (1), shall submit an application for the measurement of the gross tonnage of the fishing vessel to the Minister of Oceans and Fisheries, as prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>
- (2) Where the gross tonnage of a fishing vessel is changed due to repair or remodeling, the owner of the fishing vessel shall submit an application for the re-measurement of the gross tonnage thereof to the Minister of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>

(3) The owner of each fishing vessel, who intends to use a fishing vessel acquired from a foreign country for sailing or fishing in a foreign country, may submit an application for the measurement or re-measurement of the gross tonnage thereof to a Korea's consul of the foreign country.

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

Article 15 (Certificates of Ship's Nationality, etc. Available upon Request)

The owner of each fishing vessel, who intends to use his/her vessel for voyages or for fishing operations, shall make the certificate of ship's nationality, certificate of ship registration, or certificate of completion of registration under each subparagraph of Article 13 (3) (hereinafter referred to as "certificate of ship's nationality, etc.") available upon request: Provided, That the foregoing shall not apply to fishing vessels prescribed by Ordinance of the Ministry of Oceans and Fisheries, such as fishing vessels used for licensed fishery, permitted fishery, or reported fishery under Article 6, 9, or 11 of the Inland Water Fisheries Act. <Amended by Act No. 9718, May 27, 2009; Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

Article 16 (Marking of Vessel Name, etc. and Attachment of License Plate)

(1) The owner of each fishing vessel in receipt of a certificate of ship's nationality, etc., shall immediately mark the fishing vessel's name, port of registry, gross tonnage, draft mark, etc. (hereinafter referred to as "name, etc.") on the vessel and attach the license plate to the vessel, as prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Matters necessary for the manufacturing, attachment, etc. of a fishing vessel license plate under paragraph (1) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>

(3) No owner of each fishing vessel shall use his/her fishing vessel for voyages or for fishing operations until the name, etc. under paragraph (1) is marked on the vessel and the license plate is attached to the vessel.

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

Article 17 (Change of Registered Matters)

Where any registered matter under Article 13 (1) is changed, the owner of the fishing vessel shall file an application for registration for change, as prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

Article 18 (Re-issuance of Certificate of Ship's Nationality, etc.)

Where a certificate of ship's nationality, etc. is lost or destroyed, the owner of the fishing vessel shall file an application for re-issuance within 14 days, as prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

Article 19 (Cancellation of Registration and Return of Certificate of Ship's Nationality, etc.)

(1) Where a fishing vessel registered under Article 13 (1) falls under any of the following subparagraphs, the owner of the fishing vessel shall file an application for cancellation of registration within 30 days, as prescribed by Ordinance of the Ministry of Oceans and Fisheries: <Amended by Act No. 11690, Mar. 23, 2013>

1. Where a fishing vessel is used for other than its original purposes;
2. Where a fishing vessel loses the nationality of the Republic of Korea;
3. Where a fishing vessel is not used for its original purposes because it is lost, sunken, dismantled, worn-out or damaged;
4. Where a fishing vessel goes missing for at least six months.

(2) Where the owner of each fishing vessel falls under any of the following subparagraphs, the head of a Si/Gun/Gu shall issue a peremptory notice requiring him/her to apply for the cancellation of registration within a prescribed period not exceeding 30 days, and if the owner of the fishing vessel fails to apply for the cancellation of registration without just cause despite receiving the peremptory notice, the head of the relevant Si/Gun/Gu shall ex officio cancel the registration of such fishing vessel:

1. Where he/she files registration by deceit or other wrongful means;
2. Where he/she fails to file an application for the cancellation of registration under paragraph (1) within a prescribed period;
3. Where one year passes since a fishery license, permission, report, etc. of the relevant fishing vessel becomes invalid: Provided, That the foregoing shall not apply in cases prescribed by Presidential Decree.

(3) Where registration of a fishing vessel is cancelled pursuant to paragraph (2), the owner of the fishing vessel shall immediately remove the license plate attached to the fishing vessel and return the license plate and the certificate of ship's nationality, etc. to the head of the Si/Gun/Gu having jurisdiction over its port of registry within 14 days: Provided, That where the owner of the fishing vessel cannot return the license plate and the certificate of ship's nationality, etc. due to loss, etc., he/she shall report the reasons thereof to the head of the Si/Gun/Gu having jurisdiction over its port of registry within 14 days.

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

Article 20 Deleted. <by Act No. 5921, Feb. 8, 1999>

#### CHAPTER IV INSPECTION OF FISHING VESSELS

##### Article 21 (Inspection of Fishing Vessels)

(1) The owner of each fishing vessel shall undergo an inspection by the Minister of Oceans and Fisheries with regard to its equipment under Article 3 (where it exceeds 24 meters in length, including a load line mark under Article 4) according to the following classifications, as prescribed by Ordinance of the Ministry of Oceans and Fisheries: Provided, That the foregoing shall not apply to

fishing vessels prescribed by Ordinance of the Ministry of Oceans and Fisheries, such as non-powered fishing vessels with a gross tonnage not exceeding five tons: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 11754, Apr. 5, 2013>

1. Periodic inspection:

A detailed inspection to be conducted when a fishing vessel is used for the first time for voyages or when the period of validity of a fishing vessel inspection certificate under Article 28 (1) expires;

2. Interim inspection:

A simple inspection to be conducted between periodic inspections;

3. Special inspection:

A simple inspection to be conducted when a fishing vessel is used on a temporary basis for special purposes prescribed by Ordinance of the Ministry of Oceans and Fisheries;

4. Provisional inspection:

Any inspection, other than those falling under subparagraphs 1 through 3, deemed particularly necessary by the Minister of Oceans and Fisheries;

5. Provisional navigation inspection:

Any inspection to be conducted when a fishing vessel is intended to be used on a temporary basis for voyages before a fishing vessel inspection certificate is issued.

