

# ENFORCEMENT DECREE OF THE SHIP PERSONNEL ACT

Presidential Decree No. 26162, Mar. 24, 2015  
Amended by Presidential Decree No. 27031, Feb. 29, 2016  
Presidential Decree No. 27960, Mar. 27, 2017  
Presidential Decree No. 27971, Mar. 29, 2017  
Presidential Decree No. 28183, Jul. 11, 2017

## Article 1 (Purpose)

The purpose of this Decree is to prescribe matters delegated by the Ship Personnel Act and matters necessary for the enforcement thereof. <Amended by Presidential Decree No. 20075, May 25, 2007; Presidential Decree No. 26162, Mar. 24, 2015>

## Article 2 (Definitions)

The definitions of the terms used in this Decree are as follows: <Amended by Presidential Decree No. 13264, Jan. 29, 1991; Presidential Decree No. 14365, Aug. 23, 1994; Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 15135, Aug. 8, 1996; Presidential Decree No. 15678, Feb. 24, 1998; Presidential Decree No. 15882, Sep. 12, 1998; Presidential Decree No. 17335, Aug. 10, 2001; Presidential Decree No. 19076, Sep. 30, 2005; Presidential Decree No. 20075, May 25, 2007; Presidential Decree No. 20300, Sep. 28, 2007; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23628, Feb. 22, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 26162, Mar. 24, 2015; Presidential Decree No. 27031, Feb. 29, 2016; Presidential Decree No. 28183, Jul. 11, 2017>

1. The term “coastal waters” means the following sea areas:

- (a) Smooth water zones defined in Article 2 (1) 3 (a) of the Enforcement Decree of the Ship Safety Act;
- (b) Littoral zones defined in Article 2 (1) 3 (b) of the Enforcement Decree of the Ship Safety Act;
- (c) Sea areas north of a line connecting a point 20 miles from the southern tip of Jeju-do and the intersecting point of 29 degrees 40 minutes north latitude and 122 degrees east longitude;

2. The term “ocean waters” means all sea areas;

2-2. The term “unlimited waters” means international waters defined in subparagraph 10 of Article 2 of the Distant Water Fisheries Development Act;

2-3. The term “limited waters” means waters, other than the unlimited waters defined in subparagraph 2-2;

3. The term “merchant ship” means a ship, other than a fishing vessel defined in subparagraph 4;
4. The term “fishing vessel” means a fishing vessel defined in subparagraph 1 of Article 2 of the Fishing Vessels Act (excluding a vessel engaged in transporting catches as it plies between a domestic port and a foreign port, or between foreign ports);
5. The term “small ship” means a ship with a gross tonnage of less than 25 tons;
6. The term “naval ship or coast guard ship” means a military ship or police ship;
7. The term “designated educational institution” means a university, junior college, high school that administers education for persons intending to be seafarers or for seafarers (including any other school corresponding thereto), Korea Coast Guard Academy, Korea Institute of Maritime and Fisheries Technology established under the Korea Institute of Maritime and Fisheries Technology Act (hereinafter referred to as "Korea Institute of Maritime and Fisheries Technology"), or any other educational institution, as prescribed by Ordinance of the Ministry of Oceans and Fisheries;
8. The term “graduate-to-be” means a person in the final year of education at a designated educational institution required for completing a course of study under relevant statutes;
9. The term “pre-completion student” means a person who has completed at least 80/100 of educational hours of an educational course, school year, or course at a designated educational institution;
10. The term “main-engine propulsion power” means the total maximum continuous rated output of all main engines of a ship.

### **Article 3 (Scope of Ships)**

"Ships prescribed by Presidential Decree" in subparagraph 1 (c) of Article 2 of the Ship Personnel Act (hereinafter referred to as the "Act") means barges and ships with a gross tonnage of less than 500, among moored ships. <Amended by Presidential Decree No. 17335, Aug. 10, 2001; Presidential Decree No. 23628, Feb. 22, 2012; Presidential Decree No. 26162, Mar. 24, 2015>

### **Article 3-2 (Facilities, etc. of Automated Ships)**

(1) "Automatic operating equipment" in subparagraph 5 of Article 2 of the Act means the equipment prescribed in attached Table 1 based on the types of automated ships. <Amended by Presidential Decree No. 23628, Feb. 22, 2012>

(2) If the owner of a ship has fitted the ship with automated ship facilities referred to in paragraph (1) or has modified any of the facilities, he/she shall file an application for recognition of an automated ship with the administrator of the competent regional oceans and fisheries administration, as prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 15135, Aug. 8, 1996; Presidential Decree No. 15379, May 24, 1997; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25985, Jan. 6, 2015>

(3) Where the administrator of a regional oceans and fisheries administration in receipt of an application for recognition of an automated ship filed under paragraph (2) deems that such ship is fitted with the facilities prescribed in attached Table 1 after inspecting such facilities, he/she shall issue the shipowner a

certificate based on to the type of automated ships. <Amended by Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 15135, Aug. 8, 1996; Presidential Decree No. 15379, May 24, 1997; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25985, Jan. 6, 2015>

(4) Where the facilities of an automated ship recognized under paragraph (2) fail to meet any of the standards, the shipowner shall return the certificate issued under paragraph (3) to the administrator of the regional oceans and fisheries administration who recognized such facilities. <Amended by Presidential Decree No. 15379, May 24, 1997; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 25985, Jan. 6, 2015>

#### **Article 4 (Limited Licenses)**

(1) Limited licenses referred to in under the latter part of Article 4 (2) of the Act shall be classified as follows: <Amended by Presidential Decree No. 22668, Feb. 14, 2011; Presidential Decree No. 24516, Apr. 22, 2013; Presidential Decree No. 26162, Mar. 24, 2015; Presidential Decree No. 28183, Jul. 11, 2017>

1. An officer's license (hereinafter referred to as "license") shall be classified into a merchant ship officer's license restricting the holder to work only on board a merchant ship and a fishing vessel officer's license restricting the holder to work only on board a fishing vessel:

(a) A first to sixth class deck officer's license: Provided, That this shall be limited to where the holder works on board a service ship (referring to a service ship defined in subparagraph 8 of Article 2 of the Seafarers' Act);

(b) A fifth or sixth class engineer officer's license (limited to a license obtained pursuant to Article 16 (5) or (6));

(c) A sixth class engineer officer's license (limited to a license obtained with seagoing service on board a ship with a gross tonnage of at least 100 for at least one year);

2. A special ship license granted to the holder of a fifth or sixth class deck officer's license or fifth or sixth class engineer officer's license to work only on board a ship used for a special use, such as a submarine drill ship, ship for ocean exploration, or dredger;

3. A license for specific waters granted to the holder of a fifth or sixth class deck officer's license or fifth or sixth class engineer officer's license to work only on board a ship sailing only specific waters, such as a lake, river, or domestic port not requiring international communications;

3-2. A motor boat and motor yacht license granted to the holder of a sixth class deck officer's license or sixth class engineer officer's license to work only on board a motor boat or motor yacht with a gross tonnage not exceeding 55 tons, among the motorized water leisure crafts permitted under the Water-Related Leisure Activities Safety Act;

3-3. A mobile drilling ship license granted to the holder of electro-technical officer's license to work only on board a mobile drilling ship;

4. A yacht license granted to the holder of a small ship operator's license (limited to those issued to the holders of a motorized water leisure craft operator's license under the Water-Related Leisure Activities Safety Act) to work only on board a yacht, and a motorized water leisure craft license granted to the

same person to work only on board an motorized water leisure craft excluding a yacht;

5. A license for a WIG (wing in ground) craft cruising only in ground effect granted to the holder of a WIG craft operator's license to work only on board a craft cruising below a height (referring to the average perpendicular width of the main wing of a WIG craft) where the WIG effect occurs;

6. A non-commercial operator's license granted to the holder of a small WIG craft operator's license to work only on board a non-commercial craft, such as cruising for personal purposes.

(2) The merchant ship license and the fishing vessel license issued pursuant to paragraph (1) 1 (b) and (c) shall be valid for one year during which the holder of such limited license actually works on board a relevant ship; thereafter, the license holder shall be deemed to have obtained a license without restriction on work on board a ship of any type and file an application to modify the matters entered in the license, 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 4-2 (Fields of Specialization of Operating Officer's Licenses)**

Fields of specialization of operating officer's licenses referred to in Article 4 (4) of the Act shall be navigation and engines.

