

# ENFORCEMENT DECREE OF THE SHIP SAFETY ACT

Wholly Amended by Presidential Decree No. 20300, Sep. 28, 2007

Amended by Presidential Decree No. 20722, Feb. 29, 2008

Presidential Decree No. 22504, Nov. 24, 2010

Presidential Decree No. 22829, Apr. 4, 2011

Presidential Decree No. 24443, Mar. 23, 2013

Presidential Decree No. 26385, Jul. 6, 2015

## Article 1 (Purpose)

The purpose of this Decree is to prescribe matters delegated by the Ship Safety Act and matters necessary for the enforcement thereof.

## Article 2 (Ships Excluded from Scope of Application)

(1) "Ships prescribed by Presidential Decree" in Article 3 (1) 3 of the Ship Safety Act (hereinafter referred to as the "Act") means the following ships: *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 26385, Jul. 6, 2015>*

1. A ship which is moored after a ship inspection certificate under Article 8 (2) of the Act (hereinafter referred to as "ship inspection certificate") is returned by the recipient thereof to the Minister of Oceans and Fisheries with intent not to navigate the ship for a fixed period (hereinafter the relevant ship shall be referred to as "laid-up ship");
2. A leisure watercraft which has undergone safety inspections under Article 37 of the Water-Related Leisure Activities Safety Act;
3. Any of the following ships, built before November 4, 2007:
  - (a) A ship which has no propulsion engine or rig, and sails only within calm waters (referring to a lake, pond, river, or waters within a harbor (in cases of a harbor where a harbor zone is designated under the Harbor Act, referring to the harbor zone, and in cases of a fishery harbor where a harbor district is designated under the Fishing Villages and Fishery Harbors Act, referring to the harbor district) and waters prescribed by Ordinance of the Ministry of Oceans and Fisheries; hereinafter the same shall apply): Provided, That all vessels prescribed by Ordinance of the Ministry of Oceans and Fisheries, such as those used for transporting passengers, shall be excluded;
  - (b) A ship not used for transporting passengers or cargoes among ships that have no propulsion engine or rig, and sail only within coastal waters (referring to waters located within 20 nautical miles from the territorial sea base points and waters prescribed by Ordinance of the Ministry of Oceans and

Fisheries; hereinafter the same shall apply): Provided, That a pusher barge operated by combining with a ship on which a propulsion engine is installed or a diver boat, etc., which has special structures and is prescribed and publicly announced by the Minister of Oceans and Fisheries shall be excluded.

(c) Deleted. <by Presidential Decree No. 26385, Jul. 6, 2015>

(2) The owner or the custodian of a ship under paragraph (1) 1 (hereafter referred to as "shipowner, etc." in this Article) shall submit to the Minister of Oceans and Fisheries a document stating the lay-up period, causes for the lay-up, etc., as prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(3) The owner, etc. of each ship which falls under the main sentence of paragraph (1) 3 (a) or the main sentence of paragraph (1) 3 (b), and intends to be subject to the Act shall undergo a separate shipbuilding inspection under Article 7 (4) of the Act. <Amended by Presidential Decree No. 26385, Jul. 6, 2015>

### **Article 3 (Scope of Application of the Act to Foreign Ships)**

The provisions to be applied to a foreign ship under Article 3 (2) of the Act shall be Articles 4 through 11, 13 through 17, 18 (6), 20 (3), 22, 26 through 44, 60 (1) and (2), 71 through 77, 80, 83 through 86, 88, and 89 of the Act. <Amended by Presidential Decree No. 22504, Nov. 24, 2010>

### **Article 4 (Exclusion from Application Following Conclusion of Agreements)**

(1) Matters which are fully or partially exempt from the Act or may be applied leniently under Article 3 (3) of the Act shall be classified as follows:

1. A ship under Article 3 (3) 1 of the Act: It shall comply with the provisions of the agreement applicable to the relevant ship;
2. A ship under Article 3 (3) 2 of the Act: Article 17 (2) of the Act shall not apply;
3. A ship under Article 3 (3) 3 of the Act: All the provisions of the Act shall not apply;
4. A ship under Article 3 (3) 4 of the Act: Provisions on ship facilities under subparagraph 2 of Article 2 of the Act shall apply with leniency.

