

ACT ON MARINE RESEARCH AND THE USE OF MARINE INFORMATION

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CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to prescribe matters necessary for conducting marine research and utilizing marine information, thereby contributing to the safety of marine navigation, the conservation, use and development of the seas, the securing, etc. of maritime jurisdiction.

Article 2 (Definitions)

The terms used in this Act are defined as follows:

1. The term “marine research” means ocean observation, hydrographic survey, and survey of marine geographical names conducted under this Act to use them for the safety of marine navigation, the conservation, use, and development of the seas, the securing, etc. of maritime jurisdiction;
2. The term “ocean observation” means observing and measuring the features and changes of the seas by scientific methods, as well as collecting relevant information;
3. The term “hydrographic survey” means any of the following survey or research:
 - (a) A survey of the water depth, terrestrial magnetism, gravity, bathymetry, and geological features of the seas, as well as a survey of coastlines and any land appurtenant thereto;
 - (b) A survey of sea routes conducted for the safety of marine navigation to collect data on principal marks, obstructions, port facilities, amenities for vessels, unusual matters of sea routes, drift ice, etc.;
 - (c) A survey of the actual conditions of, and changes in, the natural environment of coasts (referring to coasts defined in subparagraph 1 of Article 2 of the Coast Management Act; hereinafter the same shall apply);
4. The term “basic hydrographic survey” means a hydrographic survey conducted by the Minister of Oceans and Fisheries pursuant to Article 19, which serves as the basis for all types of hydrographic survey;

5. The term “general hydrographic survey” means any hydrographic survey other than the basic hydrographic survey;
6. The term “survey of marine geographical names” means a bathymetric survey, literature review, etc. necessary to establish, change, or manage marine geographical names;
7. The term “national marine reference point” means a point used as a standard for marine research by measuring the particular point in accordance with the standards for marine research specified in Article 8 (1) and marking it with coordinates, etc. to ensure the accuracy of marine research and enhance its efficiency;
8. The term “Korea Ocean Observing Network” means a combination of ocean observing facilities established and operated by the Minister of Oceans and Fisheries to conduct ocean observation and to collect, process, store, search, display, transmit, receive, or use data on ocean observation;
9. The term “marine geographical name” means the name of a naturally formed sea, strait, bay, inlet, waterway, etc., as well as the name of undersea bathymetry, such as a reef, bank, canyon, basin, seamount, seamount chain, ridge, and trench;
10. The term “marine information” means the final outcomes obtained through marine research, which include marine forecast information obtained by analyzing ocean observation data;
11. The term “marine publication” means a product produced by making marine information in the form of a drawing, publication, or a digital product (referring to a product made to use it in an information processing system after various marine information is digitized; hereinafter the same shall apply);
12. The term “navigational publications” means the following marine publications produced to be kept in ships for their safe navigation:
 - (a) Nautical chart: A drawing (including electronic navigational charts) on which information necessary for vessel navigation, such as the depths of the seas and sea routes, is displayed using symbols, texts, etc. in accordance with international standards;
 - (b) Nautical publications: Tide Table containing tidal data on major harbors, etc.; List of Lights containing the numbers, names, locations, etc. of aids to navigation; Sailing Direction containing navigational safety information on coasts and major harbors; and any other publication prescribed by Ordinance of the Ministry of Oceans and Fisheries;
 - (c) Notices to Mariners: A marine publication produced by the Minister of Oceans and Fisheries to periodically provide to persons who need relevant information, such as mariners, with matters requiring modification to navigational publications, warnings necessary for navigation, and any other matters relating to the safety of marine navigation;
 - (d) Any other marine publication prescribed by Ordinance of the Ministry of Oceans and Fisheries;
13. The term “marine research and information business” means any of the following business:
 - (a) Ocean observation business conducting ocean observation;
 - (b) Hydrographic survey business conducting hydrographic survey;

- (c) Nautical chart production business producing nautical charts;
- (d) Marine information service business that collects, processes, manages, distributes, sells, or provides marine information; or develops or builds relevant software or systems (excluding business activities specified in items (a) through (c)).

Article 3 (Basic Direction-Setting for Marine Research)

Where the State conducts marine research under this Act, it shall realize the following matters:

1. Ensuring the safety of marine navigation;
2. Contributing to the conservation, use, and development of the seas as well as developing the marine industry;
3. Adapting and responding to climate change as well as preventing marine disasters;
4. Strengthening maritime defense and securing maritime jurisdiction.

Article 4 (Scope of Application)

This Act shall not apply to any of the following matters:

1. Marine scientific research conducted under the Marine Scientific Research Act and any other marine research conducted for academic purposes only;
2. Marine research for military activities;
3. Exploration conducted under the Submarine Mineral Resources Development Act;
4. Survey of coastal sea areas conducted under the Act on the Establishment and Management of Spatial Data.

Article 5 (Relationship to Other Statutes)

Except as otherwise provided in other statutes, marine research shall be governed by this Act.

Article 6 (Hydrography Day)

To widely publicize the importance of marine research to the people, June 21 of each year shall be designated as the Hydrography Day.

CHAPTER II MARINE RESEARCH

SECTION 1 Common Provisions

Article 7 (Master Plans and Implementation Plans for Marine Research)

(1) The Minister of Oceans and Fisheries shall formulate a master plan for marine research (hereinafter referred to as “master plan”), including the following matters, every five years:

1. Basic ideas and implementation strategies for marine research;
 2. Areas and details of marine research;
 3. Establishment, operation, etc. of the Korea Ocean Observing Network;
 4. Establishing, marking, and management of marine geographical names;
 5. International registration of marine geographical names, as well as circulation and publicity thereof;
 6. Research relating to the delimitation of maritime boundaries among countries;
 7. Use of marine information, such as publishing and distributing marine publications;
 8. A long-term investment plan for marine research;
 9. Research and development of technologies concerning marine research;
 10. Securing and management of marine research equipment, such as research vessels;
 11. Technology education and training for human resources relating to marine research;
 12. Support for and development of marine research and information business;
 13. International cooperation on marine research;
 14. Any other matters necessary for marine research.
- (2) The Minister of Oceans and Fisheries shall formulate and implement an annual implementation plan in accordance with the relevant master plan.
- (3) Where necessary due to changes in conditions, etc. for marine research, the Minister of Oceans and Fisheries may amend a master plan and annual implementation plan.
- (4) Upon formulating or amending a master plan, the Minister of Oceans and Fisheries shall publicly notify such fact.
- (5) Except as provided in paragraphs (1) through (4), matters necessary for formulating, amending, and implementing master plans and annual plans shall be prescribed by Presidential Decree.