#### **Article 5 (Education, etc. for Obtaining Licenses)**

(1) Persons required to complete education and training pursuant to Article 5 (1) 4 of the Act are as follows: *<Amended by Presidential Decree No. 15678, Feb. 24, 1998; Presidential Decree No. 17335, Aug. 10, 2001; Presidential Decree No. 20075, May 25, 2007; Presidential Decree No. 22668, Feb. 14, 2011; Presidential Decree No. 26162, Mar. 24, 2015>*

1. A person who intends to obtain the following license without completing an officer training course for relevant occupational category at a designated educational institution: Provided, That this shall not apply where he/she holds a license of a grade immediately lower than the license that he/she intends to obtain:

(a) A third to sixth class deck officer;

(b) A third to sixth class engineer officer;

(c) A first to fourth class radio operator);

2. A person who intends to obtain a small ship operator's license by passing written or practical skill examinations pursuant to Article 12 (3) and (5);

3. A person who intends to obtain a sixth class deck officer's license, sixth class engineer officer's license, or small ship operator's license after being fully or partially exempt from the written examination subjects pursuant to Article 13 (4);

4. A person who intends to obtain a license by passing an interview pursuant to Article 14 (1);

5. A person who intends to obtain a license pursuant to Article 14-2 (2);

6. A person who intends to obtain a WIG craft operator's license.

(2) Courses of, and periods for, the education and training under paragraph (1), details thereof, and other necessary matters shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. *<Amended by*

*Presidential Decree No. 17335, Aug. 10, 2001; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013*>

(3) The period during which a person who passed a license examination conducted by the Minister of Oceans and Fisheries (hereafter referred to as “examination”) fulfills his/her military duties under the Military Service Act before obtaining a license pursuant to Article 5 (1) 1 of the Act shall not be included in the period referred to in Article 5 (1) 1 of the Act. *<Amended by Presidential Decree No. 14365, Aug. 23, 1994; Presidential Decree No. 20075, May 25, 2007; Presidential Decree No. 27031, Feb. 29, 2016>*

#### **Article 5-2 (Seagoing Service on Board Ships to Obtain Licenses)**

The seagoing service on board a ship required for a license based on the occupational categories and classes referred to in Article 5 of the Act (including seagoing service on board a foreign ship; hereinafter the same shall apply) is as prescribed in attached Table 1-3. *<Amended by Presidential Decree No. 20075, May 25, 2007>*

**Article 6 Deleted.** *<by Presidential Decree No. 15678, Feb. 24, 1998>*

#### **Article 7 (Calculation of Period of Seagoing Service on Board Ships)**

(1) A period of seagoing service on board a ship shall be from the date of embarkation to the date of disembarkation; and counting shall begin on the date of embarkation.

(2) For the purpose of paragraph (1), a period of seagoing service on board a ship short of a month shall be aggregated and 30 days shall be counted as a month; and a period of seagoing service on board a ship short of a year shall be aggregated and 12 months shall be counted as a year.

#### **Article 8 (Aggregation, etc. of Different Periods of Seagoing Service on Board Ships)**

(1) In calculating a period of seagoing service, if there is a period of time during which a person worked on board a ship for other duties, such period may be converted according to the proportion of a period of service for each duty referred to in attached Table 1-3 and be aggregated. *<Amended by Presidential Decree No. 13264, Jan. 29, 1991>*

(2) Deleted. *<by Presidential Decree No. 17335, Aug. 10, 2001>*

(3) Seagoing service in performing radio communications duties (including practical training) in a coastal wireless station referred to in subparagraph 4 of Article 29 of the Enforcement Decree of the Radio Waves Act may be aggregated with a period for each duty referred to in subparagraph 3 (a) of attached Table 1-3. *<Newly Inserted by Presidential Decree No. 13264, Jan. 29, 1991; Presidential Decree No. 13673, Jun. 30, 1992; Presidential Decree No. 17335, Aug. 10, 2001; Presidential Decree No. 19076, Sep. 30, 2005; Presidential Decree No. 23628, Feb. 22, 2012>*

#### **Article 9 (Verification of Seagoing Service on Board Ships)**

(1) Seagoing service on board a ship shall be verified with any of the following documents: *<Amended by Presidential Decree No. 15678, Feb. 24, 1998; Presidential Decree No. 15882, Sep. 12, 1998; Presidential Decree No. 17335, Aug. 10, 2001; Presidential Decree No. 18254, Jan. 29, 2004; Presidential Decree No. 19076, Sep. 30, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 25985, Jan. 6, 2015; Presidential Decree No. 26162, Mar. 24, 2015; Presidential Decree No. 28183, Jul. 11, 2017>*

1. A seafarer's book;

2. Deleted; <by Presidential Decree No. 19076, Sep. 30, 2005>

3. Where a seafarer's book holder loses his/her seafarer's book or his/her seafarer's book is worn and unusable, a document certifying the holder by the administrator of a regional oceans and fisheries administration, the head of an oceans and fisheries office of a regional oceans and fisheries administration, the president of the Korea Institute of Maritime and Fisheries Technology, or the chief director of the Korea Seafarer's Welfare and Employment Center established under Article 142 of the Seafarers' Act;

4. and 5. Deleted. <by Presidential Decree No. 19076, Sep. 30, 2005>

(2) The method for verifying a person's seagoing service on board a naval ship, coast guard ship, or a ship on which a person is allowed to work without holding a seafarer's book shall be determined by the Minister of Oceans and Fisheries. <Amended by Presidential Decree No. 13264, Jan. 29, 1991; Presidential Decree No. 15135, Aug. 8, 1996; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(3) Where seagoing service on board a ship is to be verified pursuant to paragraph (2), the following matters shall be clearly indicated: Provided, That in the case of a naval ship or coast guard ship, or a ship built or refurbished in a domestic shipyard which undertakes a sea trial from the time of its launching to its delivery, the matters referred to in subparagraphs 1, 6, and 7 shall be excluded: <Amended by Presidential Decree No. 22668, Feb. 14, 2011; Presidential Decree No. 26162, Mar. 24, 2015; Presidential Decree No. 27031, Feb. 29, 2016>

1. Number, type, and name of the ship;

2. Gross tonnage, displacement tonnage, or maximum embarkation weight;

3. Kind of the engine and main-engine propulsion power;

4. Duties and period of work on board a ship;

5. Whether the ship is equipped with radio communication facilities;

6. Use of the ship and trading area;

7. Name or appellation of the owner of the ship and its nationality.

(4) Notwithstanding paragraphs (1) through (3), a person who has completed a course for training officers at a designated educational institution (including a pre-completion student) and intends to obtain a license shall have his/her seagoing service on board a ship verified by means of any of the following documents: <Newly Inserted by Presidential Decree No. 19076, Sep. 30, 2005; Presidential Decree No. 20075, May 25, 2007; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. A document verified by the head or representative of a relevant institution in cases of the period of education under the subparagraphs of Article 16 (1) and the period under paragraph (2) 2 of the same Article;

2. A training record book verified by the head of a designated educational institution or shipowner as determined by the Minister of Oceans and Fisheries in cases of seagoing service on board a ship

(including practical training on board a ship; limited to seagoing service of at least one year in the deck department or operation department, and at least six months in the engine department) of a person intending to newly obtain a license for the following items: Provided, That where a person holding a lower-level license obtains an upper class license, submission of training record book shall be exempt:

- (a) Third or fourth class deck officers (excluding fishing vessel licenses);
- (b) Third or fourth class engineer officers;
- (c) Third or fourth class operating officers.

(5) Where a person who has completed a merchant ship educational course at a designated educational institution verifies seagoing service on board a ship under paragraph (4) 2 (a), he/she shall submit a written training record in which education on board a merchant ship is recorded. <Newly Inserted by Presidential Decree No. 19076, Sep. 30, 2005>

(6) Deleted. <by Presidential Decree No. 26162, Mar. 24, 2015>

#### **Article 10 (Administration of Examinations)**

Examinations shall be administered by the Minister of Oceans and Fisheries after being classified into regular examinations, special examinations, and on-going examinations, as prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 15135, Aug. 8, 1996; Presidential Decree No. 19076, Sep. 30, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

#### **Article 11 (Examination Subjects)**

(1) Examination subjects are as listed in attached Table 2, and the marks allotted to each examination subject shall be determined and publicly announced by the Minister of Oceans and Fisheries. <Amended by Presidential Decree No. 15135, Aug. 8, 1996; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(2) Where a person takes an examination for the limited deck officer's or engineer officer's license referred to in Article 4 (2), the examination subjects may be changed to other subjects appropriate for the characteristics of a ship that he/she intends to work on board, or he/she may be partially exempt from the examination subjects, as publicly announced by the Minister of Oceans and Fisheries. <Amended by Presidential Decree No. 14365, Aug. 23, 1994; Presidential Decree No. 15135, Aug. 8, 1996; Presidential Decree No. 15678, Feb. 24, 1998; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(3) Deleted. <by Presidential Decree No. 15678, Feb. 24, 1998>

(4) Where a person holding a qualification under other statutes, such as the National Technical Qualifications Act, takes an examination, the Minister of Oceans and Fisheries may exempt him/her from taking a written examination for some of the subjects where a person who has obtained a license takes a qualification examination under other statutes, such as the National Technical Qualifications Act, etc. and is exempt from taking a written examination for such subjects pursuant to such other statutes. <Amended by Presidential Decree No. 15135, Aug. 8, 1996; Presidential Decree No. 19076, Sep. 30, 2005; Presidential Decree No.

20075, May 25, 2007; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>  
(5) The Minister of Oceans and Fisheries may determine the contents of examination subjects referred to in paragraph (2) by further classifying them. <Amended by Presidential Decree No. 15135, Aug. 8, 1996; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

#### **Article 12 (Methods of Conducting Examinations)**

(1) The examinations for deck officer's license, engineer officer's license, and operating officer's license shall be classified into a written examination and an interview. <Amended by Presidential Decree No. 13264, Jan. 29, 1991>

(2) The examination for radio operator's license shall be conducted by an interview.