(2) Where whole or part of the Act does not apply or apply with leniency under paragraph (1) 1 or 4, the Minister of Oceans and Fisheries shall publicly announce the details thereof as prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

### **Article 5 (Term of Validity of Ship Inspection Certificate and Inspection Certificate under International Agreement)**

(1) The term of validity of a ship inspection certificate referred to in Article 16 (1) of the Act shall be five years.

(2) The term of validity of an inspection certificate under international agreement referred to in Article 16 (1) of the Act shall be classified as follows: Provided, That where a temporary modification certificate under Article 10 (3) of the Act or a temporary navigation inspection certificate under Article 11 (2) of the Act is issued to the relevant ship, the period of validity shall be the period of validity specified in the relevant temporary modification certificate or temporary navigation inspection certificate:

1. The safety inspection certificate of a passenger ship, a nuclear passenger ship, or a nuclear cargo ship: one year;
2. Other inspection certificates under international agreement: five years.

(3) The term of validity of a ship inspection certificate under paragraph (1) shall be reckoned from the following dates: *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 26385, Jul. 6, 2015>*

1. Where the first periodic inspection under Article 8 of the Act (hereinafter referred to as "periodic inspection") is conducted: The date the relevant ship inspection certificate is issued;
  2. Where a periodic inspection is conducted not earlier than three months before the expiration date of the term of validity of the ship inspection certificate: The date following the expiration date of the term of validity of the former ship inspection certificate;
  3. Where a periodic inspection is conducted earlier than three months before the expiration date of the term of validity of the ship inspection certificate: The date the inspection certificate for the relevant ship is issued;
  4. Where a periodic inspection is conducted after the expiration of the term of validity of the ship inspection certificate: The date following the expiration date of the term of validity of the former ship inspection certificate: Provided, That where it is deemed inappropriate to reckon the term of validity from the date following the expiration date of the term of validity of the former ship inspection certificate due to lay-up (limited to where the relevant document is submitted under Article 2 (2)) or other grounds prescribed by Ordinance of the Ministry of Oceans and Fisheries, it shall be reckoned from the date the relevant ship inspection certificate is issued after a periodic inspection is conducted.
- (4) The method of reckoning the term of validity of a ship inspection certificate under paragraph (3) shall apply mutatis mutandis to an inspection certificate under international agreement referred to in paragraph (2). In such cases, "ship inspection certificate" shall be construed as "inspection certificate under international agreement".

#### **Article 6 (Extension of Term of Validity of Ship Inspection Certificate and Inspection Certificate under International Agreement)**

(1) Where it is intended to extend the term of validity of a ship inspection certificate or an inspection certificate under international agreement under Article 16 (2) of the Act, it may be extended within a period classified as follows: Provided, That in cases falling under subparagraph 1, if the relevant ship arrives where it will undergo a periodic inspection or an inspection under international agreement prescribed by Ordinance of the Ministry of Oceans and Fisheries during the extended period, it shall undergo the relevant periodic inspection or the inspection under international agreement without delay: *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 26385, Jul. 6, 2015>*

1. Where the relevant ship is located where it is impracticable to undergo a periodic inspection or an inspection under international agreement prescribed by Ordinance of the Ministry of Oceans and

Fisheries: within three months;

2. Where the relevant ship underwent a periodic inspection or an inspection under international agreement prescribed by Ordinance of the Ministry of Oceans and Fisheries in a foreign country, but a ground arises making it impossible to keep the ship inspection certificate or the inspection certificate under international agreement in the ship: within five months;

3. Where the relevant ship is used for navigating a short distance (referring to a navigation distance, from a departure port to a final destination or round-trip to a departure port, which does not exceed one thousand nautical miles) (limited to an inspection certificate under international agreement): one month.

(2) Notwithstanding paragraph (1), in cases of an international certificate of fitness for the carriage of irradiated nuclear fuel (INF) cargo among inspection certificates under international agreement, the term of validity shall be automatically extended unless any compelling reason exists.