(2) Radio equipment under Article 5 (1) shall be inspected, as prescribed by the Radio Waves Act.

[This Article Newly Inserted by Act No. 9718, May 27, 2009]

Article 22 (Inspection of Shipbuilding, etc.)

(1) Any fishing vessel builder shall undergo shipbuilding inspections by the Minister of Oceans and Fisheries with regard to equipment referred to in subparagraphs 1, 2, 3, 5, and 6 of Article 3 and a load line referred to in Article 4 from the time when he/she embarks on building the fishing vessel: Provided, That the foregoing shall not apply to fishing vessels prescribed by Ordinance of the Ministry of Oceans and Fisheries, such as wooden vessels with a length of 24 meters or below. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 11754, Apr. 5, 2013>

(2) Where any part has passed a shipbuilding inspection under paragraph (1), it may be exempt from an initial periodic inspection under Article 21 (1) 1.

(3) Any person who intends to manufacture, remodel, fix, repair, or import fishing vessel supplies prescribed by Ordinance of the Ministry of Oceans and Fisheries among fishing vessel supplies required for equipment listed in any of subparagraphs of Article 3 (hereinafter referred to as "fishing vessel supplies") may undergo an inspection by the Minister of Oceans and Fisheries (hereinafter referred to as "preliminary inspection") before the determination of a fishing vessel in which such supplies are to be installed. <Amended by Act No. 11690, Mar. 23, 2013>

(4) Where fishing vessel supplies and ship's stores under Article 22 (3) of the Ship Safety Act have passed preliminary inspections, they may be exempt from an initial shipbuilding inspection provided for in paragraph (1) or an initial inspection provided for in any of subparagraphs of Article 21 (1).

(5) Matters necessary for shipbuilding inspections under paragraph (1) and preliminary inspections under paragraph (3) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>

(6) The Minister of Oceans and Fisheries may have vessels which do not undergo a shipbuilding inspection under paragraph (1), such as vessels imported from a foreign country, undergo an inspection prescribed by Ordinance of the Ministry of Oceans and Fisheries that corresponds to a shipbuilding inspection (hereinafter referred to as "special shipbuilding inspection"). In such cases, the provisions falling under paragraphs (2) through (5) shall apply mutatis mutandis to vessels which have passed a special shipbuilding inspection. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Newly Inserted by Act No. 9718, May 27, 2009]

Article 23 Deleted. <by Act No. 5470, Dec. 17, 1997>

Article 24 (Type Approval, Test Approval, etc.)

(1) Any person who intends to manufacture or import fishing vessel supplies prescribed and publicly notified by the Minister of Oceans and Fisheries or small-sized fishing vessels may obtain type approval and test approval from the Minister of Oceans and Fisheries. In such cases, any person who intends to obtain type approval shall undergo a type approval test. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Where a person who obtains type approval under paragraph (1) intends to change the details thereof, he/she shall obtain approval for the change thereof from the Minister of Oceans and Fisheries. In such cases, when he/she changes matters affecting the performance of the relevant fishing vessel or fishing vessel supplies, such matters shall be subject to a type approval test under paragraph (1). <Amended by Act No. 11690, Mar. 23, 2013>

(3) With regard to fishing vessels or fishing vessel supplies that a person who obtains type approval under paragraph (1) has built, manufactured, or imported and to which the Minister of Oceans and Fisheries has granted test approval, and with regard to ship's stores which have been type-approved by the Minister of Oceans and Fisheries under Article 18 (1) and (2) of the Ship Safety Act and to which a designated testing institution has granted test approval, they may be exempt from an initial inspection referred to in any of subparagraphs of Article 21 (1) or an inspection under Article 22 (1) and (6) to be conducted on the part that passes a test. <Amended by Act No. 11690, Mar. 23, 2013>

(4) Matters necessary for type approval, test approval and approval for the change thereof under paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Newly Inserted by Act No. 9718, May 27, 2009]

Article 25 (Designation of Exemplary Businesses which Build, Manufacture, or Maintain Fishing Vessels, etc.)

(1) The Minister of Oceans and Fisheries may designate businesses satisfying the facility standards prescribed by Ordinance of the Ministry of Oceans and Fisheries which build, manufacture, or maintain (including remodeling or repairing; hereinafter the same shall apply) fishing vessels or equipment under the subparagraphs of Article 3 as exemplary businesses for building, manufacturing, or maintenance of fishing vessels, fishing vessel equipment, or fishing vessel supplies. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Each entity which intends to be designated as an exemplary building, manufacturing, or maintenance business under paragraph (1), shall prepare regulations for building, manufacturing, or maintenance of fishing vessels, fishing vessel equipment, or fishing vessel supplies and obtain approval from the Minister of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>

(3) Where fishing vessels, fishing vessel equipment, or fishing vessel supplies are built or manufactured at an exemplary building or manufacturing business under paragraph (1) and are verified to have been built or manufactured appropriately in accordance with the regulations under paragraph (2), as prescribed by Ordinance of the Ministry of Oceans and Fisheries, they may be exempt from an initial inspection falling under any of subparagraphs of Article 21 (1) or an inspection under Article 22 (1) and (6) to be conducted on the part verified. <Amended by Act No. 11690, Mar. 23, 2013>