(3) The examination for small ship operator's license shall be conducted by a written examination, an interview, or a practical skill examination. <Amended by Presidential Decree No. 15678, Feb. 24, 1998>

(4) The examination for electro-technical officer's license and WIG craft operator's license shall be conducted by a written examination. <Newly Inserted by Presidential Decree No. 22668, Feb. 14, 2011; Presidential Decree No. 26162, Mar. 24, 2015>

(5) The interview referred to in paragraph (1) shall be conducted for persons who have passed a written examination or are exempt from a written examination: Provided, That this shall not apply where a written examination and an interview are conducted simultaneously. <Amended by Presidential Decree No. 22668, Feb. 14, 2011>

(6) Matters necessary for conducting written examinations, interviews, and practical skill examinations under paragraphs (1) through (5) shall be determined by the Minister of Oceans and Fisheries. <Amended by Presidential Decree No. 15135, Aug. 8, 1996; Presidential Decree No. 15678, Feb. 24, 1998; Presidential Decree No. 20075, May 25, 2007; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 22668, Feb. 14, 2011; Presidential Decree No. 24443, Mar. 23, 2013>

#### **Article 13 (Exemption from Written Examinations or Interviews)**

(1) Where a person who has passed a written examination but failed in an interview among the examination of at least the second class deck officer's license, second class engineer officer's license, or second class operating officer's license takes an examination of the same occupational category and class within four years from the date he/she passed the written examination, he/she shall be exempt from a written examination. <Amended by Presidential Decree No. 15678, Feb. 24, 1998>

(2) Where any of the following persons has two times the amount of seagoing service prescribed in attached Table 1-3 and has completed an educational course prescribed by Ordinance of the Ministry of Oceans and Fisheries, he/she shall be exempt from a written examination for the next-level license: <Amended by Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 15135, Aug. 8, 1996; Presidential Decree No. 15678, Feb. 24, 1998; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. A person holding no higher than a third class deck officer's license;

2. A person holding no higher than a third class engineer officer's license;
  3. A person holding no higher than a third class operating officer's license.
- (3) Where a person who has at least two subjects that score at least 60 marks, among the written examination subjects and falls short of pass marks provided for in Article 18 takes an examination of the same occupational category and class within two years, he/she may be exempt from written examination on subjects that score at least 60 marks, as prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Presidential Decree No. 20075, May 25, 2007; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>
- (4) Where a person who intends to obtain a sixth class deck officer's license, sixth class engineer officer's license, or small ship operator's license has two times the amount of seagoing service prescribed in attached Table 1-3, he/she may be fully or partially exempt from the examination on subjects referred to in attached Table 2. <Amended by Presidential Decree No. 15678, Feb. 24, 1998; Presidential Decree No. 19076, Sep. 30, 2005; Presidential Decree No. 20075, May 25, 2007; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>
- (5) A person who has passed one of the following written examinations shall be exempt from an interview: Provided, That an interview to assess English communication capability may be conducted, as determined by the Minister of Oceans and Fisheries: <Amended by Presidential Decree No. 17335, Aug. 10, 2001; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>
1. An examination for no higher than a third class deck officer's license;
  2. An examination for no higher than a third class engineer officer's license;
  3. An examination for no higher than a third class operating officer's license.
- (6) A person who intends to obtain a fourth class radio electronics operator's license, or radio communication operator's license while holding a deck officer's license, or operating officer's license completes an educational course prescribed by Ordinance of the Ministry of Oceans and Fisheries, he/she shall be exempt from an interview. <Amended by Presidential Decree No. 17335, Aug. 10, 2001; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

#### **Article 14 (Exceptions to Examination for Former or Current Officers)**

- (1) Where any of the following persons takes an examination for a license, the occupational category and class of which are the same as those of a license expired or revoked, only an interview shall be conducted, notwithstanding Article 12 (1) or (3): <Amended by Presidential Decree No. 19076, Sep. 30, 2005; Presidential Decree No. 20075, May 25, 2007>
1. A person whose license has been expired because he/she failed to renew his/her license before expiration of his/her license pursuant to Article 8 (1) 4 of the Ship Personnel Act as amended by Act No. 3715;
  2. A person for whom five years (where he is drafted or called up for the military duty under the Military Service Act, such period shall not be included) have not passed since his/her license was cancelled pursuant to Article 9 (1) of the Act.

(2) A person who has passed an interview under paragraph (1) shall be deemed to have seagoing service on board a ship required for a license referred to in attached Table 1-3.

(3) A person who has two times the minimum amount of seagoing service on board a ship under Article 14-2 (2) among the persons who take a deck officer's license examination pursuant to the same provisions may be partially exempt from the written examination subjects, 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 14-2 (Exceptions to Seagoing Service on Board Ships of Officers)**

(1) Deleted. <by Presidential Decree No. 17335, Aug. 10, 2001>

(2) Where a radio operator who holds a radio operator's license and has a seagoing service on board a ship equipped with radio communication facilities for at least three years falls under any of the following cases, he/she shall be deemed to have seagoing service on board a ship required for a license for the relevant class: <Amended by Presidential Decree No. 15882, Sep. 12, 1998>

1. Where a first class or second class radio operator passes an examination for no higher than a second class deck officer's license;
2. Where a third class radio operator passes an examination for no higher than a third class deck officer's license.

#### **Article 14-3 (Exceptions to Seagoing Service on Board Ships Related to Motor Boat and Motor Yacht Licenses)**

A person who holds a yacht license or motorized water leisure craft license referred to in Article 4 (1) 4 for at least four years (excluding the period of suspension of duties under Article 9 (1) of the Act) shall be deemed to have seagoing service on board a ship required for a motor boat and motor yacht license under Article 4 (1) 3-2.

#### **Article 14-4 (Exceptions to Seagoing Service on Board Ships Related to Small Ship Operator's Licenses)**

A person who has passed both the written examination and the practical skill examination under Article 12 (3) and (6) and a motorized water leisure craft operator's license holder under the Water-Related Leisure Activities Safety Act shall be deemed to have seagoing service on board a ship required for a small ship operator's license prescribed in subparagraph 4 of attached Table 1-3. <Amended by Presidential Decree No. 22668, Feb. 14, 2011>

#### **Article 14-5 (Exceptions to Seagoing Service Related to WIG Craft Operator's License)**

(1) Notwithstanding subparagraph 6 of attached Table 1-3, where an airline transport pilot referred to in subparagraph 1 of Article 35 of the Aviation Safety Act or a commercial pilot referred to in subparagraph 2 of the same Article who holds a license for at least sixth class deck officer has at least 500 hours' experience of operating an airplane or rotorcraft that a commercial pilot's license holder can operate, he/she shall be deemed to have sufficient seagoing service for a medium-sized WIG craft operator's license, notwithstanding subparagraph 6 of attached Table 1-3. <Amended by Presidential Decree No. 27971,

*Mar. 29, 2017>*

(2) Where an airline transport pilot referred to in subparagraph 1 of Article 35 of the Aviation Safety Act, a commercial pilot referred to in subparagraph 2 of the same Article or a private pilot referred to in subparagraph 3 of the same Article who holds a license for at least a sixth class deck officer has at least 400 hours' experience of operating an airplane or rotorcraft that a private pilot's license holder can operate, he/she shall be deemed to have sufficient seagoing service for a small WIG craft operator's license. *<Amended by Presidential Decree No. 27971, Mar. 29, 2017>*

(3) The flight experience for the recognition of seagoing service under paragraphs (1) and (2) shall be verified by a flight experience certificate prepared as determined by the Minister of Oceans and Fisheries. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

#### **Article 15 (Exceptions to Limited License Holders)**

(1) Pursuant to Article 4 (1) 1 (a), a merchant ship officer's license holder may succeed to an upper class license limited to merchant ships; and a fishing vessel officer's license holder may succeed to an upper class license limited to fishing vessels. *<Amended by Presidential Decree No. 20075, May 25, 2007>*

(2) Notwithstanding paragraph (1), a merchant ship officer's license holder or fishing vessel officer's license holder who fully meets the following requirements may obtain a merchant ship officer's license or fishing vessel officer's license not higher than a license he/she already holds: *<Amended by Presidential Decree No. 26162, Mar. 24, 2015>*

1. That he/she shall pass an examination for a license that he/she intends to obtain;
2. That he/she shall complete an educational course prescribed by Ordinance of the Ministry of Oceans and Fisheries.

(3) A person who intends to obtain a license pursuant to paragraph (2) shall be deemed to have sufficient seagoing service for the relevant license prescribed in attached Table 1-3.

(4) A person who intends to obtain a license pursuant to paragraph (2) shall be exempt from the examination subjects referred to in attached Table 2, except specialized subjects.

#### **Article 16 (Exceptions to Persons, etc. Who Completed Educational Courses at Designated Educational Institutions)**

(1) In calculating a period of seagoing service prescribed in attached Table 1-3 for a person (including pre-completion students; hereinafter the same shall apply) who has completed an educational course recognized by the Minister of Oceans and Fisheries, the period of education, excluding practical training hours, among educational course hours shall be included in the period of seagoing service taking charge of the duties of operating ship, operation of engines, operation of electronic engines or radio communication within the scope of period calculated as follows: *<Amended by Presidential Decree No. 15678, Feb. 24, 1998; Presidential Decree No. 15882, Sep. 12, 1998; Presidential Decree No. 20075, May 25, 2007; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 26162, Mar. 24, 2015; Presidential Decree No. 28183, Jul. 11, 2017>*

1. Two years' seagoing service required for a merchant ship license for a person who completed at least two years' course at a designated department (including relevant department at a designated educational institution of a foreign country that ratified the International Convention on Standards of Training, Certification, and Watchkeeping for Seafarers, or the International Convention on Standards of Training, Certification, and Watchkeeping for Fishing Vessel Personnel (hereinafter referred to as "international conventions")) at a university, junior college, or high school among designated educational institutions and has completed a merchant marine course; and two years' seagoing service for a fishing vessel license for a person who completed such course and has completed a fishing vessel course;
  2. Two years' seagoing service required for a merchant ship license for a person who has completed a merchant ship officer training course among persons who completed a third or fourth class officer training course recognized by the Minister of Oceans and Fisheries at the Korea Institute of Maritime and Fisheries Technology which is one of the designated educational institutions after graduating from a university, junior college, or high school (including a foreign university, junior college, or high school recognized by the Minister of Oceans and Fisheries, other than designated educational institutions; and two years' seagoing service required for a fishing vessel license for a person who completed such course and has completed a fishing vessel officer training course;
  3. Where a person who has at least one year's seagoing service prescribed in attached Table 1-3 completes a prescribed educational course, the period of education;
  4. Two months (limited to where a period of seagoing service prescribed in attached Table 1-3 is longer than a period of seagoing service required by international conventions) for only one occasion for a person who has completed a prescribed educational course using a ship navigation simulator, ship engine operation simulator, or ship radio communication simulator.
- (2) In calculating a period of seagoing service prescribed in attached Table 1-3 where a person has completed practical training while taking an educational course at a designated educational institution, any of the following periods of practical training shall be included in the period of seagoing service within the scope of one year: <Amended by Presidential Decree No. 14365, Aug. 23, 1994; Presidential Decree No. 15135, Aug. 8, 1996; Presidential Decree No. 15882, Sep. 12, 1998; Presidential Decree No. 17335, Aug. 10, 2001; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 26162, Mar. 24, 2015>