Article 8 (Standards for Marine Research)

- (1) The standards for marine research shall be as follows:
1. A location shall be indicated with its geographical latitude and longitude and elevation (referring to the elevation from the mean sea level; hereafter the same shall apply in this Article) surveyed in accordance with the World Geodetic System (referring to a standard for mathematically calculating the locations and distance of topographical features and objects on the earth from the center of mass of the earth; hereafter the same shall apply in this Article);
 2. The water depth and the height of a low-tide elevation shall be surveyed using the datum level (referring to the lowest sea level calculated by observing tides for a specified period; hereafter the same shall apply in this Article) as a basis;
 3. A coastline shall be indicated as the boundary between land and sea level when the sea level reaches the approximately highest high water (referring to the highest sea level calculated by observing tides for a specified period; hereafter the same shall apply in this Article).

(2) The Minister of Oceans and Fisheries shall determine matters on the coordinate system, mean sea level, datum level, and approximately highest high water, which relate to marine research, and shall publicly notify such matters in the Official Gazette and on the relevant website. The same shall also apply where any modification is made to such matters.

(3) Matters necessary for determining the standards for marine research, such as the detailed requirements for the World Geodetic System referred to in paragraph (1), shall be prescribed by Presidential Decree.

Article 9 (National Marine Reference Points)

(1) To ensure the accuracy of marine research and enhance efficiency thereof, the Minister of Oceans and Fisheries shall determine national marine reference points, as prescribed by Presidential Decree.

(2) Upon determining a national marine reference point pursuant to paragraph (1), the Minister of Oceans and Fisheries shall install and manage a national marine reference point marker, as prescribed by Ordinance of the Ministry of Oceans and Fisheries.

(3) Upon installing a national marine reference point marker pursuant to paragraph (2), the Minister of Oceans and Fisheries shall publicly notify its status, etc.

Article 10 (Protection of National Marine Reference Point Markers)

(1) No person shall relocate any national marine reference point marker without authorization or engage in any activity destroying it or impairing its utility.

(2) A person who intends to engage in any activity that is likely to destroy any national marine reference point marker or impair its utility shall apply for its temporary or permanent relocation with the Minister of Oceans and Fisheries, as prescribed by Ordinance of the Ministry of Oceans and Fisheries.

(3) Upon receipt of an application under paragraph (2), the Minister of Oceans and Fisheries may relocate the relevant national marine reference point marker or may have the applicant referred to in paragraph (2) relocate the marker if its relocation is deemed necessary after examining the need to relocate; and where its relocation is deemed unnecessary, the Minister shall notify the applicant referred to in paragraph (2) of the grounds of such decision.

(4) Expenses incurred in relocating a national marine reference point marker under paragraph (3) shall be borne by the applicant referred to in paragraph (2).

(5) Upon relocating a national marine reference point marker pursuant to paragraph (3), the Minister of Oceans and Fisheries shall publicly notify the details, etc. of its modification.

Article 11 (Public Announcement of Marine Research)

In any of the following cases, the Minister of Oceans and Fisheries shall publicly announce an execution plan for marine research, including the area, period, and details of relevant marine research, in the Official Gazette or on the relevant website, and shall publish it in Notices to Mariners: Provided, That the Minister need not publicly announce or publish it if he or she deems that national security or any other significant

national interests are likely to be harmed:

1. Where ocean observation is conducted pursuant to Article 14;
2. Where basic hydrographic survey is conducted pursuant to Article 19;
3. Where a marine research plan has been received from a relevant institution pursuant to Article 44 (1);
4. Where the Minister conducts marine research entrusted pursuant to Article 59.

Article 12 (Promotion of Research and Development)

(1) For the development of marine research, the Minister of Oceans and Fisheries may promote marine research and development prescribed by Presidential Decree.

(2) The Minister of Oceans and Fisheries may establish a research institute conducting research and development under paragraph (1) or may have a relevant specialized institution prescribed by Presidential Decree perform relevant activities.

(3) The Minister of Oceans and Fisheries may fully or partially subsidize, within budgetary limits, expenses incurred in performing activities to the research institute or specialized institution referred to in paragraph (2).

Article 13 (Standardization of Marine Research)

(1) The Minister of Oceans and Fisheries may establish criteria for standardization of marine research items, the method of performing activities, etc., and may recommend relevant institutions to use such criteria.

(2) Details of the criteria for standardization of marine research referred to in paragraph (1) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.

SECTION 2 Ocean Observation

Article 14 (Conducting Ocean Observation)

(1) The Minister of Oceans and Fisheries shall conduct ocean observation to observe and measure the characteristics of the seas, such as tides, tidal currents, ocean currents, and marine weather, as well as changes therein and to collect relevant information under a master plan and annual implementation plan.

(2) The Minister of Oceans and Fisheries shall systematically collect and manage information obtained through ocean observation under paragraph (1), and shall produce and manage various relevant statistics.

(3) If necessary to conduct ocean observation under paragraph (1), the Minister of Oceans and Fisheries may request the heads of relevant administrative agencies or public institutions designated under the Act on the Management of Public Institutions (hereinafter referred to as “public institutions”), managers of harbor facilities, or ship owners to submit necessary data. In such cases, a person so requested shall comply with such request, unless there is good cause.

Article 15 (Establishment and Operation of Korea Ocean Observing Network)

(1) To efficiently conduct ocean observation, the Minister of Oceans and Fisheries may establish and operate the Korea Ocean Observing Network.

(2) The Minister of Oceans and Fisheries may promote the establishment and operation of the Korea Ocean Observing Network under paragraph (1) in cooperation with relevant administrative agencies or any other institutions conducting ocean observation.

(3) If necessary to establish and operate the Korea Ocean Observing Network, the Minister of Oceans and Fisheries may request the heads of relevant administrative agencies to submit necessary data. In such cases, the heads of relevant administrative agencies so requested shall comply with such request, unless there is good cause.

Article 16 (Protection of Korea Ocean Observing Network)

(1) No person shall relocate the Korea Ocean Observing Network without authorization or engage in any activity destroying it or impairing its utility.