(3) Matters necessary for the procedures for applying to extend a term of validity, etc. under paragraph (1) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

#### **Article 7 (Criteria, Procedures, etc. for Designation of Designated Test Agency)**

(1) The criteria for designating a designated test agency under Article 18 (3) of the Act shall be as follows:

1. It shall have a department that can exclusively perform the test for approval on a model of each of ship's stores or small ships subject to approval on model (hereinafter referred to as "test for approval on model") under Article 18 (2) of the Act;

2. It shall not be an entity that directly manufactures or sells ship's stores or small ships subject to the test for approval on model or an entity that supplies the relevant products to a manufacturer;

3. If it intends to obtain international accreditation of a specific test item of the test for approval on model, it shall be a test and inspection institute accredited under Article 23 of the Framework Act on National Standards;

4. It shall be equipped with facilities, equipment (including equipment inspected or corrected under the Framework Act on National Standards or the Measures Act) and human resources necessary for the relevant test for approval on model.

(2) Notwithstanding paragraph (1) 4, where part of the relevant facilities or equipment are rented or where the relevant test for approval on model is entrusted to a third person, the same designation criteria may not be applied, as prescribed by Ordinance of the Ministry of Oceans and Fisheries. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

(3) Upon designating a test agency or revoking the designation thereof, the Minister of Oceans and Fisheries shall publicly announce such fact. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

(4) Matters necessary for the procedures for designating a test agency and other relevant matters under paragraph (1) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

**Articles 8 and 9 Deleted.** <by Presidential Decree No. 22504, Nov. 24, 2010>

**Article 10 (Agency for Inspection Affairs, etc.)**

(1) The Authority that intends to enter into an agreement to conduct inspections, etc. on behalf of the Minister of Oceans and Fisheries under the latter part of Article 60 (1) of the Act, excluding its subparagraphs, or the latter part of the Article 60 (2) of the Act, or a corporation that surveys seaworthiness and registers ships designated and announced under the main sentence of Article 60 (2) of the Act (hereinafter referred to as "classification corporation"), shall prepare an application for agreement prescribed by Ordinance of the Ministry of Oceans and Fisheries and file it with the Minister of Oceans and Fisheries. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(2) Upon receipt of an application under paragraph (1), the Minister of Oceans and Fisheries shall enter into an agreement with the relevant Authority or classification corporation when he/she deems it has the ability to conduct inspections, etc. on behalf thereof. In such cases, the term of validity of the agreement shall be five years. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(3) Detailed matters to be included in an agreement to be entered into under paragraphs (1) and (2) shall be as specified in attached Table 1.

(4) Upon entering into an agreement under paragraphs (1) and (2), the Minister of Oceans and Fisheries shall publicly announce the details thereof. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

**Article 11 (Cancellation, etc. of Agency Affairs)**

(1) Where the Authority or a classification corporation violates any of the details of the agreement specified in attached Table 1, its agency for the relevant affairs may be cancelled or suspended for a period not exceeding six months under Article 6 2 (2) of the Act:

(2) Matters necessary for the criteria, procedures, etc. for administrative dispositions under paragraph (1) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

**Article 12 (Cancellation, etc. of Agency for Measurement of Thickness)**

(1) Where an agency for measurement of thickness falls under any of the following cases, its agency for the relevant affairs may be cancelled or suspended for a period not exceeding six months under Article 63

(2) of the Act: Provided, That in cases falling under any of subparagraphs 1 through 3, the agency for the relevant affairs shall be cancelled: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. Where it is designated by fraud or other improper means;
2. Where the thickness of a hull is measured by fraud or other improper means;
3. Where a person designated as agency has closed his/her business;

4. Where it fails to meet any of the designation criteria publicly announced by the Minister of Oceans and Fisheries under Article 63 (1) of the Act;
5. Where it has ceased to measure the thickness of a hull for at least one year without any justifiable reason;
6. Where it fails to comply with an order to report or present data, under Article 75 (1) of the Act.