1. At least ten days of continuous practical training on board a ship (including a training ship) of at least the same size as that of a ship, the seagoing service on which is recognized, and which is required for a license that he/she intends to obtain pursuant to attached Table 1-3;
2. Up to six months' period of practical training on a shore training camp, such as a shipyard, recognized by the Minister of Oceans and Fisheries as having facilities required for engine operation training;

3. Deleted. <by Presidential Decree No. 26162, Mar. 24. 2015>

(3) Where a period of seagoing service of a graduate (including a graduate-to-be) from a designated department at a university, junior college, or high school among designated educational institutions or of a person who has completed an educational course recognized by the Minister of Oceans and Fisheries at a designated educational institution is at least three years, he/she shall be deemed to have sufficient seagoing service for any of the following licenses for the same occupational category (in the case of an operating officer course, including deck officer's license or engineer officer's license by field of specialization), notwithstanding attached Table 1-3: <Amended by Presidential Decree No. 15135, Aug. 8, 1996; Presidential Decree No. 17335, Aug. 10, 2001; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 26162, Mar. 24. 2015>

1. Third class deck officer, third class engineer officer, electro-technical officer, or third class operating officer for a graduate from a university, or junior college;
2. Fourth class deck officer, fourth class engineer officer, electro-technical officer, or fourth class operating officer for a graduate from a high school;
3. Fourth class deck officer, fourth class engineer officer, or fourth class operating officer for a person who has completed a distance education course of at least one year.

(4) A graduate (including a graduate-to-be) from a designated department at a university, junior college, or high school recognized to be appropriate upon assessment of maritime technology under Article 16-2 among designated educational institutions and a person, who has completed a practical training program on a ship determined and publicly announced by the Minister of Oceans and Fisheries, may be exempt from a written examination, as prescribed by the Minister of Oceans and Fisheries. <Amended by Presidential Decree No. 15678, Feb. 24, 1998; Presidential Decree No. 20075, May 25, 2007; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(5) A person who has completed no higher than a fifth class deck officer training course recognized by the Minister of Oceans and Fisheries at the Korea Institute of Maritime and Fisheries Technology which is one of the designated educational institutions shall be deemed to have sufficient seagoing service for obtaining no higher than a fifth class deck officer's or engineer officer's license or for taking an examination to obtain no higher than a fifth class deck officer's or engineer officer's license of the same occupational category as the relevant educational course, notwithstanding attached Table 1-3. <Newly Inserted by Presidential Decree No. 19076, Sep. 30, 2005; Presidential Decree No. 20075, May 25, 2007; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 28183, Jul. 11, 2017>

(6) A person, who has completed a fifth class officer training course recognized by the Minister of Oceans and Fisheries from Korea Coast Guard Academy as one of the designated educational institutions, notwithstanding attached Table 1-3, shall be deemed to have sufficient seagoing service for obtaining a fifth class deck officer's or engineer officer's license of the same occupational category as the relevant educational course or for taking an examination therefor. <Newly Inserted by Presidential Decree No. 28183,

*Jul. 11, 2017>*

(7) Where a graduate (including a graduate-to-be) from a designated department at a university, junior college, or high school recognized to be appropriate upon assessment of maritime technology under Article 16-2 among designated educational institutions completes a practical training program on a ship determined and publicly announced by the Minister of Oceans and Fisheries, he/she shall be deemed to have sufficient seagoing service for obtaining a fifth class deck officer's or engineer officer's license of the same occupational category as the relevant educational course. *<Newly Inserted by Presidential Decree No. 20075, May 25, 2007; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 28183, Jul. 11, 2017>*

#### **Article 16-2 (Assessment of Designated Educational Institutions, etc.)**

(1) The Minister of Oceans and Fisheries shall conduct a quality assessment of officer training, examinations, or management of licenses specified by international conventions (hereinafter referred to as "assessment of maritime technology") conducted by any of the following institutions: *<Amended by Presidential Decree No. 20075, May 25, 2007; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 27031, Feb. 29, 2016>*

1. Designated educational institutions;

2. Institutions delegated or entrusted with the duties relating to examinations or the management of licenses pursuant to Article 24.

(2) An assessment of maritime technology under paragraph (1) shall be conducted every five years.

(3) Methods of conducting assessments of maritime technology under paragraph (1), ex post facto management of the results thereof, and other necessary matters, 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 17 (Exceptions to Foreign License Holders)**

(1) Where a person holding a license issued by a foreign country deemed by International Maritime Organization to be in compliance with international conventions according to the standards specified by international conventions (hereinafter referred to as "foreign officer") intends to obtain a domestic endorsement of qualification for serving aboard ship recognized to be of the same occupational category and class pursuant to Article 10-2 of the Act, the Minister of Oceans and Fisheries may exempt him/her from relevant examination, education, and training. *<Amended by Presidential Decree No. 19076, Sep. 30, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 27031, Feb. 29, 2016>*

(2) For the purpose of paragraph (1), a foreign officer shall be deemed to have seagoing service prescribed in attached Table 1-3; where he/she submits a health certificate (limited to one meeting the requirements for health certificates under Article 87 of the Seafarers' Act) issued by a country that issued the license, he/she shall be deemed to meet the requirements under Article 5 (1) 3 of the Act. *<Amended by Presidential Decree No. 19076, Sep. 30, 2005; Presidential Decree No. 23628, Feb. 22, 2012>*

(3) A foreign officer who intends to obtain an endorsement of qualification for serving aboard ship pursuant to paragraph (1) shall file an application (including an electronic application) for designation of the occupational category and class for the endorsement of qualification for serving aboard ship with the Minister of Oceans and Fisheries. <Amended by Presidential Decree No. 19076, Sep. 30, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 26162, Mar. 24, 2015>

(4) The Minister of Oceans and Fisheries shall take necessary measures, such as providing a foreign officer who intends to obtain an endorsement of qualification for serving aboard ship pursuant to paragraph (1) with information helpful to him/her in acquiring knowledge in maritime laws, or administering education to him/her, so that he/she may smoothly perform duties as a member of the ship's personnel. <Amended by Presidential Decree No. 19076, Sep. 30, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(5) In order to administer education under paragraph (4), the Minister of Oceans and Fisheries shall separately designate educational institutions for foreign officers and give notice thereof. <Newly Inserted by Presidential Decree No. 19076, Sep. 30, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(6) Matters concerning issuance and renewal of endorsement of qualification for serving aboard ship under paragraph (1), matters concerning exemption from examination under paragraph (1), and matters concerning procedures for designating educational institutions for foreign officers under paragraph (5) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Newly Inserted by Presidential Decree No. 19076, Sep. 30, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 27031, Feb. 29, 2016>

#### **Article 18 (Pass Criteria)**

(1) The full mark for a written examination subject shall be 100 marks; a person who scores at least 40 marks (60 marks for a deck officer's law subject) for each subject and an average of at least 60 marks for all subjects shall be a successful applicant. <Amended by Presidential Decree No. 13264, Jan. 29, 1991; Presidential Decree No. 15678, Feb. 24, 1998>

(2) Even where a person is partially exempt from the examination subjects pursuant to Articles 11 (2) and (4), 13 (3) and (4), 14 (3), and 15 (4), paragraph (1) shall apply to the examination subjects that are not exempt. <Newly Inserted by Presidential Decree No. 13264, Jan. 29, 1991; Presidential Decree No. 15678, Feb. 24, 1998; Presidential Decree No. 20075, May 25, 2007>

(3) A successful applicant shall score an average of at least 60 marks out of the full mark of 100 for each member of the examination board in an interview. <Amended by Presidential Decree No. 15678, Feb. 24, 1998; Presidential Decree No. 20075, May 25, 2007>

(4) A successful applicant shall score an average of at least 60 marks out of the full mark of 100 in a practical skill examination. <Newly Inserted by Presidential Decree No. 20075, May 25, 2007>

## **Article 19 (Types, etc. of Cheating)**

(1) The types of cheating referred to in Article 5-3 (1) of the Act are as follows:

1. Communicating with another applicant concerning an examination;
2. Exchanging answer sheets;
3. Copying from another applicant's answer sheet;
4. Telling another applicant an answer or allowing another applicant to peek at one's answer sheet;
5. Carrying and using articles related to the details of questions, or exchanging such articles with other applicants;
6. Writing on an answer sheet with the help of any person inside or outside of the examination site;
7. Taking an examination with prior knowledge of the questions;
8. Submitting an answer sheet after changing the name and/or applicant number with that of another person;
9. Taking an examination for another applicant or having another person take an examination for him/her;
10. Writing on an answer sheet using a communications device or electronic device (a cellular phone, PDA, PMP, portable computer, portable cassette player, digital camera, MP3 player, handheld game console, electronic dictionary, camera pen, watch fitted with functions other than for the indication of time) or transmitting answers to other applicants during examination;
11. Taking an examination by other unjust or unfair means.