(2) A person who intends to access the Korea Ocean Observing Network shall obtain permission from the Minister of Oceans and Fisheries, as prescribed by Ordinance of the Ministry of Oceans and Fisheries.

Article 17 (Production of Marine Forecast Information)

(1) The Minister of Oceans and Fisheries shall produce the following marine forecast information (excluding forecasts and severe weather alerts issued pursuant to Article 13 (1) of the Weather Act) based on ocean observation data: (1) The Minister of Oceans and Fisheries shall create the following marine observation information (excluding forecasts and severe weather alerts provided for in Article 13 (1) of the Weather Act) based on marine observation data:

1. Marine forecast information relating to the safety of marine navigation, such as tides, tidal currents, and ocean currents;
2. Marine forecast information relating to marine disasters, such as long-term sea level changes and the movement and spread of floating materials;
3. Marine forecast information relating to the safety of marine leisure activities, such as rip currents;
4. Marine forecast information relating to maritime defense;
5. Any other marine forecast information prescribed by Ordinance of the Ministry of Oceans and Fisheries.

(2) The Minister of Oceans and Fisheries may build and operate a marine forecasting system to produce marine forecast information under paragraph (1).

Article 18 (Research on Medium and Long-Term Changes in Ocean Phenomena)

(1) The Minister of Oceans and Fisheries shall study and analyze medium and long-term changes in ocean phenomena and causes therefor based on ocean observation data.

(2) The Minister of Oceans and Fisheries shall forecast medium and long-term trends in ocean phenomena based on the outcomes of research conducted under paragraph (1), and shall endeavor to enhance the accuracy of forecasts.

SECTION 3 Hydrographic Survey

Article 19 (Conducting Basic Hydrographic Survey)

(1) The Minister of Oceans and Fisheries shall conduct basic hydrographic survey, including the following matters, under the relevant master plan and annual implementation plan:

1. Hydrographic survey of harbors, sea routes, fishing ports, etc. for safe navigation;
2. Survey necessary for delimitating maritime boundaries between countries;
3. Exploration to collect basic geophysical data on jurisdictional sea areas;
4. Any other hydrographic survey prescribed by Ordinance of the Ministry of Oceans and Fisheries.

(2) If necessary to conduct a basic hydrographic survey, the Minister of Oceans and Fisheries may request the heads of relevant administrative agencies or public institutions, managers of harbor facilities, or ship owners to submit necessary data. In such cases, a person so requested shall comply with such request, unless there is good cause.

(3) Where the Minister of Oceans and Fisheries conducts a basic hydrographic survey using a ship, he or she shall attach a sign prescribed by Ordinance of the Ministry of Oceans and Fisheries to the ship.

Article 20 (Conducting General Hydrographic Survey)

(1) A person who performs any of the following activities (hereafter in this Article referred to as “construction work, etc.”) that modifies the contents of any navigational publication produced by the Minister of Oceans and Fisheries (including a person who performs such activity under a contract for construction works, etc. awarded) shall conduct a general hydrographic survey upon completing such construction works, etc.: Provided, That this shall not apply to any construction works, etc. the scale of which does not exceed the scale prescribed by Presidential Decree:

1. Construction work for a harbor or fishing port or sea route dredging;
2. Gathering soil, sand, minerals, etc. from the seabed;
3. Dumping soil, sand, dredged soil, etc. into the sea;
4. Construction work that changes the previous coastline or water depth due to reclamation, the installation, removal, etc. of breakwaters or artificial quay walls;
5. Installing, inserting, or laying such structures as artificial reefs, submarine cables, and pipelines in the sea;

6. Installing or replacing a bridge, aerial power cables, etc. in a sea route.
- (2) A person who intends to request the Minister of Oceans and Fisheries to produce or modify a navigational publication may conduct a general hydrographic survey.
- (3) A person who intends to conduct a general hydrographic survey under paragraph (1) or (2) shall file a report thereon with the Minister of Oceans and Fisheries, as prescribed by Ordinance of the Ministry of Oceans and Fisheries.
- (4) Upon receipt of a report under paragraph (3), the Minister of Oceans and Fisheries shall publish the area, period, and details of the relevant hydrographic survey in Notices to Mariners.
- (5) If deemed necessary for standardization, etc. of the method of conducting hydrographic survey, the Minister of Oceans and Fisheries may provide technical guidance on the method of conducting a hydrographic survey to the person who has filed a report under paragraph (3), as prescribed by Ordinance of the Ministry of Oceans and Fisheries.
- (6) A person who conducts a general hydrographic survey using a ship, he or she shall attach a sign prescribed by Ordinance of the Ministry of Oceans and Fisheries to the ship.

Article 21 (Submission and Examination of Copy of Marine Information)

- (1) A person who has conducted a general hydrographic survey pursuant to Article 20 (1) or (2) shall submit, without delay, to the Minister of Oceans and Fisheries a copy of marine information obtained through the survey.
- (2) Upon receipt of a copy of marine information under paragraph (1), the Minister of Oceans and Fisheries shall examine the appropriateness of the copy without delay and notify the submitter referred to in paragraph (1) of the results of the examination.
- (3) If the relevant information is deemed appropriate as a result of the examination under paragraph (2), the Minister of Oceans and Fisheries shall publish the information in Notices to Mariners and reflect it in other navigational publications, as prescribed by Presidential Decree.
- (4) Except as provided in paragraphs (1) through (3), matters necessary for submitting and examining a copy of the marine information obtained through a general hydrographic survey shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.

SECTION 4 Survey of Marine Geographical Names and Establishment Thereof

Article 22 (Conducting Survey of Marine Geographical Names)

To establish, change, or manage marine geographical names under the relevant mater plan or annual implementation plan, the Minister of Oceans and Fisheries shall conduct survey of marine geographical names, including the following matters:

1. Bathymetric survey on the location, shape, type, geology, etc. of an object to which a marine geographical name is to be given;

2. Literature review of the geographical and socioscientific information, etc. related to the creation, origin, and transition process of a marine geographical name.

Article 23 (Establishment and Change of Marine Geographical Names)

(1) A person who intends to apply for the establishment or change of a marine geographical name may apply therefor to the Minister of Oceans and Fisheries, as prescribed by Ordinance of the Ministry of Oceans and Fisheries: Provided, That this shall not apply to any of the following cases:

1. Where a marine geographical name has already been established under other statute or regulation;
2. Any other cases prescribed by Presidential Decree.