(4) Where fishing vessels, fishing vessel equipment, or fishing vessel supplies are maintained at an exemplary maintenance business under paragraph (1) and are verified to have been maintained appropriately in accordance with the regulations referred to in paragraph (2), as prescribed by Ordinance of the Ministry of Oceans and Fisheries, they may be exempt from a periodic inspection, interim inspection, or provisional inspection under Article 21 (1) 1, 2 or 4 during six months from the date of maintenance on the part verified. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 11754, Apr. 5, 2013>

(5) Necessary matters concerning the designation of an exemplary business for building, manufacturing, or maintenance of fishing vessels, fishing vessel equipment, or fishing vessel supplies under paragraph (1) and approval of the regulations for building, manufacturing, and maintenance under paragraph (2) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Newly Inserted by Act No. 9718, May 27, 2009]

Article 26 Deleted. <by Act No. 5470, Dec. 17, 1997>

Article 27 (Issuance, etc. of Certificates of Inspection)

(1) The Minister of Oceans and Fisheries shall issue a certificate of inspection according to the following classifications: <Amended by Act No. 11690, Mar. 23, 2013>

1. Where a fishing vessel passes a periodic inspection under Article 21 (1) 1, a fishing vessel inspection certificate (stating the type, name, maximum number of persons allowed on board, restricted atmospheric pressure, load line mark of such fishing vessel);

2. Where a fishing vessel passes a special inspection under Article 21 (1) 3, a special fishing vessel inspection certificate;

3. Where a fishing vessel passes a provisional navigation inspection under Article 21 (1) 5, a provisional navigation inspection certificate;
4. Where a fishing vessel passes a shipbuilding inspection under Article 22 (1), a shipbuilding inspection certificate;
5. Where a fishing vessel passes a preliminary inspection under Article 22 (3), a preliminary inspection certificate;
6. Where a fishing vessel passes a test under Article 24 (1), a test approval certificate;
7. Where verified under Article 25 (3) and (4), a certificate of verification on building, manufacturing or maintenance.

(2) Where the Minister of Oceans and Fisheries issues an inspection certificate, test approval certificate, and certificate of verification on building, manufacturing and maintenance under paragraph (1) 4 through 7, he/she shall attach a pass mark or pass certificate to the relevant fishing vessel or fishing vessel supplies. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Newly Inserted by Act No. 9718, May 27, 2009]

#### Article 28 (Period of Validity of Inspection Certificate)

- (1) The inspection certificate of each fishing vessel shall be valid for five years.
- (2) The beginning date of a period of validity under paragraph (1) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>
- (3) In any of the following subparagraphs, the period of validity of a fishing vessel inspection certificate under paragraph (1) may be extended by up to five months as prescribed by Ordinance of the Ministry of Oceans and Fisheries: <Amended by Act No. 11690, Mar. 23, 2013>
  1. Where the relevant fishing vessel is not present at an inspection site when the period of validity of a fishing vessel inspection certificate expires;
  2. Where a new fishing vessel inspection certificate is neither immediately issued nor made available to users in the fishing vessel because such fishing vessel has passed a periodic inspection in a foreign country or due to any other unforeseen circumstance;
  3. Other cases prescribed by Ordinance of the Ministry of Oceans and Fisheries.
  - (4) Where a fishing vessel subject to an interim or provisional inspection fails to pass such inspection, an inspection certificate thereof shall become invalid until the vessel passes the relevant inspection.

[This Article Newly Inserted by Act No. 9718, May 27, 2009]

#### Article 29 (Inspection Certificate, etc. Available upon Request)

The owner of each fishing vessel, who uses his/her vessel for voyages or fishing operations, shall make the inspection certificate, special inspection certificate, or provisional navigation inspection certificate available upon request in the fishing vessel: Provided, That the foregoing shall not apply to fishing vessels prescribed by Ordinance of the Ministry of Oceans and Fisheries, such as fishing

vessels used for licensed fishery, permitted fishery, or reported fishery under Article 6, 9 or 11 of the Inland Water Fisheries Act. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 11754, Apr. 5, 2013>

[This Article Newly Inserted by Act No. 9718, May 27, 2009]

#### Article 30 (Application for Re-inspection)

(1) Where any person who has undergone measurement or re-measurement of the gross tonnage, inspection, testing, and verification under Articles 14, 21, 22, 24, and 25 (hereafter referred to as "inspection, etc." in this Article) is dissatisfied with the results of inspection, etc., he/she may prepare the grounds and file an application for re-inspection, etc. with the Minister of Oceans and Fisheries within 60 days from the date on which such results have been notified, as prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Where any person who intends to undergo a re-inspection, etc. under paragraph (1) changes the relevant fishing vessel equipment, he/she shall obtain approval from the Minister of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Newly Inserted by Act No. 9718, May 27, 2009]

#### CHAPTER V DELETED

Article 31 Deleted. <by Act No. 5470, Dec. 17, 1997>

#### CHAPTER VI RESEARCH AND DEVELOPMENT OF FISHING VESSELS

##### Article 32 (Surveys and Research of Fishing Vessels)

The Minister of Oceans and Fisheries may conduct surveys and research necessary for facilitating safe operations of fishing vessels and improving the performance thereof. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