(2) Where the Minister of Oceans and Fisheries suspends eligibility to take an examination pursuant to Article 5-3 (1) of the Act, he/she shall take a comprehensive consideration of the type, detail, and severity of, motive for, and results of cheating, etc. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 27031, Feb. 29, 2016>*

(3) Where the Minister of Oceans and Fisheries suspends an examination pursuant to Article 5-3 (1) of the Act, the cheater shall be required to discontinue the examination and have a confirmation document signed or sealed to confirm the cheating: Provided, That where the cheater rejects to confirm the cheating or to sign or seal on such document, a certificate prepared by an examination supervisor may substitute for the confirmation document. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

(4) Where the Minister of Oceans and Fisheries cancels the determination of a successful applicant or suspends eligibility to take an examination pursuant to Article 5-3 (1) of the Act, he/she shall inform, in writing, the relevant applicant of the reasons therefor. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

## **Article 20 (Renewal of Licenses)**

"Where he/she has the abilities equivalent thereto or higher, as prescribed by Presidential Decree" in Article 7 (3) 1 of the Act means any of the following cases: *<Amended by Presidential Decree No. 27031, Feb. 29, 2016>*

1. Where a person has seagoing service on board a foreign ship, naval ship, or coast guard ship as a personnel member or for duties appropriate for the license for at least one year within five years from the filing of an application for the renewal of his/her license;
2. Where a person has seagoing service on board a foreign ship (including a naval ship or coast guard ship) with a qualification, other than that as a personnel member, for at least two years within five years from the filing of an application for the renewal of his/her license;
3. Where a person has seagoing service on board a foreign ship (excluding a fishing vessel), naval ship, or coast guard ship as a personnel member or for duties appropriate for the license for at least three months within six months from the filing of an application for renewal of his/her license (limited to where the period of validity of the license has not expired as of the filing date of an application for renewal of the license);
4. Where a person has at least three years' seagoing service as:
  - (a) A pilot defined in subparagraph 2 of Article 2 of the Pilotage Act;
  - (b) A ship inspection officer referred to in Article 76 of the Ship Safety Act or ship inspector referred to in Article 77 (1) of the same Act;
  - (c) A judge appointed under Article 9-2 of the Act on the Investigation of and Inquiry into Marine Accidents, or a chief investigator or investigator appointed under Article 16 of the same Act;
  - (d) An operations manager appointed under Article 22 of the Marine Transportation Act;
  - (e) A full-time instructor in charge of administering education on the navigation of ships or the operation of engines at a designated educational institution;
  - (f) A person engaged in the duties designated by the Minister of Oceans and Fisheries, similar to those in which persons prescribed in items (a) through (e) are engaged.

**Article 21 Deleted.** <by Presidential Decree No. 15598, Dec. 31, 1997>

**Article 22 (Standards for Working on Board Ships)**

(1) The minimum standards for working on board a ship as its personnel member by type of ship under Article 11 of the Act are as prescribed in attached Table 3: Provided, That the standards for working on board a ship under subparagraphs 1 through 3 of attached Table 3 shall apply to a ship for which following matters are not otherwise expressly prescribed by the rules of employment under Article 119 of the Seafarers' Act among automated ships referred to in Article 3-2: <Amended by Presidential Decree No. 20075, May 25, 2007; Presidential Decree No. 23628, Feb. 22, 2012>

1. Matters concerning a shore support system for the examination and maintenance of ship facilities, stevedoring, etc. during mooring;
  2. Matters concerning securing operating officers qualified to work on board automated ships.
- (2) A person who intends to perform the duties of a master, chief mate, chief engineer officer, second engineer officer, chief operating officer, second operating officer, or chief radio operator on a ship (including a merchant ship sailing international voyages among ships navigating in coastal waters) navigating in ocean waters (referring to unlimited waters in the case of a fishing vessel) shall have

seagoing service prescribed in attached Table 4 and complete an educational course prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Presidential Decree No. 14365, Aug. 23, 1994; Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 15135, Aug. 8, 1996; Presidential Decree No. 15678, Feb. 24, 1998; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 26162, Mar. 24, 2015>

(3) A person who intends to perform the duties of a master, chief engineer officer, chief operating officer, or chief radio operator on a ship navigating in coastal waters (referring to limited waters in the case of a fishing vessel) shall complete an educational course prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Presidential Decree No. 14447, Dec. 23, 1994; Presidential Decree No. 15135, Aug. 8, 1996; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 26162, Mar. 24, 2015>

(4) A person who has not completed an educational course recognized by the Minister of Oceans and Fisheries, among deck officers or engineer officers who perform the duties of an operating officer for the first time after obtaining an operating officer's license, shall complete an educational course prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Presidential Decree No. 15678, Feb. 24, 1998; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(5) Where an operating officer works on board a ship, other than an automated ship, as a deck officer or engineer officer, the operating officer shall work on board the ship for the same duties as in the field of specialization assigned to the operating officer. <Amended by Presidential Decree No. 15678, Feb. 24, 1998>

(6) If deemed necessary, the Minister of Oceans and Fisheries may apply work standards stricter than those prescribed in paragraph (1) to personnel working on a passenger ship or a ship laden with hazardous cargoes under Article 21 (2) of the Enforcement Decree of the Seafarers' Act (including a combination of a barge laden with hazardous cargoes and a tugboat that tows the barge), as publicly announced by the Minister of Oceans and Fisheries, or require the ship's personnel to undergo necessary education. <Amended by Presidential Decree No. 15135, Aug. 8, 1996; Presidential Decree No. 20075, May 25, 2007; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(7) A person who intends to work on board a ship, other than any of the following ships, among ships that must be equipped with radio communications facilities pursuant to Article 29 of the Ship Safety Act, as a master, deck officer, chief operating officer, or operating officer shall have at least a fourth class radio operator's license in addition to a license related to relevant duties. In such cases, a person who intends to work on board a ship equipped with global maritime distress and safety system facilities shall have a radio electronics operator's license, and a person who intends to work on board another type of ship shall have a radio communication operator's license, or radio electronics operator's license: <Amended by Presidential Decree No. 15678, Feb. 24, 1998; Presidential Decree No. 17335, Aug. 10, 2001; Presidential Decree No. 20075, May 25, 2007; Presidential Decree No. 20300, Sep. 28, 2007; Presidential Decree No. 23628, Feb. 22, 2012>

1. A ship on which a person who is not a radio operator may operate radio communication facilities pursuant to Article 116 of the Enforcement Decree of the Radio Waves Act;

2. A fishing vessel or a small ship.

(8) Where an engineer officer or operating officer (limited to an operating officer specialized in engines) intends to perform the duties of an electro-technical officer for the first time after obtaining an electro-technical officer's license, he/she shall complete an educational course prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Newly Inserted by Presidential Decree No. 26162, Mar. 24, 2015>

#### **Article 22-2 (Work Standards for Radio Electronics Operators on Board Ships Equipped with Global Maritime Distress and Safety System Facilities)**

(1) Work standards for a radio electronics operator on board a ship equipped with global maritime distress and safety system facilities are as prescribed in attached Table 3-2. <Amended by Presidential Decree No. 15678, Feb. 24, 1998>

(2) Notwithstanding paragraph (1) and attached Table 3-2, a master, deck officer, chief engineer officer, engineer officer, chief operating officer, or operating officer may concurrently take charge of the duties of a chief radio operator or radio operator on a ship in which radio communication facilities are redundantly installed and a shore maintenance system is prepared in accordance with the following classifications. In such cases, the shipowner shall designate a person to concurrently take charge of the duties of a chief radio operator or radio operator: <Amended by Presidential Decree No. 26162, Mar. 24, 2015; Presidential Decree No. 28183, Jul. 11, 2017>

1. A chief radio operator: A person holding at least a third class radio electronics operator's license, among master (limited to a master of a fishing vessel, deck officers, chief operating officer, or operating officers);

2. A radio operator: A person with qualifications necessary to perform the duties of a radio operator, among master, deck officers, chief engineer officer, engineer officers, chief operating officer, or operating officers.

(3) Where a member of a ship's personnel intends to concurrently take charge of additional duties pursuant to paragraph (2), at least two members, from among the rest of the ship's personnel, shall hold at least a fourth class radio electronics operator's license. <Amended by Presidential Decree No. 15678, Feb. 24, 1998>

#### **Article 23 (Exceptions to Standards for Working on Board Ships by Permission)**

(1) In the following circumstances, working on board a ship may be permitted upon relaxing work standards as follows pursuant to Article 13 (2) of the Act: <Amended by Presidential Decree No. 15135, Aug. 8, 1996; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. Where goods having grave effect on the national economy or national security are transported urgently, and the head of a relevant institution makes a request;

2. Where islanders are transported urgently;

3. Where deemed inevitable by the Minister of Oceans and Fisheries for the supply of, and demand for officers.

(2) In granting permission for relaxing work standards pursuant to Article 13 (2) of the Act, the Minister of Oceans and Fisheries shall ensure the safety of ship navigation in consideration of the class of license,

seagoing service of a person who intends to work on board a ship. In such cases, permission for relaxing work standards for a master or chief engineer officer may be granted only in force majeure events. <Amended by Presidential Decree No. 15135, Aug. 8, 1996; Presidential Decree No. 15678, Feb. 24, 1998; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