(2) In any of the following cases, the Minister of Oceans and Fisheries shall establish or change a marine geographical name, subject to deliberation by the Maritime Affairs and Fisheries Development Committee established under Article 7 of the Framework Act on Marine Fishery Development.

1. Where it is necessary to establish or change a marine geographical name as a result of a survey of marine geographical names conducted under Article 22;
2. Where an application has been received under paragraph (1) and it is necessary to establish or change the relevant marine geographical name.

(3) If necessary for deliberating on the establishment and change of a marine geographical name pursuant to paragraph (2), the Minister of Oceans and Fisheries may request relevant administrative agencies, national and public research institutes, etc. to submit relevant data. In such cases, an agency or institute so requested shall comply with such request, unless there is good cause.

(4) Where the Minister of Oceans and Fisheries establishes or changes a marine geographical name pursuant to paragraph (2), he or she shall do so in compliance with the international procedures and standards.

(5) Upon establishing or changing a marine geographical name pursuant to paragraph (2), the Minister of Oceans and Fisheries shall publicly notify it, as prescribed by Presidential Decree.

(6) Except as provided in paragraphs (1) through (5), the procedures for applying for the establishment or change of a marine geographical name, standards for examination, and other matters shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.

Article 24 (Management and Use of Marine Geographical Names)

(1) The Minister of Oceans and Fisheries shall build and manage a database on marine geographical names established or changed under Article 23.

(2) The Minister of Oceans and Fisheries may recommend relevant administrative agencies, marine research technicians referred to in Article 25 (2), persons whose marine research and information business has been registered under Article 30 (1), and spatial data business entities defined in subparagraph 4 of Article 2 of the Spatial Data Industry Promotion Act to use marine geographical names under this Act.

(3) The Minister of Oceans and Fisheries may provide technical support, such as providing the database referred to in paragraph (1), to persons recommended to use marine geographical names pursuant to paragraph (2).

(4) To disseminate the use of marine geographical names under this Act, the Minister of Oceans and Fisheries shall endeavor to publicize marine geographical names through such activities as providing Internet information services to the people.

(5) The Minister of Oceans and Fisheries shall endeavor to register marine geographical names referred to in this Act with international organizations and to circulate them internationally.

CHAPTER III MARINE RESEARCH TECHNICIANS, MARINE RESEARCH AND INFORMATION BUSINESS, AND MARINE RESEARCH EQUIPMENT

SECTION 1 Marine Research Technicians

Article 25 (Marine Research Technicians)

(1) No person, other than marine research technicians, shall conduct marine research (excluding survey of marine geographical names; hereafter the same shall apply in this Section) or produce navigational publications.

(2) A marine research technician shall be any of the following persons who meets the qualification requirements prescribed by Presidential Decree:

1. A person who has acquired a technical qualification in the field of oceanography, marine environment, marine research, marine engineering, marine resources development, or surveying and geospatial information under the National Technical Qualifications Act;
2. A person who has academic background or career in the field of oceanography, marine environment, marine research, marine engineering, marine resources development, surveying and geospatial information, or production of navigational publications;
3. A person who has acquired any international qualification recognized by the International Hydrographic Organization.

(3) Grades of marine research technicians may be classified, as prescribed by Presidential Decree.

Article 26 (Reporting on Marine Research Technicians)

(1) A marine research technician who conducts marine research or produces navigational publications shall file a report with the Minister of Oceans and Fisheries on matters necessary for managing his or her workplace, career, academic background, qualification, etc. (hereinafter referred to as “workplace, career, etc.”), as prescribed by Ordinance of the Ministry of Oceans and Fisheries. The same shall also apply to any modification to reported matters.

- (2) Upon receipt of a report under paragraph (1), the Minister of Oceans and Fisheries shall keep and manage the records of the relevant marine research technician's workplace, career, etc.
- (3) The Minister of Oceans and Fisheries may issue a certificate of workplace, career, etc. (hereinafter referred to as "certificate of marine research technique career") at the request of a marine research technician.
- (4) If necessary to verify matters reported under paragraph (1), the Minister of Oceans and Fisheries may request the heads of relevant institutions, such as administrative agencies, public institutions, schools defined in Article 2 of the Elementary and Secondary Education Act or Article 2 of the Higher Education Act, or a marine research-related enterprise hiring the marine research technician who has filed a report under paragraph (1) to submit relevant data. In such cases, the heads of institutions so requested shall comply with such request, unless there is good cause.
- (5) The head of an administrative agency who intends to grant authorization, permission, registration, a license, etc. under this Act or any other relevant statute shall obtain verification from the Minister of Oceans and Fisheries, if necessary to verify a marine research technician's workplace, career, etc.
- (6) Except as provided in paragraphs (1) through (5), matters necessary for reporting by marine research technicians, keeping and managing records, issuing a certificate of marine research technique career, etc. shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.

Article 27 (Duties of Marine Research Technicians)

- (1) A marine research technician shall conduct marine research or produce navigational publications fairly and shall not refuse to conduct such research or produce such publications without good cause.
- (2) No marine research technician shall divulge any confidential information learned in the course of performing his or her duties.
- (3) No marine research technician shall belong to at least two persons that have filed for registration of marine research and information business under Article 30 (1).
- (4) No marine research technician shall lend his or her certificate of marine research technique career to another person, or allow another person to conduct marine research or produce any navigational publication in his or her name.

Article 28 (Suspension of Business of Marine Research Technicians)

- (1) Where a marine research technician falls under any of the following cases, the Minister of Oceans and Fisheries may suspend his or her business for a specified period not exceeding one year:
1. Where he or she files a false report on his or her workplace, career, etc. or a false report on modification under Article 26 (1);
 2. Where he or she lends his or her certificate of marine research technique career to another person, or allows another person to conduct marine research or produce any navigational publication in his or her name, in violation of Article 27 (4).

(2) Criteria for suspending business under paragraph (1) and other necessary matters shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.

Article 29 (Education and Training)

(1) A marine research technician who conducts marine research or produces navigational publications shall receive education and training, as prescribed by Presidential Decree: Provided, That where education and training that a marine research technician has received under other statute or regulation meet the standards prescribed by Presidential Decree, he or she shall be deemed to have received education and training.

(2) A person who employs a marine research technician shall bear expenses incurred in education and training for the marine research technician under paragraph (1), and shall not give any disadvantage to the technician for such reason.