##### Article 33 (Development of Standard Fishing Vessels)

The Minister of Oceans and Fisheries may develop standard fishing vessels by type of fishery and publicly notify them to facilitate the improvement of fishing vessels and enhance the rationalization of fishery management. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

#### CHAPTER VII DELETED

Articles 34 through 36 Deleted. <by Act No. 5921, Feb. 8, 1999>

#### CHAPTER VIII SUPPLEMENTARY PROVISIONS

##### Article 37 (Provisions of Other Acts to be Applied Mutatis Mutandis)

(1) The provisions of Articles 2, 5, 9 (2) and (3) (only in cases where the application for the issuance of a certificate of interim ship's nationality is filed with a consul of the Republic of Korean), 10(only in cases where the national flag of the Republic of Korea is not allowed to be hoisted without

keeping a certificate of ship's nationality or a provisional certificate of ship's nationality in the relevant ship), 11 (only in cases where the national flag is hoisted), Articles 2, 5, 13, Articles 2, 5, 26 (limited to the exemption from the obligation to hoist the national flag and indicate a ship's name, etc.), 28, and 29 of the Ship Act shall apply mutatis mutandis to the navigation of fishing vessels and registration thereof. In such cases, "ship of the Republic of Korea" shall be construed as "fishing vessel of the Republic of Korea", "Korean ship" as "Korean fishing vessel", "ship" as "fishing vessel," "place of ship acquisition" as "place of fishing vessel acquisition", "ship manager" as "fishing vessel manager", and "ship owner" as "fishing vessel owner". <Amended by Act No. 9007, Mar. 28, 2008; Act No. 12537, Mar. 24, 2014>

(2) Except as otherwise expressly provided for in this Act, the provisions of Articles 6, 12 through 15, 17, 41, 63, 66, 69, and 73 through 75 of the Ship Safety Act shall apply mutatis mutandis to fishing vessel inspection and other matters relevant thereto. In such cases, "ship's stores" shall be construed as "fishing vessel supplies", and "ship" as "fishing vessel". <Newly Inserted by Act No. 9718, May 27, 2009; Act No. 11690, Mar. 23, 2013>

(3) The provisions of Article 3 of the Ship Act and Article 3 (1) of the Addenda of the amendment to the Ship Act (Act No. 3641) shall apply mutatis mutandis to the measurement of the gross tonnage of any fishing vessel. In such cases, "Korean ship" shall be construed as "Korean fishing vessel". <Amended by Act No. 9007, Mar. 28, 2008>

#### Article 38 (Hearings)

Where the Minister of Oceans and Fisheries or the head of a Si/Gun/Gu intends to take any of the following measures, he/she shall hold a hearing: <Amended by Act No. 11690, Mar. 23, 2013; Act No. 11754, Apr. 5, 2013>

1. Cancellation of permission for building or remodeling, or issuance of an order to suspend the building or remodeling of fishing vessels and an order to remove fishing vessels or fishing vessel equipment under Article 10;
2. Cancellation of fishing vessel registration under Article 19 (2).

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

#### Article 39 (Fees)

(1) Any of the following persons shall pay fees as prescribed by Ordinance of the Ministry of Oceans and Fisheries or Municipal Ordinance of the competent Special Self-Governing City, Special Self-Governing Do or Si/Gun/Gu: Provided, That where an institution vicariously conducting the duties of the Minister of Oceans and Fisheries under Article 41 (1) (hereafter referred to as "agency" in this Article) conducts the duty of measurement, survey and inspection, he/she shall pay the fee the agency determines to such agency: <Amended by Act No. 11754, Apr. 5, 2013>

1. A person applying for permission for building or remodeling a fishing vessel under Article 8 (1) or permission for the change thereof;
2. A person applying for registration of a fishing vessel under Article 13 (1);
3. A person applying for measuring or re-measuring of the gross tonnage of a fishing vessel under Article 14;

4. A person applying for registration for change under Article 17;
5. A person applying for re-issuance of a certificate of ship's nationality under Article 18;
6. A person applying for inspection of a fishing vessel under Article 21;
7. A person applying for inspection of shipbuilding under Article 22 (1);
8. A person applying for preliminary inspection under Article 22 (3);
9. A person applying for special shipbuilding inspection under Article 22 (6);
10. A person applying for type approval or approval for the change thereof, or test approval under Article 24 (1) and (2);
11. A person applying for designation or verification of exemplary businesses for building fishing vessels, etc. under Article 25 (1) and (3);
12. A person applying for extension of validity of a certificate of fishing vessel inspection under Article 28 (3);
13. A person applying for re-inspection, etc. under Article 30 (1);
14. A person applying for an inspection under international conventions, approval of drawings or measurement of hull thickness under Articles 12 (1), 13 (1) and 14 (2) of the Ship Safety Act which are applied mutatis mutandis in Article 37 (2);
15. A person applying for the issuance of a certificate of inspection, certificate of test approval, certificate of verification, certificate of measurement of the gross tonnage of fishing vessels, etc. under Article 41 (3).