(2) Matters necessary for the criteria, procedures, etc. for administrative dispositions under paragraph (1) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

#### **Article 13 (Cancellation, etc. of Agency for Examination, etc. of Containers)**

(1) Where an agency for examination, etc. of containers falls under any of the following cases, its agency for the relevant affairs may be cancelled or suspended for a period not exceeding six months under Article 64 (2) of the Act: Provided, That in cases falling under any of subparagraphs 1 through 3, the agency for the relevant affairs shall be cancelled: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. Where it is designated by fraud or other improper means;
2. Where an examination, etc. is conducted by fraud or other improper means;
3. Where a person designated as agency has closed his/her business;
4. Where it fails to meet any of the designation criteria publicly announced by the Minister of Oceans and Fisheries under Article 64 (1) of the Act;
5. Where it has ceased to conduct an examination, etc. for at least one year without any justifiable reason;
6. Where it fails to comply with an order to report or present data under Article 75 (1) of the Act.

(2) Matters necessary for the criteria, procedures, etc. for administrative dispositions under paragraph (1) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

#### **Article 14 (Cancellation, etc. of Agency for Examination, etc. of Dangerous Articles)**

(1) Where an agency for examination, etc. of dangerous items falls under any of the following cases, its agency for the relevant affairs may be cancelled or suspended for a period not exceeding six months under Article 65 (2) of the Act: Provided, That in cases falling under any of subparagraphs 1 through 3, the agency for the relevant affairs shall be cancelled: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. Where it is designated by fraud or other improper means;
2. Where an examination is conducted or approval is granted by fraud or other improper means;
3. Where a person designated as agency has closed his/her business;
4. Where it fails to meet any of the designation criteria publicly announced by the Minister of Oceans and Fisheries under Article 65 (1) of the Act;

5. Where it has ceased to conduct an examination or give an approval for at least one year without any justifiable reason;

6. Where it fails to comply with an order to report or present data under Article 75 (1) of the Act.

(2) Matters necessary for the criteria, procedures, etc. for administrative dispositions under paragraph (1) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

#### **Article 15 (Claims for Indemnification against Agencies for Inspection)**

"Amount prescribed by Presidential Decree" in Article 67 (3) of the Act means an amount classified as follows:

1. The Authority: 300 million won;
2. A classification corporation: 5 billion won;
3. An agency for examination, etc. of containers: 300 million won;
4. An agency for examination, etc. of dangerous items: 300 million.

#### **Article 16 (Execution of Port State Control)**

(1) "International agreement concerning the safety of ships prescribed by Presidential Decree" in Article 68 (1) of the Act means the following agreements:

1. International Convention for the Safety of Life at Sea;
2. International Convention on Load Lines;
3. Convention on the International Regulations for Preventing Collisions at Sea;
4. International Convention on Tonnage Measurement of Ships;
5. Merchant Shipping (Minimum Standards) Convention;
6. International Convention for the Prevention of Pollution from Ships;
7. International Convention on Standards of Training Certification and Watchkeeping for Seafarers.

(2) In applying the Merchant Shipping (Minimum Standards) Convention referred to in paragraph (1) 5, a ship, the keel of which has been installed on or before March 31, 1994, shall be subject to port state control within the scope that the application of the same Convention does not cause any change to the structure or living facilities of the ship.

#### **Article 17 (Measures, etc. concerning Port State Control)**

(1) Where the Minister of Oceans and Fisheries intends to order corrective measures or suspension of departure under Article 68 (3) or (4) of the Act, he/she shall issue to the captain of the relevant ship a port state control inspection report prescribed by Ordinance of the Ministry of Oceans and Fisheries. In such cases, the relevant documents shall include a notice providing guidance on filing objections under Article 68 (5) of the Act. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(2) Where the Minister of Oceans and Fisheries orders suspension of departure under Article 68 (4) of the Act, he/she shall notify such fact to the government or consular representative of the country where the relevant ship is registered, as prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended

*by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

(3) A person who intends to file an objection under Article 68 (5) of the Act shall prepare documents explaining and evidencing the ground therefor and submit such documents to the Minister of Oceans and Fisheries. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

(4) Upon receipt of an application for objection under paragraph (3), the Minister of Oceans and Fisheries may request the necessary data from the captain or shipowner of the relevant ship, the classification corporation, or the country, etc. where the ship is registered, or may hear opinions of the relevant experts. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