#### **Article 24 (Delegation and Entrustment of Authority)**

(1) Authority over the following affairs, from among the authority of the Minister of Oceans and Fisheries referred to in Article 23 (1) of the Act, shall be delegated to the administrator of a regional oceans and fisheries administration: <Amended by Presidential Decree No. 13264, Jan. 29, 1991; Presidential Decree No. 15135, Aug. 8, 1996; Presidential Decree No. 15379, May 24, 1997; Presidential Decree No. 15678, Feb. 24, 1998; Presidential Decree No. 17335, Aug. 10, 2001; Presidential Decree No. 20075, May 25, 2007; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23628, Feb. 22, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25985, Jan. 6, 2015>

1. Licenses issued under Article 4 of the Act;
  2. Issuance and re-issuance of licenses and modification of entries in the licenses under Article 5 (3) and (4) of the Act;
  - 2-2. Suspension of examinations, cancellation of determinations of successful applicants, and suspension of eligibility to take examinations under Article 5-3 (1) of the Act;
  3. Renewal of licenses under Article 7 (2) of the Act;
  4. Receipt and return of licenses submitted under Article 9 (4) of the Act;
  5. Cancellation of licenses, suspension from duties, and reprimand under Article 9 of the Act;
  6. Hearings held under Article 10 of the Act;
  - 6-2. Issuance of licenses to work on board ships under Article 10-2 (2) of the Act;
  - 6-3. Receipt of reports on opening of positions, plans to fill such vacancies, and orders to fill the vacancies under Article 12 (2) and (3) of the Act;
  7. Permission for the relaxation of work standards under Article 13 of the Act;
  8. Supervision of foreign ships under Article 17 of the Act;
  9. Deleted; <by Presidential Decree No. 16227, Apr. 7, 1999>
  10. Imposition and collection of administrative fines under Article 31 of the Act;
  11. Deleted. <by Presidential Decree No. 23628, Feb. 22, 2012>
- (2) Deleted. <by Presidential Decree No. 15882, Sep. 12, 1998>
- (3) Pursuant to Article 23 (2) of the Act, the Minister of Oceans and Fisheries shall entrust the authority for administering examinations to the president of the Korea Institute of Maritime and Fisheries Technology. <Amended by Presidential Decree No. 15678, Feb. 24, 1998; Presidential Decree No. 15882, Sep. 12, 1998; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 27031, Feb. 29, 2016>
- (4) Deleted. <by Presidential Decree No. 15678, Feb. 24, 1998>

#### **Article 24-2 (Processing of Personally Identifiable Information)**

The Minister of Oceans and Fisheries (including a person who has been delegated with the authority of the Minister of Oceans and Fisheries pursuant to Article 24) may process data that include a resident registration number or passport number referred to in Article 19 of the Enforcement Decree of the Personal Information Protection Act where it is inevitable for the performance of the following affairs:

1. Affairs regarding licenses referred to in Article 5 of the Act;
2. Affairs regarding issuance of an endorsement of qualification for serving aboard ship referred to in Article 10-2 (2) of the Act.

#### **Article 25 (Affairs in Foreign Countries)**

Where a consul conducts affairs pursuant to Article 24 (2) of the Act, he/she shall notify the Minister of Oceans and Fisheries of the details thereof within one month via the Minister of Foreign Affairs.  
<Amended by Presidential Decree No. 15135, Aug. 8, 1996; Presidential Decree No. 20075, May 25, 2007; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

#### **Article 25-2 (Re-Examination of Regulations)**

The Minister of Oceans and Fisheries shall examine the appropriateness of the following matters every three years (referring to the period until the date before the day the same as the base date in every third year) on the basis of the following base date, and take measures of improvement, etc.:

1. Exceptions to former or current officers under Article 14: January 1, 2014;
2. Exceptions to persons, etc. who have completed an educational course at a designated educational institution under Article 16: January 1, 2014.

#### **Article 26 (Standards for Imposition of Administrative Fines)**

The standards for imposition of administrative fines under Article 31 (1) and (2) of the Act are as prescribed in attached Table 5.

### ADDENDA

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

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 5 and 15 shall enter into force on January 1, 1985.

#### **Article 2 (Transitional Measures concerning Modification of Class by Occupational Categories of Licenses)**

(1) A person who has any of the following former licenses shall obtain a new license in the same Table within the period specified by the same Table pursuant to Article 2 (2) of the Addenda to the Act: Provided, That a person deemed by the Administrator of the Korea Maritime and Port Administration as having unavoidable reasons, such as a person working on board a ship (including a foreign ship) plying international routes, may obtain a new license by March 31, 1987:

(2) Procedures for issuing new licenses under paragraph (1), the regional maritime and port administration to issue licenses, methods of issuing new licenses for limited licenses, and other

necessary matters, shall be separately determined by the Administrator of the Korea Maritime and Port Administration.

(3) The Administrator of the Korea Maritime and Port Administration may require small ship deck officer's license holders or small ship engineer officer's license holder to undergo education determined by the Administrator of the Korea Maritime and Port Administration before issuing them a new license.

### **Article 3 (Transitional Measures concerning Examinations)**

(1) The former provisions shall apply to the examination subjects prescribed in attached Table 2 until December 31, 1984. In such cases, the subjects of the former category A second deck officer's license examination shall be the subjects of the third class deck officer's license examination, those of the former category B second deck officer's license examination (excluding loading of cargo and passengers among the subject of ship operation technique) shall be those of the fifth class deck officer's license examination, those of the former category A third engineer officer's license examination shall be those of the third class engineer officer's license examination, and those of the small ship deck officer's license examination and the small ship engineer officer's license examination shall be those of the small ship operator's license examination.

(2) The methods for the sixth class deck officer's license examination, sixth class engineer officer's license examination, and small ship operator's license examination shall be conducted by interview until December 31, 1984.

### **Article 4 (Transitional Measures concerning Successful Applicants in Former Scholastic Examinations)**

(1) A person who has passed a scholastic examination before this Decree enters into force may take an interview pursuant to the former provisions upon meeting the requirements for seagoing service under this Decree by the deadline prescribed under the former provisions.

(2) A person who has passed an interview before this Decree enters into force or under paragraph (1) may be issued a new license upon meeting the requirements for seagoing service under this Decree by the deadline prescribed under the former provisions.

### **Article 5 (Transitional Measures concerning Examinations for Fishing Vessel License Holders)**

Where a holder of a category A fishing vessel master's license or category A fishing vessel chief mate's license pursuant to the former provisions has seagoing service on board a merchant ship limited to seagoing service on board a foreign merchant ship) prescribed in attached Table 1 before this Decree enters into force, he/she may apply for a merchant ship license examination by March 31, 1989 notwithstanding Article 15 (1).

### **Article 6 (Transitional Measures concerning Students on Register of Designated Educational Institutions and Graduates therefrom)**

(1) Pursuant to Article 16 (1), Article 16 shall also apply to the students on the register of designated educational institutions and graduates therefrom until December 31, 1984.

(2) Where a person who meets the following requirements, among graduates (including graduates-to-be; hereinafter the same shall apply) from educational institutions under paragraph (1) takes an examination by December 31, 1988, a person who has graduated from a university or junior college shall be deemed to have sufficient seagoing service for the third class deck officer's license examination or third class engineer officer's license examination, and a person who has graduated from a high school shall be deemed to have sufficient seagoing service for the fifth class deck officer's license examination or fifth class engineer officer's license examination, notwithstanding seagoing service specified in attached Table 1:

1. A person who commenced work on board a ship before April 28, 1984;
2. A person who has at least two years and six months' seagoing service.

**Article 7 (Transitional Measures concerning Persons on Register of Korea Fishing Training Center or who Completed a Course thereat)**

(1) A person who is attending the Korea Fishing Training Center or has completed a course thereat before this Decree enters into force may take an examination by December 31, 1985 pursuant to the former provisions.

(2) A person who has passed an examination under paragraph (1) may be issued a new license pursuant to the former provisions.

**Article 8 (Transitional Measures concerning Work Standards in Deck Department and Engine Department)**

(1) A shipowner may have officers work as the ship's personnel in the deck department or engine department according to the former work standards by March 31, 1987.

(2) An officer may work on board a ship as the ship's personnel in the deck department or engine department according to the former work standards until March 31, 1987.

(3) The work standards in the deck department and engine department applicable to foreign ships until March 31, 1987 may be separately determined by the Administrator of the Korea Maritime and Port Administration after relaxing the standards.

(4) A person who works in the deck department or engine department of a foreign ship according to work standards for foreign ships under paragraph (3) as at April 1, 1987 may work on such ship as the ship's personnel member until March 31, 1989, notwithstanding the work standards specified in attached Table 3.

**Article 9 (Transitional Measures concerning Work in Radio Department)**

(1) The former provisions shall apply to work standards in the radio department of a ship, other than a foreign ship until December 31, 1985.

(2) A person who has at least five years' seagoing service as a category B radio operator on board a ship navigating in coastal zones pursuant to the former provisions as at the time this Decree enters into force may, until December 31, 1985, work on board a ship as a chief radio operator on which a first class radio operator is to work as a chief radio operator, notwithstanding paragraph (1).

(3) A category B marine radio operator working on board a ship as a chief radio operator pursuant to paragraph (2) as at December 31, 1985 may work on board such ship as a chief radio operator until such ship first enters a Korean port after December 31, 1985.

**Article 10 (Transitional Measures concerning Work Standards on Board Moored Ships)**

Where the owner of a ship of at least 500 tons moored as at the time this Decree enters into force does not wish to have officers work on board such ship according to the work standards specified in attached Table 3, he/she shall obtain permission pursuant to Article 13 (1) of the Act within three months from the date this Decree enters into force.