(2) Where an agency determines a fee under the proviso to paragraph (1), it shall establish the criteria thereof and obtain approval from the Minister of Oceans and Fisheries. The same shall also apply to the change of approved matters. <Amended by Act No. 11690, Mar. 23, 2013>

(3) Where an agency determines a fee under paragraph (2), it shall put the details of such determination and details of the calculation on its Internet website. <Newly Inserted by Act No. 11754, Apr. 5, 2013>

(4) Where an agency collects a fee under the proviso to paragraph (1), the revenue received therefrom shall be treated as the revenue of the relevant agency. <Amended by Act No. 11754, Apr. 5, 2013>

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

#### Article 40 (Delegation of Authority)

The Minister of Oceans and Fisheries may delegate part of his/her authority under this Act to the head of a Si/Gun/Gu, as prescribed by Presidential Decree. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

#### Article 41 (Outsourcing of Inspection Affairs, etc.)

(1) The Minister of Oceans and Fisheries may outsource the following affairs to the Korea Ship Safety Technology Authority established under Article 45 of the Ship Safety Act (hereinafter referred to as the "Authority") or a ship classification society under Article 60 (2) of the same Act (hereinafter referred to as "ship classification society"): Provided, That in cases of a ship classification society, affairs falling under subparagraph 5 shall be excluded: <Amended by Act No. 9718, May 27, 2009; Act No. 11690, Mar. 23, 2013; Act No. 11754, Apr. 5, 2013>

1. Measurement and re-measurement of the gross tonnage of any fishing vessel under Article 14;
2. Inspection of fishing vessels under Article 21;
3. Shipbuilding inspection of fishing vessels under Article 22, preliminary inspection of fishing vessel supplies, and special shipbuilding inspection;
4. Test approval granted for fishing vessels or fishing vessel supplies under Article 24 (1);
5. Surveys and verification of fishing vessels and fishing vessel supplies for the designation of an exemplary building, manufacturing, or maintenance business under Article 25 (1), (3), and (4);
6. Approval to extend the validity of a fishing vessel inspection certificate under Article 28 (3).

(2) Deleted. <by Act No. 5921, Feb. 8, 1999>

(3) The Authority or a ship classification society may issue a certificate of inspection, certificate of test approval, certificate of verification, or fishing vessel gross tonnage certificate (including an international tonnage certificate, international tonnage verification, and deadweight tonnage certificate) under the subparagraphs of Article 27 (1) within the scope of affairs under paragraph (1) upon approval of the Minister of Oceans and Fisheries. <Amended by Act No. 9007, Mar. 28, 2008; Act No. 9718, May 27, 2009; Act No. 11690, Mar. 23, 2013>

(4) The Authority or a ship classification society shall submit a report on the affairs outsourced under paragraph (1) to the Minister of Oceans and Fisheries, as prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 9007, Mar. 28, 2008; Act No. 11690, Mar. 23, 2013>

(5) Where the Authority or a ship classification society submits a report on the affairs outsourced under paragraph (4), the Minister of Oceans and Fisheries shall verify such report and take necessary measures if he/she finds the violation of this Act or any order issued under this Act. <Amended by Act No. 9007, Mar. 28, 2008; Act No. 11690, Mar. 23, 2013>

(6) The Minister of Oceans and Fisheries may provide instruction or supervision to the Authority or a ship classification society with respect to the affairs it has performed under this Act and, if deemed necessary, issue an instruction or order to the Authority or a ship classification society with respect to its business. <Newly Inserted by Act No. 9718, May 27, 2009; Act No. 11690, Mar. 23, 2013>

(7) If deemed necessary, the Minister of Oceans and Fisheries may audit the accounting records or property of the Authority or a ship classification society. <Newly Inserted by Act No. 9718, May 27, 2009; Act No. 11690, Mar. 23, 2013>

Article 41-2 (Subsidization of Expenses for Authority)

The Minister of Oceans and Fisheries may subsidize the expenses of the Authority incurred in fulfilling the development and dissemination of technologies concerning fishing vessels or fishing vessel equipment or in performing the affairs outsourced, etc., within budgetary limits. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Newly Inserted by Act No. 9718, May 27, 2009]

#### Article 42 (Duties of Legal Representative)

Where the owner of a fishing vessel falling under Articles 14, 16 (1), and 17 through 19 is a minor or an adult ward, his/her legal representative shall conduct the following matters: Provided, That where a minor has the same capabilities as an adult in terms of business, the foregoing shall not apply: <Amended by Act No. 12482, Mar. 18, 2014>

1. Applying for measuring or re-measuring the gross tonnage of any fishing vessel;
2. Marking a fishing vessel's name, etc. and attaching a fishing vessel license plate;
3. Applying for changing registered matters;
4. Applying for re-issuing a certificate of ship's nationality, etc.;
5. Fulfilling the owner's follow-up obligations for the application for cancellation of registration.

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

### CHAPTER IX PENAL PROVISIONS

#### Article 43 (Penal Provisions)

A person who builds or remodels a fishing vessel without obtaining permission for building or remodeling in violation of Article 8 (1) or who imposes an order to build or remodel a fishing vessel shall be punished by imprisonment with prison labor for not more than three years or by a fine of not exceeding 20 million won.