(3) The Minister of Oceans and Fisheries may conduct education and training for persons, etc. who engage in work related to marine research of relevant administrative agencies, in addition to marine research technicians.

(4) For training and education under paragraphs (1) and (3), the Minister of Oceans and Fisheries may designate, as a specialized educational institution, an institution that meets the standards prescribed by Presidential Decree, such as educational facilities, teaching staff and other human resources, and educational equipment.

(5) Where a specialized educational institution designated pursuant to paragraph (4) fails to faithfully conduct business related to education and training or fails to meet the standards for designation referred to in paragraph (4), the Minister of Oceans and Fisheries may revoke its designation or fully or partially suspend its business for a specified period not exceeding six months.

(6) Standards and procedures for designating a specialized educational institution under paragraph (4), standards for revoking its designation under paragraph (5), and other matters shall be prescribed by Presidential Decree.

SECTION 2 Marine Research and Information Business

Article 30 (Registration of Marine Research and Information Business)

(1) A person who intends to conduct a marine research and information business shall file for registration of such business with the Minister of Oceans and Fisheries upon meeting the criteria for registration of technical workforce, facilities, marine research equipment, etc.

(2) The specific scope of services by type of marine research and information business shall be prescribed by Presidential Decree.

(3) Where any registered matters are changed, a person who has filed for registration under paragraph (1) (hereinafter referred to as “marine research and information business entity”) shall file a report with the

Minister of Oceans and Fisheries on such changes.

(4) The Minister of Oceans and Fisheries shall notify the reporting person of receipt of a report filed under paragraph (3) within 7 days after receipt thereof.

(5) Where the Minister of Oceans and Fisheries fails to notify the reporting person of receipt of a report or of an extension of the processing period under a statute or regulation related to treating civil petitions within the period specified in paragraph (4), the report shall be deemed received on the day following the expiry date of the period (referring to the relevant processing period if the processing period has been extended or re-extended pursuant to the statute or regulation related to treating civil petitions).

(6) Procedures for filing for registration of marine research and information business and for reporting on changes of registered matters and other matters shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.

Article 31 (Duties of Marine Research and Information Business Entities)

Where a marine research and information business entity participates in a tendering procedure relating to marine research and information business, he or she shall not undermine fairness of the tendering procedure by fraud, force, or any other method.

Article 32 (Grounds for Disqualification)

None of the following persons shall file for registration of marine research and information business:

1. A person under adult guardianship or a person under limited guardianship;
2. A person who has been sentenced to imprisonment without labor or a heavier punishment by a court for violating this Act, the National Security Act, or Articles 87 through 104 of the Criminal Act and for whom two years have not passed after the execution of such sentence was terminated (including where such execution is deemed terminated) or exempted;
3. A person who is in the period of a stay of the execution after he or she has been sentenced to a stay of execution of imprisonment without labor or a heavier punishment for violating this Act, the National Security Act, or Articles 87 through 104 of the Criminal Act;
4. A person for whom two years have not passed after the registration of marine research and information business was revoked pursuant to Article 36 (excluding where the registration has been revoked because he or she falls under subparagraph 1 of this Article);
5. A corporation with an executive officer who falls under any of subparagraphs 1 through 4.

Article 33 (Registration Certificate and Registration Pocket Book of Marine Research and Information Business)

(1) The Minister of Oceans and Fisheries shall issue a registration certificate and registration pocket book of marine research and information business to marine research and information business entities, as prescribed by Ordinance of the Ministry of Oceans and Fisheries.

(2) No marine research and information business entity shall lend his or her registration certificate or registration pocket book of marine research and information business to another person, or allow another person to conduct a marine research and information business using his or her name or trade name.

(3) No person shall use a registration certificate or registration pocket book of marine research and information business borrowed from another person, or conduct a marine research and information business using another person's name or trade name.

Article 34 (Reporting on Business Suspension or Business Closure by Marine Research and Information Business Entities)

Any of the following relevant persons shall file a report with the Minister of Oceans and Fisheries on the following relevant fact within 30 days from the date such fact occurs, as prescribed by Ordinance of the Ministry of Oceans and Fisheries:

1. Where a corporation, which is a marine research and information business entity, has been dissolved due to a reason other than bankruptcy or a merger: The liquidator of such corporation;
2. Where a marine research and information business entity has closed business: The marine research and information business entity who has closed business;
3. Where a marine research and information business entity has suspended business for a period exceeding 30 days or has resumed business after suspending business during such period: The relevant marine research and information business entity.

Article 35 (Succession to Status of Marine Research and Information Business Entities)

(1) Any of the following persons shall succeed to the status of a marine research and information business entity:

1. Where a marine research and information business entity transfers business, the transferee;
2. Where a marine research and information business entity dies, the heir;
3. Where a marine research and information business entity, which is a corporation, merges with another corporation, the corporation surviving after the merger or newly established as a consequence of the merger.

(2) A person who has acquired all of the business facilities and equipment in compliance with any of the following procedures shall succeed to the status of the relevant marine research and information business entity:

1. Auction under the Civil Execution Act;
2. Realization under the Debtor Rehabilitation and Bankruptcy Act;
3. Sale of seized assets under the National Tax Collection Act, the Customs Act, or the Local Tax Collection Act;
4. Any other procedures falling under any of subparagraphs 1 through 3.

(3) A person who has succeeded to the status of a marine research and information business entity pursuant to paragraph (1) or (2) shall file a report with the Minister of Oceans and Fisheries on the succession within 30 days from the date a cause for the succession arises, as prescribed by Ordinance of the Ministry of Oceans and Fisheries.

(4) The Minister of Oceans and Fisheries shall notify the reporting person of receipt of a report filed under paragraph (3) within 10 days after receipt thereof.

(5) Where the Minister of Oceans and Fisheries fails to notify the reporting person of receipt of a report or of an extension of the processing period under a statute or regulation related to treating civil petitions within the period specified in paragraph (4), the report shall be deemed received on the day following the expiry date of the period (referring to the relevant processing period if the processing period has been extended or re-extended pursuant to the statute or regulation related to treating civil petitions).

(6) Article 32 shall apply mutatis mutandis to the grounds for disqualification of successors specified in paragraph (1) or (2).