**Article 11 (Transitional Measures concerning Recognition of Duties of Masters or Chief Engineer Officers)**

Where a person, who worked on board a ship with a gross tonnage of at least 6,000 for at least three years navigating in coastal zones or ocean zones as a master or chief engineer officer (limited to a holder of a category A chief mate's license, or category A second engineer officer's license under the former provisions) and has completed an educational course recognizing duties determined by the Administrator of the Korea Maritime and Port Administration as at the time this Decree enters into force, takes a first class deck officer's license examination or first class engineer officer's license examination after obtaining a second class deck officer's license or second class engineer officer's license by March 31, 1987, he/she shall be exempt from an interview.

**Article 12 (Transitional Measures concerning Recognition of Duties of Chief Radio Operator who Obtained Foreign Licenses)**

A person who has performed the duties of a chief radio operator on a foreign ship with a gross tonnage of at least 1,600 for at least three years after obtaining a radio operator's license equivalent to at least a second class radio operator's license in a foreign country before this Decree enters into force may work on board a foreign ship with a gross tonnage of at least 1,600 up to 10,000 until March 31, 1987 as a chief radio operator, notwithstanding the work standards specified in attached Table 3.

ADDENDA <Presidential Decree No. 11901, May 13, 1986>

- (1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation.
- (2) Omitted.

ADDENDA <Presidential Decree No. 13264, Jan. 29, 1991>

- (1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of attached Table 2 shall begin to apply from the first examination conducted after January 1, 1993.
- (2) (Transitional Measures concerning Persons Exempt from Written Examinations of Next-Level License) Until the end of February 1991, the former provisions shall apply to exemptions from written examinations of the next-level license for a person referred to in the former Article 13 (2) 1 and 2 as at the time this Decree

enters into force.

(3) (Transitional Measures concerning Exceptions to Examinations for Persons whose Licenses Expired) The former Article 14 shall apply to exceptions to examinations for a person whose license expired pursuant to Article 8 (1) of the Act as at the time this Decree enters into force.

(4) (Transitional Measures concerning Persons who Completed Educational Courses) Persons who completed educational courses deemed by the Administrator of the Korea Maritime and Port Administration to be the same as those under this Decree, among the educational courses provided for in the former provisions as at the time this Decree enters into force shall be deemed to have completed relevant educational courses under this Decree.

ADDENDA <Presidential Decree No. 13673, Jun. 30, 1992>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on July 1, 1992. (Proviso Omitted.)

**Articles 2 through 7 Omitted.**

ADDENDA <Presidential Decree No. 14090, Dec. 31, 1993>

**Article 1 (Enforcement Date)**

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

**Articles 2 and 3 Omitted.**

ADDENDA <Presidential Decree No. 14365, Aug. 23, 1994>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 22-2, subparagraph 1 (note) of attached Table 3, and attached Table 3-2 shall enter into force on February 1, 1995.

**Article 2 (Transitional Measures concerning Seagoing Service, etc. for Electronic Communication Operator's Licenses and Examinations thereof)**

(1) Where a person who has obtained a radiotelegraph operator's license under the Act after obtaining a first class radio communication engineer's license, second class radio communication engineer's license, or radio communication technician's license under the Radio Waves Act and is issued a certificate that the holder is qualified to work in the field in which radio operators related to radio electronics are engaged after completing refresher training prescribed under Article 5 of the Addenda to the Enforcement Decree of the Radio Waves Act as amended by Presidential Decree No. 13673, the seagoing service after obtaining such radiotelegraph operator's license shall be deemed seagoing service required for an electronic communication operator's license and examination under attached Table 1-3, and he/she shall be deemed eligible for an electronic communication operator's license and examination according to the class of licenses under the amended provisions of Article 6 (4) 2.

(2) In calculating a period of seagoing service under attached Table 1-3 for a person who has had practical training or is having practical training under the former Article 16 (2) 1 as at the time this Decree enters into force, such period shall be deemed a period of practical training under this Decree.

**Article 3 Deleted.** <by Presidential Decree No. 15678, Feb. 24, 1998>

**Article 4 (Exceptions to Application of Work Standards on Board Ships Equipped with Global Maritime Distress and Safety System Facilities)**

The following Table shall apply to the work standards for electronic communication operators on board a ship equipped with global maritime distress and safety system facilities until January 31, 1995, notwithstanding attached Table 3-2:

ADDENDA <Presidential Decree No. 14447, Dec. 23, 1994>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 5 Omitted.**

ADDENDA <Presidential Decree No. 15135, Aug. 8, 1996>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 8 Omitted.**

ADDENDA <Presidential Decree No. 15379, May 24, 1997>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 6 Omitted.**

ADDENDUM <Presidential Decree No. 15598, Dec. 31, 1997>

This Decree shall enter into force on January 1, 1998.

ADDENDA <Presidential Decree No. 15678, Feb. 24, 1998>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of the proviso to Article 9 (1) 1 shall enter into force on August 1, 1998, and the amended provisions of Article 22 (7) shall enter into force as follows:

1. An officer to work on board the following ships: February 1, 1999:

- (a) A ship that must be equipped with global maritime distress and safety system facilities;
- (b) A ship plying international routes, among ships to be equipped with facilities, other than the global maritime distress and safety system facilities;

2. An officer to work on board a ship plying domestic routes, among ships to be equipped with radio communication facilities, other than the global maritime distress and safety system facilities: February 1, 2002.

**Article 2 (Transitional Measures concerning Verification of Seagoing Service on Board Ships by Training Record Books)**

The former provisions shall apply to a person on board a ship after gaining official recognition of his/her seagoing service on board a ship before August 1, 1998, among those who must prove his/her seagoing service by a training record book under the amended proviso to Article 9 (1) 1 until his/her debarkation from the ship is officially recognized.

**Article 3 (Transitional Measures concerning Work Standards on Board Ships)**

The former provisions of work standards on board a ship shall apply to a person on board a ship as at the time this Decree enters into force until January 31, 2002.

**Article 4 (Transitional Measures concerning Seagoing Service Required for License)**

(1) Where a person who has obtained no higher than a fifth class deck officer's license or a fifth class engineer officer's license as at the time this Decree enters into force intends to obtain no higher than a fourth class engineer officer's license or a fourth class deck officer's license as at the time this Decree enters into force, the former provisions shall apply to the calculation of a period of seagoing service under the amended provisions of attached Table 1-3 until July 31, 1998.

(2) Where a person taking a merchant ship educational course or a fishing vessel educational course at a university, junior college, or high school among designated educational institutions, or a person who has completed such course intends to obtain a fishing vessel license or a merchant ship license as at the time this Decree enters into force, the former provisions shall apply to the calculation of a period of seagoing service under the amended provisions of attached Table 1-3 until July 31, 1999, notwithstanding the amended provisions of Article 16 (1) 1.

(3) Where a person taking a merchant ship officer training course or a fishing vessel officer training course at the Korea Institute of Maritime and Fisheries Technology or a person who has completed such course after graduating from a university, junior college, or high school, other than a designated educational institution, as at the time this Decree enters into force intends to obtain a merchant ship license or a fishing vessel license, the former provisions shall apply to the calculation of a period of seagoing service under the amended provisions of attached Table 1-3 until July 31, 1999, notwithstanding the amended provisions of Article 16 (1) 2.

(4) In calculating a period of seagoing service under the amended provisions of attached Table 1-3 for a person taking an educational course using a ship navigation simulator, ship engine operation simulator, or ship radio communication simulator as at the time this Decree enters into force or a person who has completed such course, the former provisions shall apply to the calculation of a period of seagoing service under the amended provisions of attached Table 1-3 until July 31, 1998, notwithstanding the amended provisions of Article 16 (1) 4.

#### **Article 5 (Transitional Measures concerning Relaxation of Work Standards on Board Ships)**

The former provisions shall apply to the work standards for a master or chief engineer officer permitted to relax the work standards as at the time this Decree enters into force until such period of permission expires, notwithstanding the amended provisions of the latter part of Article 23 (2).

ADDENDA <Presidential Decree No. 15830, Jul. 1, 1998>

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

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

#### **Article 2 Omitted.**

ADDENDA <Presidential Decree No. 15882, Sep. 12, 1998>

(1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation.

(2) (Transitional Measures concerning License Examinations) A person who has passed a license examination or some of the subjects of a license examination pursuant to the former provisions as at the time this Decree enters into force shall be deemed to have passed a license examination or have passed some of the subjects of a license examination pursuant to this Decree.

ADDENDUM <Presidential Decree No. 16227, Apr. 7, 1999>

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

ADDENDA <Presidential Decree No. 16541, Aug. 23, 1999>

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

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

#### **Article 2 Omitted.**

ADDENDA <Presidential Decree No. 17335, Aug. 10, 2001>

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

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 8 (2), 13 (5), attached Table 2, and subparagraph 1-2 of the Note to attached Table 3 shall enter into force on January 1, 2002.

#### **Article 2 (Transitional Measures concerning Calculation of Period of Seagoing Service on Board Ships)**

In calculating a period of seagoing service required for each class of the license, the former provisions shall apply to a period of seagoing service in which a person referred to in any of the subparagraphs of Article 20 (2) is engaged until December 31, 2001, notwithstanding the amended provisions of Article 8 (2).

### **Article 3 (Transitional Measures concerning Tender Vessels Transporting Catches)**

(1) Where a fishing vessel license holder working on board a tender vessel engaged in the business of transporting catches as it plies between a domestic port and a foreign port, or between foreign ports completes education under the amended provisions of Article 15 (2), he/she may be issued a merchant ship license restricting him/her to work only on board a tender vessel engaged in the business of transporting catches. In such cases, he/she shall be exempt from an examination required for obtaining such license.