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

#### Article 44 (Penal Provisions)

(1) Any of the following persons shall be punished by imprisonment with prison labor for not more than one year or by a fine of not exceeding ten million won: <Amended by Act No. 9718, May 27, 2009>

1. A person who fails to mark a load line under Article 4;
2. A person who uses his/her fishing vessel for voyages or fishing operations without radio equipment under Article 5 (1);
3. A person who uses his/her fishing vessel for voyages or fishing operations after hiding, changing, or removing indication of a fishing vessel's name, etc. under Article 16 or a fishing vessel license plate;
4. A person who uses his/her fishing vessel for voyages or fishing operations without undergoing a fishing vessel inspection under Article 21;

5. A person who obtains type approval, approval for the change thereof or test approval under Article 24 (1) or (2) by deceit or other wrongful means;

6. An entity which is designated as an exemplary building, manufacturing or maintenance business under Article 25 (1) by deceit or other wrongful means;

7. A person who uses his/her fishing vessel for voyages or fishing operations in violation of the maximum number of persons allowed on board, restricted atmospheric pressure, load line mark, etc. stated in a certificate of fishing vessel inspection under Article 27 (1) 1;

8. A person who receives a certificate of fishing vessel inspection under Article 27 (1), certificate of special inspection for fishing vessels, certificate of provisional navigation inspection, certificate of shipbuilding inspection, certificate of preliminary inspection, certificate of test approval, certificate of shipbuilding verification, certificate of manufacturing verification, or certificate of maintenance verification by deceit or other wrongful means.

(2) If a fishing vessel crew member commits an offence referred to in paragraph (1), not only shall such offender be punished accordingly, but the captain also shall be punished by the fine prescribed in the relevant paragraph.

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

Article 45 Deleted. <by Act No. 5470, Dec. 17, 1997>

Article 46 (Penal Provisions)

Any of the following persons shall be punished by a fine not exceeding five million won:

1. A person who fails to comply with any disposition imposed, or order issued, under Article 10;

2. A person who builds a fishing vessel without undergoing a shipbuilding inspection, in violation of Article 22 (1).

[This Article Wholly Amended by Act No. 9718, May 27, 2009]

Article 47 (Penal Provisions)

A person who fails to implement the duties of a legal representative in violation of Article 42 shall be punished by a fine not exceeding one million won.

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

Article 48 (Joint Penal Provisions)

(1) If the representative, an agent, an employee, or a servant of a legal entity commits an offense under Articles 43, 44, 46, and 47 in the scope of the business of the legal entity, not only shall such offender be punished accordingly, but the legal entity shall also be punished by a fine prescribed in the relevant Article: Provided, That the foregoing sentence shall not apply to cases where a legal entity had not neglected reasonable care and supervision in connection with the relevant matter in order to prevent such offense.

(2) If an agent, an employee, or a servant of a private individual commits an offense under Articles 43, 44, 46, and 47 in the scope of the business of the private individual, not only shall such

offender be punished accordingly, but the private individual shall also be punished by a fine prescribed in the relevant Article: Provided, That the foregoing sentence shall not apply to cases where a private individual had not neglected reasonable care and supervision in connection with the relevant matter in order to prevent such offense.

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

#### Article 49 (Penal Provisions to be Applied Mutatis Mutandis)

The provisions of Articles 32, 33 (1) (only in cases where the national flag of the Republic of Korea is not allowed to be hoisted without keeping a certificate of ship's nationality or a provisional certificate of ship's nationality in the relevant ship, in violation of Article 10 of the same Act), 34, 35 (1), and 35 (2) 3 and 4 of the Ship Act, and the provisions of subparagraph 9 of Article 83, subparagraphs 1, 2, and 4 through 8 of Article 85 of the Ship Safety Act shall apply mutatis mutandis to fishing vessels. In such cases, "Korean ship" shall be construed as "Korean fishing vessel", "ship" as "fishing vessel", "original registry for ship" as "original registry for fishing vessels", "ship owner" as "fishing vessel owner", and "ship manager" as "fishing vessel manager". <Amended by Act No. 9718, May 27, 2009>

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

#### Article 50 (Penal Provisions to be Applied Mutatis Mutandis)

The penal provisions (including the penal provisions of the Ship Act and the Ship Safety Act which is applied mutatis mutandis in Article 49; hereafter the same shall apply in this Article and Article 51) to be applied to a ship owner who violate this Act (including the Ship Act and the Ship Safety Act which is applied mutatis mutandis in Article 37; hereafter the same shall apply in this Article and Article 51) and any order issued under this Act shall also apply to the following persons: <Amended by Act No. 9718, May 27, 2009>

1. Where a fishing vessel is shared and its manager is hired, the manager of the fishing vessel;
2. Where a fishing vessel is chartered, the charterer of the fishing vessel;
3. The penal provisions to be applied to the captain shall apply to any person who performs the captain's duties on his/her behalf.

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

#### Article 51 (Exception to Application of Penal Provisions)

Where the owner of a fishing vessel is the State, a Special Metropolitan City, Metropolitan City, Special Self-Governing City, Do, Special Self-Governing Do, or Si/Gun/autonomous Gu, the penal provisions to be applied to fishing vessel owners who violate this Act and any order issued under this Act shall not apply. <Amended by Act No. 11754, Apr. 5, 2013>

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

#### Article 52 (Deemed Public Officials for Purposes of Penal Provisions)

Any executive or employee of the Authority or a ship classification society who performs affairs on behalf of the Minister of Oceans and Fisheries under Article 41 (1) and (3) or issues a certificate of

measurement of the gross tonnage of any fishing vessel shall be deemed a public official for the purposes of the penal provisions of Articles 129 through 132 of the Criminal Act. <Amended by Act No. 11690, Mar. 23, 2013>

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

#### Article 53 (Administrative Fines)

(1) Any of the following persons shall be punished by an administrative fine not exceeding one million won: <Amended by Act No. 9718, May 27, 2009; Act No. 10847, Jul. 14, 2011>

1. A person who fails to operate AIS equipment for a fishing vessel or to submit a report on malfunctioning or loss of AIS equipment for a fishing vessel without just cause, in violation of Article 5-2;