Article 36 (Revocation of Registration of Marine Research and Information Business Entities)

(1) Where a marine research and information business entity falls under any of the following cases, the Minister of Oceans and Fisheries shall revoke the registration of marine research and information business or issue an order to suspend business for a specified period not exceeding one year: Provided, That where the business entity falls under subparagraph 2 or 4, or any of subparagraphs 6 through 8, the Minister shall revoke the registration of such business:

1. Where the business entity conducts, produces, or provides any inaccurate marine research, marine publication, or marine information by intention or negligence;
2. Where the business entity files for registration of marine research and information business by fraud or other improper means;
3. Where the business entity fails to start business within one year from the date marine research and information business is registered, or continues to suspend business for at least one year without good cause;
4. Where the business entity ceases to meet the criteria for registration referred to in Article 30 (1): Provided, That this shall not apply to cases prescribed by Presidential Decree, such as where the business entity fails to meet the criteria for registration temporarily;
5. Where the business entity fails to report on changes of marine research and information business, in violation of Article 30 (3);
6. Where the business entity falls under any of the subparagraphs of Article 32: Provided, That this shall not apply where any executive officer of a corporation constitutes the grounds for disqualification and another executive officer is appointed in his or her stead within two months;
7. Where the business entity lends his or her registration certificate or registration pocket book of marine research and information business to another person, or allows another person to conduct a

marine research and information business in his or her name or trade name, in violation of Article 33 (2);

8. Where the business entity continues to do business during the period of business suspension;

9. Where another administrative agency requires the revocation of registration or suspension of business under relevant statutes and regulations.

(2) Where a heir who has succeeded the status of a marine research and information business entity or a corporation surviving after a merger or newly established as a consequence of a merger constitutes the grounds for disqualification specified in Article 32, paragraph (1) 6 shall not apply until six months from the date such heir or corporation constitutes the grounds for disqualification.

(3) Upon revoking the registration of marine research and information business or upon making the disposition of suspending business pursuant to paragraph (1), the Minister of Oceans and Fisheries shall publicly announce such fact.

(4) Detailed criteria for revoking the registration of marine research and information business, as well as for making the disposition of suspending business shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.

Article 37 (Succession to Effect of Administrative Disposition against Marine Research and Information Business Entities)

(1) Where a marine research and information business entity who reported on business closure under subparagraph 2 of Article 34 has filed for re-registration of marine research and information business, which is the same as the business when business closure was reported, he or she shall succeed to the status of the marine research and information business entity before such business closure was reported.

(2) In cases of paragraph (1), the effect of administrative disposition made against a marine research and information business entity for committing any violation specified in the subparagraphs of Article 36 (1) before business closure is reported shall be succeeded by the person who has filed for re-registration of such marine research and information business within six months from the date of business closure (hereafter in this Article referred to as “re-registered marine research and information business entity”).

(3) In cases of paragraph (1), administrative disposition may be made against a re-registered marine research and information business entity for committing any violation specified in the subparagraphs of Article 36 (1) before business closure is reported: Provided, That this shall not apply to any of the following cases:

1. Where the period from the date business closure is reported to the date marine research and information business is re-registered (hereafter in this Article referred to as “period of business closure”) exceeds two years;

2. Where administrative disposition for a violation committed before business closure is reported falls under business suspension and the period of business closure exceeds one year.

(4) Where administrative disposition is made pursuant to paragraph (3), the period and grounds for business closure shall be considered.

Article 38 (Provision of Services by Marine Research and Information Business Entities after Disposition of Revocation of Registration)

(1) A marine research and information business entity subject to the disposition of revocation of registration or business suspension (excluding persons who have filed for marine information service business; hereafter the same shall apply in this Article) may continue to conduct marine research or produce a marine publication under a contract concluded before such disposition is made: Provided, That this shall not apply where the business entity has received the disposition of revocation of registration for falling under Article 36 (1) 2 or 4.

(2) A person who intends to continuously conduct marine research or produce a marine publication under paragraph (1) shall notify the person placing the relevant order of the fact that he or she has received the disposition of revocation of registration or business closure without delay.

(3) A person who intends to continuously conduct marine research or produce a marine publication under paragraph (1) shall be deemed a marine research and information business entity until such service is completed.

(4) A person placing an order for the service of marine research or production of marine publication may terminate the relevant contract, only within 30 days from the date the person receives notice from the relevant marine research and information business entity under paragraph (2) or from the date the person becomes aware of the disposition of revocation of registration or business closure, unless there is a compelling reason not to do so.

Article 39 (Price for Marine Research and Information Business)

(1) The Minister of Oceans and Fisheries shall determine the standards for paying the price for marine research and information business (excluding marine information service business; hereafter the same shall apply in this Article) and publicly notify the standards in the Official Gazette. In such cases, the Minister shall pre-consult with the Minister of Economy and Finance.

(2) The method of calculating the standards for paying the price for marine research and information business under paragraph (1) and other necessary matters shall be prescribed by Presidential Decree.

SECTION 3 Marine Research Equipment

Article 40 (Development and Securing of Marine Research Equipment)

The Minister of Oceans and Fisheries shall endeavor to develop and secure marine research equipment necessary for marine research, such as measuring devices, research vessels, airplanes, and satellites, and shall properly keep and manage such equipment.

Article 41 (Performance Inspection of Marine Research Equipment)

(1) A person who uses marine research equipment for ocean observation or hydrographic survey prescribed by Ordinance of the Ministry of Oceans and Fisheries shall undergo a performance inspection conducted by the Minister of Oceans and Fisheries in each period prescribed by Ordinance of the Ministry of Oceans and Fisheries: Provided, That this shall not apply to marine research equipment prescribed by Ordinance of the Ministry of Oceans and Fisheries, such as marine research equipment that has undergone tests or calibration under the Framework Act on National Standards or any other statute or regulation.

(2) The standards, methods, and procedures for conducting performance inspections of marine research equipment under paragraph (1) and other necessary matters shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.

CHAPTER IV USE OF MARINE INFORMATION

SECTION 1 Marine Information

Article 42 (Keeping and Accessibility of Marine Information)

(1) The Minister of Oceans and Fisheries shall keep marine information and ensure that such information can be accessed by the public.

(2) The Minister of Oceans and Fisheries shall publicize marine information, as prescribed by Ordinance of the Ministry of Oceans and Fisheries.

(3) A person who intends to be issued a copy of marine information, such as a person who has filed for registration of marine information service business pursuant to Article 30 (1), shall apply for the issuance thereof to the Minister of Oceans and Fisheries.