(5) Where an application for objection submitted under paragraph (3) is deemed well-founded, the Minister of Oceans and Fisheries shall withdraw the relevant order to take corrective measures or to suspend departure without delay. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

#### **Article 18 (Publication)**

(1) Where the Minister of Oceans and Fisheries is notified that a ship of the Republic of Korea has received an order to suspend departure from a foreign port authority under Article 70 of the Act, he/she may announce the details of the relevant ship on a bulletin board (including the website) of the Ministry of Oceans and Fisheries or a daily newspaper, etc. for up to three months, or may distribute the details to the following organizations: *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

1. The Authority, a classification corporation, an agency for measurement of thickness, an agency for examination, etc. of containers, and an agency for examination, etc. of dangerous items;
2. The Korea Shipping Association under the Korea Shipping Association Act or the Korea Shipowners' Association incorporated under Article 32 of the Civil Act;
3. The Korea Shipowners' Mutual Protection and Indemnity Association under the Shipowners Mutual Protection and Indemnity Insurance Act or the General Insurance Association of Korea incorporated under Article 32 of the Civil Act.

(2) The details of each ship in receipt of an order to suspend departure include the following matters:

1. Name of the ship (in Korean or English);
2. Gross tonnage;
3. Ship number and International Maritime Organization ship number;
4. Shipowner's name (for corporation, referring to the name of the corporation, and for charters, the name of a ship operator);
5. Date of checkup conducted by foreign port authorities, name of the port, period of departure suspension, and the cause for departure suspension.

(3) In announcing the details of a ship, the Minister of Oceans and Fisheries shall ensure he/she does not wrongfully infringe any of rights of the person subject to publication. *<Amended by Presidential Decree No.*



20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

#### **Article 19 (Measures, etc. Following Special Inspections)**

Where the Minister of Oceans and Fisheries intends to order suspension of navigation or to order correction and supplementation under Article 71 (3) of the Act, he/she shall issue a written order to suspend navigation or to correct and supplement prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

#### **Article 20 (Measures such as Suspension of Navigation)**

Where the Minister of Oceans and Fisheries intends to order suspension of navigation or to make a disposition ordering repair and supplementation under Article 75 (5) of the Act, he/she shall issue a written order to suspend navigation or to correct and supplement prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

#### **Article 21 (Delegation of Authority)**

(1) The Minister of Oceans and Fisheries shall delegate part of his/her authority over the following affairs to the head of Regional Maritime Affairs and Ports Offices (including the head of Maritime Office under the control of the head of Regional Maritime Affairs and Ports Offices) depending on the jurisdiction under Article 81 (1) of the Act: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 22504, Nov. 24, 2010; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 26385, Jul. 6, 2015>

1. Temporary navigation inspections under Article 11 (1) of the Act (limited to where it is intended to conduct a sea trial of a foreign ship built in a domestic shipbuilding yard (referring to a ship registered or to be registered in a foreign country after being built in a domestic shipbuilding yard));
2. Permission for modification under Article 15 (2) of the Act;
3. Approval on models and approval to modify the same under Article 18 (1) and (4) of the Act;
4. Cancelling approval on models or suspending the validity thereof under Article 19 (1) of the Act;
5. Designation of designated establishments, approval of standards for self-inspection, etc., approval to modify approved matters, and provision of guidance and supervision under Article 20 (1), (2), and (5) of the Act;
6. Cancelling the designation of designated establishments or suspending the validity thereof under Article 21 (1) of the Act;
7. Approval on models of containers, approval to modify the same, cancellation of approval on models of containers, or suspension of the validity thereof under Article 23 (1), (3, and (6) of the Act;
8. Measures necessary for the safety of containers, claims and appropriation for expenditure thereof under Article 25 (3) through (5) of the Act;
- 8-2. Designation and public announcement of an agency for measurement of thickness under the main sentence of Article 63 (1) of the Act;

8-3. Guidance on and supervision over an agency for measurement of thickness under Article 63 (2) of the Act;