2. A person who uses his/her fishing vessel for voyages or fishing operations without keeping a certificate of ship's nationality, etc. in his/her vessel, in violation of the main sentence of Article 15;

3. A person who fails to indicate the fishing vessel's name, etc. or attach the fishing vessel license plate to the fishing vessel, in violation of Article 16 (1);

4. A person who fails to file an application for registration of change under Article 17;

5. A person who fails to file an application for cancellation of registration under Article 19 (1);

6. A person who fails to return the fishing vessel license plate, the certificate of ship's nationality, etc. under Article 19 (3) without just cause or fails to report the reasons thereof, such as loss;

7. A person who fails to undergo a fishing vessel inspection under Article 21 (1) without just cause;

8. A person who uses his/her fishing vessel for voyages or fishing operations without keeping a certificate of fishing vessel inspection, certificate of special inspection, or certificate of provisional navigation inspection in the fishing vessel, in violation of Article 29.

(2) Administrative fines referred to in paragraph (1) shall be imposed and collected by the following persons, as prescribed by Presidential Decree: <Amended by Act No. 10847, Jul. 14, 2011; Act No. 12844, Nov. 19, 2014>

1. In cases falling under paragraph (1) 1: The Minister of Public Safety and Security;

2. In cases falling under paragraph (1) 2 through 8: The head of the relevant Si/Gun/Gu.

(3) through (5) Deleted. <by Act No. 9718, May 27, 2009>

[This Article Wholly Amended by Act No. 9007, Mar. 28, 2008]

#### ADDENDA

##### Article 1 (Enforcement Date)

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

Article 2 (Transitional Measure concerning Criteria for Facilities for Fishing Vessels)

"Rules on Facilities for Fishing Vessels, etc.(Amended on July 4, 1985 by Ordinance of Ministry for Agriculture, Forestry and Fisheries No. 939.)" as at the time this Act enters into force shall be valid until the day before the date on which notification is issued by the Administrator of Regional Maritime Affairs and Fisheries Office under Articles 3, 4, and 5.

Article 3 (Transitional Measure concerning Registration of Fishing Vessels)

(1) In cases where any vessel falls under a new fishing vessel under Article 2 (1) as at the time this Act enters into force (limited to vessels engaged in permitted, reported, and licensed fishing under the Fisheries Act) and the owner of the relevant vessel files a report to Mayor/Do Governor within one year from the date on which this Act enters into force, it shall be deemed registered under Article 13 (1).

(2) Mayor/Do Governor shall issue a certificate of completion of registration within one month after registration to any vessel which is deemed registered under paragraph (1).

Article 4 (Transitional Measure concerning Cancellation of Registration)

With regard to any fishing vessel whose permission, reporting, license, etc. for fishery as at the time this Act enters into force becomes invalid, the registration of the relevant fishing vessel shall be deemed valid until the lapse of one year from the date on which this Act enters into force.

Article 5 (Transitional Measure concerning Fishing Vessel whose Construction or Remodeling Underway)

With regard to any vessel whose construction or remodeling is underway to engage in fishing as at the time this Act enters into force, in cases where the owner of the relevant vessel or any person who builds or remodels the relevant vessel files a report to Mayor/Do Governor within one month after this Act enters into force, it shall cease to be governed by the amended provisions of Article 9 (2) and subparagraph 2 of Article 43.

Article 6 (Special Examples concerning Measurement of Gross Tonnage of Fishing Vessel)

The owner of each fishing vessel which has been built or for which remodeling has been commenced on before December 31, 1982 may file an application for re-measurement of the gross tonnage notwithstanding the provisions of Article 3 (1) of the Addenda of the amendment of the Ship Act No. 3641, which is applied mutatis mutandis under Article 37.

Article 7 Omitted.

ADDENDA <Act No. 5131, Dec. 30, 1995>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 12 Omitted.

ADDENDA <Act No. 5153, Aug. 8, 1996>

Article 1 (Enforcement Date)

This Act shall enter into force on the enforcement date of the Presidential Decree concerning the organization of the Ministry of Maritime Affairs and Fisheries and the Korea Coast Guard pursuant to the amended provisions of Article 41 within 30 days after the date of its promulgation.

Articles 2 through 4 Omitted.

ADDENDA <Act No. 5453, Dec. 13, 1997>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 1998. (Proviso Omitted.)

Article 2 Omitted.

ADDENDUM <Act No. 5454, Dec. 13, 1997>

This Act shall enter into force on January 1, 1998. (Proviso Omitted.)

ADDENDA <Act No. 5470, Dec. 17, 1997>

Article 1 (Enforcement Date)

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

Articles 2 through 12 Omitted.

ADDENDA <Act No. 5921, Feb. 8, 1999>

- (1) (Enforcement Date) This Act shall enter into force on the date of its promulgation.
- (2) (Transitional Measure concerning Neglected Fishing Vessel) With regard to necessary measures taken to manage or remove neglected fishing vessels owned by any person who fails to comply with an order issued under the former Article 35 (2) as at the time this Act enters into force, notwithstanding the amended provisions of Article 35 (3), the former provisions shall apply.
- (3) (Transitional Measure concerning Penal Provisions) The application of penal provisions to any offence committed before this Act enters into force shall be governed by the former provisions.
- (4) Omitted.

ADDENDA <Act No. 5971, Apr. 15, 1999>

Article 1 (Enforcement Date)

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

Articles 2 and 4 Omitted.