Article 43 (Quality Control of Marine Information)

(1) To ensure the accuracy of marine information, the Minister of Oceans and Fisheries shall implement policies necessary for quality control of marine information.

(2) The objects and scope of, and standards and procedures for, quality control under paragraph (1) and other matters shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.

Article 44 (Use of Marine Information by Relevant Institutions)

(1) Where a relevant institution conducts the following marine research, the Minister of Oceans and Fisheries may require such institution to submit the relevant marine research plan or marine information:

1. Observation of tides, tidal currents, and ocean currents or research on the physical characteristics of sea water;

2. Research on undersea bathymetry, marine magnetism, marine gravity, and submarine geology;
 3. Research on artificial reefs and other dangerous underwater objects;
 4. Any other research on matters prescribed and publicly notified by the Minister of Oceans and Fisheries.
- (2) The Minister of Oceans and Fisheries shall endeavor to promote joint use of research data, joint research, and technology cooperation with the relevant institution that has submitted a marine research plan pursuant to paragraph (1).
- (3) Matters necessary for submitting, etc. a marine research plan or marine information under paragraph (1) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.

Article 45 (National Marine Information System)

- (1) The Minister of Oceans and Fisheries may build and operate a national marine information system that collects, processes, analyzes, and forecasts produced marine information, etc. and generally manages and provides such information, etc.
- (2) If necessary to operate the national marine information system, the Minister of Oceans and Fisheries may request relevant administrative agencies, institutions relating to marine research, etc. to provide relevant data.

Article 46 (Establishment of Marine Information Use Center)

- (1) To efficiently collect, process, analyze, and forecast marine information and seamlessly provide marine information to information users, the Minister of Oceans and Fisheries may establish and operate a marine information use center in an affiliated agency of the Ministry of Oceans and Fisheries prescribed by Presidential Decree.
- (2) Matters necessary for establishing and operating the marine information use center under paragraph (1) shall be prescribed by Presidential Decree.

SECTION 2 Marine Publications

Article 47 (Production of Marine Publications)

- (1) The Minister of Oceans and Fisheries shall produce and publish (including production and publication by electronic recording through information processing systems) marine publications containing marine information in accordance with a master plan and annual implementation plan; and sell or distribute such publications.
- (2) The standards, etc. for producing marine publications shall be prescribed and publicly notified by the Minister of Oceans and Fisheries.
- (3) The Minister of Oceans and Fisheries shall publish Notices to Mariners each week for the safety of marine navigation.

(4) Where the Minister of Oceans and Fisheries has no time to publish Notices to Mariners under paragraph (3), he or she may provide a warning of urgent matters on the safety of marine navigation, using wired or wireless communications.

(5) The procedures, methods, etc. for publishing Notices to Mariners under paragraph (3) and providing a warning under paragraph (4) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.

Article 48 (Copying Marine Publications)

(1) A person who intends to publish a copied product of a marine publication produced by the Minister of Oceans and Fisheries or publish a product similar to such marine publication by modifying it shall obtain approval from the Minister of Oceans and Fisheries.

(2) Procedures for obtaining approval under paragraph (1) and other matters shall be prescribed by Presidential Decree.

Article 49 (Notice of Modifications to Navigational Publications)

(1) In any of the following cases, the head of a relevant institution or a person who has found a relevant object or fact shall notify the Minister of Oceans and Fisheries of matters requiring any modification to navigational publications without delay: <Amended on Jan. 11, 2022; Jun. 10, 2022>

1. Where an agency delegated with the duties of the Minister of Oceans and Fisheries to designate sea routes under Article 31 of the Maritime Safety Act or Article 10 of the Act on the Arrival and Departure of Ships becomes aware of matters requiring any modification to navigational publications produced by the Minister;

2. Where an agency delegated with the duties of the Minister of Oceans and Fisheries to install and manage aids to navigation under Article 9 (1) of the Aids to Navigation Act becomes aware of matters requiring any modification to navigational publications produced by the Minister;

3. Where an agency in charge of business concerning fisheries licenses under Article 7 of the Fisheries Act becomes aware of matters requiring any modification to navigational publications produced by the Minister of Oceans and Fisheries;

4. Where an agency delegated to implement a harbor development project under Article 9 of the Harbor Act becomes aware of matters requiring any modification to navigational publications produced by the Minister of Oceans and Fisheries;

5. An agency authorized to approve implementation plans for reclamation of public waters under Article 38 of the Public Waters Management and Reclamation Act (excluding the Minister of Oceans and Fisheries) becomes aware of matters requiring any modification to navigational publications produced by the Minister;

6. Any other cases where a person finds a sunken object or an object likely to hinder navigation under water, or finds any fact different from the contents of navigational publications produced by the Minister of Oceans and Fisheries.

(2) The head of an institution that conducts or manages marine shooting and marine training that is likely to affect the safety of marine ships and human lives, etc. shall notify the Minister of Oceans and Fisheries of specific matters, including the details, date, location, etc. of marine shooting and marine training.

<Newly Inserted on Jun. 10, 2022>

(3) When conducting construction work that may result in a significant change in a port, coastline, or sea route or may obstruct navigation, the head of the relevant agency shall notify the Minister of Oceans and Fisheries of matters concerning the commencement and completion of such work. *<Newly Inserted on Jun. 10, 2022>*

(4) Upon receipt of notice under paragraphs (1) through (3), the Minister of Oceans and Fisheries shall publish the relevant matters in a notice to mariners. *<Newly Inserted on Jun. 10, 2022>*

Article 50 (Designation of Sales Agents for Marine Publications)

(1) The Minister of Oceans and Fisheries shall designate a person meeting the requirements prescribed by Presidential Decree, such as sales networks, technical workforce, and equipment, as a sales agent for marine publications (hereinafter referred to as “sales agent”).

(2) None of the following persons shall be designated as a sales agent:

1. A person under adult guardianship or a person under limited guardianship;
2. A person who has been sentenced to imprisonment without labor or a heavier punishment by a court for violating this Act, the National Security Act, or Articles 87 through 104 of the Criminal Act and for whom two years have not passed after the execution of such sentence was terminated (including where such execution is deemed terminated) or exempted;
3. A person who is in the period of a stay of the execution after he or she has been sentenced to a stay of execution of imprisonment without labor or a heavier punishment for violating this Act, the National Security Act, or Articles 87 through 104 of the Criminal Act;
4. A person for whom two years have not passed after the designation of sales agency business was revoked pursuant to Article 52 (excluding where the designation has been revoked because he or she falls under subparagraph 1 of this Article or Article 52 (1) 5);
5. A corporation with an executive officer who falls under any of subparagraphs 1 through 4.