9. Port state control under Article 68 of the Act;

10. Reinspection, reexaminations and reconfirmation under Article 72 (1) and (2) of the Act: Provided, That affairs to be performed by a ship inspection officer under Article 76 of the Act shall be excluded;

11. Verification of facts and issuance of orders to suspend departure under Article 74 (2) and (3) of the Act;

12. Issuance of orders to report or to submit data under Article 75 (1) of the Act;

13. Access and inspections under Article 75 (2) of the Act;

14. Notification of inspection plans under Article 75 (3) of the Act;

15. Issuance of orders to suspend navigation or dispositions ordering repair and supplementation under Article 75 (5) of the Act;

16. Collection of fees under the main sentence of Article 80 (1), excluding its subparagraphs, and Article 80 (5) of the Act;

17. Imposition and collection of administrative fines under Article 89 (4) of the Act.

(2) Deleted. <by Presidential Decree No. 22504, Nov. 24, 2010>

#### **Article 22 (Criteria for Imposition of Administrative Fines)**

The criteria for imposing administrative fines under Article 89 (1) through (3) of the Act shall be as specified in attached Table 2.

#### **ADDENDA**

##### **Article 1 (Enforcement Date)**

This Decree shall enter into force on November 4, 2007.

##### **Article 2 (Applicability concerning Submission of Preliminary Operation Plan, etc.)**

The amended provisions of Article 9 shall apply from the 2008 fiscal year.

##### **Article 3 (Applicability concerning Cancellation, etc. of Agency Affairs)**

The amended provisions of Articles 11 through 14 shall apply beginning with the first case where grounds for cancellation or suspension of affairs occur after this Decree enters into force.

##### **Article 4 (Transitional Measures concerning Criteria, etc. for Designation of Test Agency)**

An agency designated as a test agency by the Minister of Oceans and Fisheries as at the time this Decree enters into force shall be deemed to fulfill the criteria for designation under the amended provisions of Article 7 (1): Provided, That it shall fulfill the criteria for designation under this Decree within two years after this Decree enters into force.

##### **Article 5 (Transitional Measures concerning Detailed Matters, etc. of Agreement)**

An agreement entered into between the Minister of Maritime Affairs and Fisheries and the Authority or a classification corporation as at the time this Decree enters into force shall be deemed to fulfill the requirements for the detailed matters, etc. of an agreement under the amended provisions of Article 10.

**Article 6 Omitted.**

**Article 7 (Relationship with other Acts and Subordinate Statutes)**

Where any other Act and subordinate statute cites any of the former provisions as at the time this Decree enters into force, it shall be deemed to have cited the relevant provisions of this Decree in lieu of the former provisions, if any provisions corresponding thereto exist in this Decree.

ADDENDA <Presidential Decree No. 20722, Feb. 29, 2008>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Presidential Decrees promulgated before this Decree enters into force, but the enforcement dates of which have not yet arrived, among the Presidential Decrees amended pursuant to Article 6 of the Addenda, shall respectively enter into force on the dates such Presidential Decrees enter into force.

**Articles 2 through 6 Omitted.**

ADDENDUM <Presidential Decree No. 22504, Nov. 24, 2010>

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

ADDENDA <Presidential Decree No. 22829, Apr. 4, 2011>

**Article 1 (Enforcement Date)**

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

**Articles 2 and 3 Omitted.**

**Article 4 (Transitional Measures concerning Penalty Surcharges or Administrative Fines)**

- (1) The criteria for imposing penalty surcharges or administrative fines for a violation committed before this Decree enters into force shall be governed by the former provisions.
- (2) No disposition for imposition of a penalty surcharge or a administrative fine for a violation committed before this Decree enters into force shall not be included in the calculation of the frequencies of violations under the amended provisions of this Decree.

ADDENDA <Presidential Decree No. 24443, Mar. 23, 2013>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 6 Omitted.**

ADDENDUM <Presidential Decree No. 26385, Jul. 6, 2015>

This Decree shall enter into force on July 7, 2015: Provided, That the amended provisions of the proviso to Article 2 (1) 3 (b) shall enter into force on October 8, 2015.