ADDENDA <Act No. 5972, Apr. 15, 1999>

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 1-2 (limited to cases where an application for the registration of a new vessel subject to registration is filed and the certificate of ship's nationality is issued accordingly

pursuant to the amended provisions of the same Article), subparagraph 3 of Article 2, and the amended provisions of Article 26-2 (limited to cases where an application for the issuance of a certificate of ship registration for any vessel subject to the issuance of a certificate of ship registration is filed and a certificate of ship registration is issued accordingly pursuant to the amended provisions of the same Article), and the amended provisions of Article 4 of the Addenda shall enter into force on the date of its promulgation.

Articles 2 and 4 Omitted.

ADDENDA <Act No. 6609, Jan. 14, 2002>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measure concerning Permission, etc. to Build or Remodel Fishing Vessels)

Permission to build or remodel a fishing vessel and cancellation of such permission granted by Mayor/Do Governor under the former Articles 8 and 10 as at the time this Act enters into force shall be deemed granted by the head of a Si/Gun/Gu under the amended provisions of Articles 8 and 10.

Article 3 (Transitional Measure concerning Registration, etc. of Fishing Vessel)

(1) The registration of any fishing vessel granted by Mayor/Do Governor under the former Article 13 as at the time this Act enters into force shall be deemed granted by the head of a Si/Gun/Gu under the amended provisions of Article 13.

(2) Notification issued by Mayor/Do Governor concerning an application for registration cancellation under the former Article 19 (2) as at the time this Act enters into force shall be deemed issued by the head of a Si/Gun/Gu under the amended provisions of Article 19 (2).

Article 4 (Transitional Measure concerning Return, etc. of Fishing Vessel License Plate)

A person who fails to or cannot return a fishing vessel head of a, a certificate of ship's nationality, etc. to Mayor/Do Governor from among the owners of fishing vessels whose registration is cancelled under the former Article 19 (3) as at the time this Act enters into force shall be governed by the former provisions.

ADDENDA <Act No. 8221, Jan. 3, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 16 Omitted.

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

Article 1 (Enforcement Date)

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

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: Provided, That the amended provisions of Articles 13-2 and 13-3 shall enter into force on July 1, 2008.

Article 2 Omitted.

ADDENDA <Act No. 9718, May 27, 2009>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of the proviso to Article 15 shall enter into force on the date of its promulgation.

Article 2 (Transitional Measure concerning Formal Approval and Authorization of Fishing Vessel Products)

The duties of confirmation for fishing vessel products manufactured and repaired by any person who obtains designation of an exemplary place of business for manufacturing or repairing fishing vessels under Article 20 of the Ship Safety Act as at the time this Act enters into force shall be governed by the former provisions.

Article 3 (Transitional Measure concerning Inspection of Fishing Vessel, etc.)

- (1) Shipbuilding inspections, vessel inspections, preliminary inspections, formal approvals, authorization, designation of an exemplary place of business for building, manufacturing, and repairing fishing vessels, and confirmation of vessels or vessel products, which are conducted for fishing vessels under Articles 7 (1), 8(1), 9 (1), 10 (1), 11 (1), 12 (1), 18 (1), and 20 (1) of the Ship Safety Act as at the time this Act enters into force shall be deemed conducted under this Act.
- (2) Inspection of any fishing vessel whose certificate of ship's nationality is issued as at the time this Act enters into force shall be governed by the former provisions, until the period of validity of the certificate expires.
- (3) Vessel inspection, etc. of fishing vessels, for which an application is filed as at the time this Act enters into force shall be governed by the former provisions.

Article 4 (Transitional Measure concerning Criteria for Facilities of Fishing Vessel)

The criteria concerning the vessel facility, the indication of a full-load draft line, and wireless equipment for fishing vessels under Articles 26, 27, and 29 of the Ship Safety Act as at the time this Act enters into force shall be valid until the notification issued by the Minister for Food, Agriculture, Forestry and Fisheries concerning the criteria of facilities for fishing vessels, etc. under this Act is implemented.

Article 5 (Transitional Measure concerning Ship Classification Society)

The ship classification society designated under Article 60 (2) of the Ship Safety Act as at the time this Act enters into force shall be deemed designated under this Act.

Article 6 (Transitional Measure concerning Penalties and Fines for Negligence)

The application of penal provisions and fines for negligence to any offence committed before this Act enters into force shall be governed by the former provisions.

ADDENDA <Act No. 10219, Mar. 31, 2010>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2011.

Articles 2 through 12 Omitted.

ADDENDUM <Act No. 10847, Jul. 14, 2011>

This Act shall enter into force one year after the date of its promulgation.

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. 11754, Apr. 5, 2013>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Exemption from Provisional Inspection)

The exemption from provisional inspection for parts confirmed under the amended provisions of Article 25 (4) shall apply, starting from provisional inspections conducted after this Act enters into force.

ADDENDA <Act No. 12482, Mar. 18, 2014>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Incompetents, etc.)

The scope of adult wards under the amended provisions of Article 42 shall be construed to include persons for whom the sentence of incompetency or quasi-incompetency is valid and effective under Article 2 of Addenda of the partial amendments to the Civil Act (Act No. 10429).

ADDENDA <Act No. 12537, Mar. 24, 2014>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Act No. 12844, Nov. 19, 2014>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That amendments to Acts which are promulgated before this Act enters into force, but the date of enforcement of which has yet to arrive among Acts to be amended under Article 6 of Addenda shall enter into force on the respective enforcement dates.

Articles 2 through 7 Omitted.