(2) In applying the amended provisions of Articles 22 (1), 22-2 and 22 (7), a tender vessel engaged in the business of transporting catches as it plies between a domestic port and a foreign port, or between foreign ports shall be deemed a fishing vessel until June 30, 2002.

(3) In calculating seagoing service required for performing the duties of a master or chief mate of a tender vessel engaged in the business of transporting catches as it plies between a domestic port and a foreign port, or between foreign ports pursuant to the amended subparagraph 1 of the Note to attached Table 4, the seagoing service on board a tender vessel engaged in the business of transporting catches as it plies between a domestic port and a foreign port, or between foreign ports before this Decree enters into force, shall be deemed seagoing service on board a merchant ship.

ADDENDA <Presidential Decree No. 18254, Jan. 29, 2004>

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

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

#### **Articles 2 and 3 Omitted.**

ADDENDUM <Presidential Decree No. 18312, Mar. 17, 2004>

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

ADDENDA <Presidential Decree No. 19076, Sep. 30, 2005>

(1) (Enforcement Date) This Decree shall enter into force on October 1, 2005: Provided, That the amended subparagraph 5 of Article 2 shall enter into force three years after the date this Decree enters into force.

(2) (Transitional Measures concerning Adjustment of Tonnage of Small Ships) A ship constituting a small ship with a gross tonnage of less than 30 as at the time the amended subparagraph 5 of Article 2 enters into force shall be deemed a small ship referred to in under the amended subparagraph 5 of Article 2. <Amended by Presidential Decree No. 21018, Sep. 18, 2008>

ADDENDA <Presidential Decree No. 20075, May 25, 2007>

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

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

**Article 2 (Applicability to Verification of Seagoing Service on Board Ships)**

The amended provisions of Article 9 (4) 2 and (6) shall begin to apply from the first license obtained after this Decree enters into force.

**Article 3 (Applicability to Exceptions to Seagoing Service Related to Small Ship Operator's Licenses)**

The amended provisions of Article 14-3 shall begin to apply from the first small ship operator's license obtained after this Decree enters into force.

**Article 4 (Transitional Measures concerning Exceptions to Persons, etc. who Completed Educational Courses)**

Seagoing service shall be recognized for a person who is taking an officer training course at the Korea Institute of Maritime and Fisheries Technology or who has completed such course pursuant to the former provisions as at the time this Decree enters into force, notwithstanding the amended provisions of Article 16 (1) 2 and (5).

ADDENDA <Presidential Decree No. 20300, Sep. 28, 2007>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 7 Omitted.**

ADDENDA <Presidential Decree No. 20398, Nov. 30, 2007>

**Article 1 (Enforcement Date)**

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

**Articles 2 and 3 Omitted.**

ADDENDA <Presidential Decree No. 20544, Jan. 11, 2008>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on January 20, 2008. (Proviso Omitted.)

**Articles 2 through 5 Omitted.**

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

**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. 21018, Sep. 18, 2008>

This Decree shall enter into force on October 1, 2008.

ADDENDA <Presidential Decree No. 22668, Feb. 14, 2011>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of subparagraph 5 of attached Table 4 shall enter into force three years after the enforcement date of this Decree.

**Article 2 (Transitional Measures concerning Administrative Fines)**

The former provisions shall apply to the imposition of administrative fines for violations committed before this Decree enters into force.

**Article 3 (Transitional Measures concerning Calculation of Period of Seagoing Service on Board Ship)**

The former provisions shall apply to the calculation of a period of seagoing service before this Decree enters into force, notwithstanding the amended provisions of subparagraphs 1, 2, and 4 of attached Table 1-3.

ADDENDA <Presidential Decree No. 23373, Dec. 13, 2011>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on December 16, 2011.

**Articles 2 through 5 Omitted.**

ADDENDA <Presidential Decree No. 23628, Feb. 22, 2012>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of subparagraphs 1, and 2 (applicable only to the amended provisions of subparagraph 4 of Note) of attached Table 3 shall enter into force six months after the date of its promulgation.

**Article 2 (Applicability to Work Standards)**

The amended provisions of subparagraphs 1 and 2 (applicable only to the amended provisions of subparagraph 4 of Note) of attached Table 3 shall begin to apply from the first ship to sail after the relevant amended provisions enter into force pursuant to the proviso to Article 1 of the Addenda.

**Article 3 (Transitional Measures concerning Administrative Fines)**

The former provisions shall apply to the imposition of administrative fines for violations committed before this Decree enters into force.

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. 24516, Apr. 22, 2013>

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

ADDENDUM <Presidential Decree No. 25050, Dec. 30, 2013>

This Decree shall enter into force on January 1, 2014. (Proviso Omitted.)

ADDENDA <Presidential Decree No. 25985, Jan. 6, 2015>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 5 Omitted.**

ADDENDA <Presidential Decree No. 26162, Mar. 24, 2015>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on March 25, 2015: Provided, That the amended provisions of subparagraphs 1 and 2 of attached Table 1-3, and subparagraphs 1 through 3 of attached Table 3 shall enter into force five years after this Decree is promulgated, and the amended provisions of subparagraphs 1, 2, and 4 of attached Table 2 shall enter into force on January 1, 2017.

**Article 2 (Transitional Measures concerning Limited Licenses)**

(1) Any person who obtained a limited license under the former Article 4 (1) 1 before this Decree enters into force shall be deemed to have obtained a limited license pursuant to the amended provisions of Article 4 (1) 1 during the period of validity thereof.

(2) The former provisions shall apply to any person who applied for a license to the Minister of Oceans and Fisheries pursuant to Article 5 (1) of the Act before this Decree enters into force, notwithstanding the amended provisions of Article 4 (1) 1.

**Article 3 (Transitional Measures concerning Persons subject to Education for Obtaining Licenses)**

The former provisions shall apply to any person who applied for a license to the Minister of Oceans and Fisheries pursuant to Article 5 (1) of the Act before this Decree enters into force, notwithstanding the amended provisions of Article 5 (1) 1.

**Article 4 (Transitional Measures concerning Persons, etc. who Completed Educational Courses at Designated Educational Institutions)**

The former provisions shall apply to the calculation of a period of seagoing service on board a ship for a person who enters a designated educational institution by December 31, 2015, notwithstanding the amended provisions of Article 16 (2) 2 and 3.

**Article 5 (Transitional Measures concerning Work Standards for Chief Radio Operators on Board Ships Equipped with Global Maritime Distress and Safety System Facilities)**

A person who works on board a ship and concurrently takes charge of the duties of a chief radio operator pursuant to the former Article 22-2 (2) before this Decree enters into force shall be deemed

designated by the shipowner as a chief radio operator pursuant to the amended provisions of Article 22-2 (2).

**Article 6 (Transitional Measures concerning Work Standards for Fishing Vessels)**

A person who has sufficient seagoing service for a license referred to in subparagraph 1 or 2 of the former attached Table 1-3 before the enforcement date provided for in the proviso to Article 1 of the Addenda shall be deemed a person who has sufficient seagoing service for a license referred to in the amended provisions of subparagraph 1 or 2 of attached Table 1-3.

**Article 7 (Transitional Measures concerning Minimum Work Standards for Ship's Personnel)**

A ship that sails after meeting minimum work standards for ship's personnel under subparagraphs 1 through 3 of the former attached Table 3 before the enforcement date under the proviso to Article 1 of the Addenda shall be deemed to meet work standards for ship's personnel pursuant to the amended provisions of subparagraphs 1 through 3 of attached Table 3 until the voyage is completed.

**Article 8 (Transitional Measures concerning Seagoing Service to Perform Duties of Masters, etc.)**

A person who has the seagoing service provided for in subparagraph 1 of attached Table 4 before this Decree enters into force shall be deemed a person who has seagoing service appropriate for performing the duties of a master or chief mate pursuant to the amended provisions of subparagraph 1 and 1-2 of attached Table 4 until the time specified as follows:

1. Where he/she works on board a ship, other than a fishing vessel: Three years from March 25, 2015;
2. Where he/she works on board a fishing vessel: Five years from March 25, 2015.

ADDENDA <Presidential Decree No. 27031, Feb. 29, 2016>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on the date of its promulgation: Provided, That the amendment to subparagraph 8 of the remarks of subparagraph 1 of attached Table 3 shall enter into force six months after the date of its promulgation.

**Article 2 (Applicability to Ships for Sea Trial)**

The amendment to subparagraph 7 of attached Table 3 shall begin to apply to the first ship to launch for a sea trial after this Decree enters into force.

**Article 3 (Transitional Measures concerning Standards for Working in Deck on Board Ship other than Fishing Vessel of at Least 3,000 Tons)**

A ship that began sailing in conformity with the minimum standards for working on board a ship for ship's personnel under subparagraph 1 of the former attached Table 3 before the enforcement date under the proviso to Article 1 of the Addenda shall be deemed to satisfy the standards for working on board a ship for ship's personnel under the amendment to subparagraph 8 of the remark of subparagraph 1 of attached Table 3 until the completion of the relevant voyage.

ADDENDUM <Presidential Decree No. 27960, Mar. 27, 2017>

This Decree shall enter into force on March 30, 2017. (Proviso Omitted.)

ADDENDA <Presidential Decree No. 27971, Mar. 29, 2017>

**Article 1 (Enforcement Date)**

This Decree shall enter into force on March 30, 2017. (Proviso Omitted.)

**Articles 2 through 11 Omitted.**

ADDENDA <Presidential Decree No. 28183, Jul. 11, 2017>

**Article 1 (Enforcement Date)**

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

**Article 2 (Applicability to Master's Concurrently Performing Duties of Chief Radio Operator)**

The amendment to Article 22-2 (2) 1 shall begin to apply to the first ship to sail after this Decree enters into force.

Last updated : 2020-05-26