(3) The types and selling prices of marine publications sold by sales agents designated under paragraph (1), sales agency fees, and other matters necessary for sales agency shall be prescribed and publicly notified by the Minister of Oceans and Fisheries.

(4) A sale agent shall observe the selling prices of marine publications and distribute navigational publications after modifying them in accordance with the latest issue of Notices to Mariners.

(5) Matters concerning the management, etc. of sales agents shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.

Article 51 (Reporting on Sales Agents)

(1) Any of the following relevant persons shall file a report with the Minister of Oceans and Fisheries on the following relevant fact within 30 days from the date such fact occurs, as prescribed by Ordinance of the Ministry of Oceans and Fisheries:

1. Where the representative, trade name, location of the principal place of business or a branch office, or any other matters have changed: The relevant sales agent;
2. Where a corporation designated as a sales agent has been dissolved due to a reason other than bankruptcy or a merger: The liquidator of such corporation;
3. Where a sales agent has closed business: The sales agent who has closed business;
4. Where a sales agent has suspended business for a period exceeding 30 days or has resumed business after suspending business during such period: The relevant sales agent.

(2) The Minister of Oceans and Fisheries shall notify the reporting person of receipt of a report filed under paragraph (1) 1, within 10 days after receipt thereof.

(3) Where the Minister of Oceans and Fisheries fails to notify the reporting person of receipt of a report or of an extension of the processing period under a statute or regulation related to treating civil petitions within the period specified in paragraph (2), the report shall be deemed received on the day following the expiry date of the period (referring to the relevant processing period if the processing period has been extended or re-extended pursuant to the statute or regulation related to treating civil petitions).

Article 52 (Revocation of Designation of Sales Agents)

(1) Where a sales agent falls under any of the following cases, the Minister of Oceans and Fisheries shall revoke the designation thereof or issue an order to suspend agency business for a specified period not exceeding one year: Provided, That where the sales agent falls under subparagraph 1 or 2, the Minister shall revoke the designation thereof:

1. Where the sales agent ceases to meet the standards for designation referred to in Article 50 (1): Provided, That this shall not apply to cases prescribed by Presidential Decree, such as where the sales agent fails to meet the standards for designation temporarily;
2. Where the sales agent constitutes the grounds for qualification referred to in Article 50 (2): Provided, That this shall not apply where any executive officer of a corporation constitutes the grounds for disqualification and another executive officer is appointed in his or her stead within two months;
3. Where the sales agent fails to observe the selling prices of marine publications or distributes navigational publications without modifying them in accordance with the latest issue of Notices to Mariners, in violation of Article 50 (4);
4. Where the sale agent fails to start business within one year from the date the sale agent is designated as such or continues to suspend business for at least one year without good cause;
5. Where the designated sales agent has closed sales agency business.

(2) Detailed criteria for revoking the designation of sales agents, as well as for making the disposition of suspending business shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.

CHAPTER V SUPPLEMENTARY PROVISIONS

Article 53 (Promotion of International Cooperation)

To improve technologies relating to marine research and marine information and actively exchange information among countries, the Minister of Oceans and Fisheries shall promote cooperation activities among relevant international organizations and countries.

Article 54 (Korea Hydrography and Research Association)

(1) The Korea Hydrography and Research Association (hereinafter referred to as the “Association”) may be established to conduct research and development of technologies and systems concerning marine research, conduct relevant education and training, and collect and provide data concerning the ocean.

(2) The Association shall be a corporation.

(3) The Association shall be duly formed when registration for its establishment is made with the registry having jurisdiction over its principal place of business.

(4) The Association shall perform the following activities:

1. Research and publicity concerning marine research;
2. Promoting international cooperation on marine research, as well as collecting, analyzing and providing information on foreign technology related to marine research;
3. Cultivating marine research technicians and conducting education and training for them;
4. Activities entrusted by the Minister of Oceans and Fisheries;
5. Any other activities specified in the articles of association.

(5) The articles of association of the Association shall include the following matters:

1. Objectives;
2. Name;
3. Place where its principal place of business is located;
4. Assets;
5. Executive officers and employees;
6. Operation of the board of directors;
7. Scope, details, and execution of activities;
8. Accounting;
9. Method of making public announcements;
10. Modification to the articles of association;
11. Any other important matters concerning the operation of the Association.

(6) Where the Association intends to modify any matters stated in the articles of association, it shall obtain authorization of the Minister of Oceans and Fisheries.

(7) The operation of the Association and other necessary matters shall be prescribed by Presidential Decree.

(8) If necessary to supervise the Association, the Minister of Oceans and Fisheries may require the Association to report on its activities or submit data, or may have public officials under his or her jurisdiction inspect its activities.

(9) Except as provided in this Act, the provisions of the Civil Act concerning incorporated foundations shall apply mutatis mutandis to the Association.

Article 55 (Reporting and Investigation)

(1) In any of the following cases, the Minister of Oceans and Fisheries may require the following relevant person to make a necessary report, expressly specifying the reason, or may have public officials under his or her jurisdiction conduct investigations:

1. Where a marine research and information business entity conducts, produces, or provides any inaccurate marine research, marine publication, or marine information by intention or negligence, thereby causing a civil petition;
2. Where a marine research and information business entity is deemed to fail to meet the criteria for registration referred to in Article 30 (1);
3. Where a sales agent is deemed to fail to meet the requirements for designation referred to in Article 50 (1) or violates Article 50 (4).

(2) A public official conducting investigations under paragraph (1) shall carry an identification certificate prescribed by Ordinance of the Ministry of Oceans and Fisheries and present it to the relevant person.

Article 56 (Hearing)

Where the Minister of Oceans and Fisheries intends to make any of the following dispositions, he or she shall hold a hearing:

1. Revoking the registration of a marine research and information business entity pursuant to Article 36 (1);
2. Revoking the designation of a sales agent pursuant to Article 52 (1).

Article 57 (Entry to Land)

If necessary to install a national marine reference point marker under Article 9 (2) or to conduct ocean observation under Article 14 or a basic hydrographic survey under Article 19, the Minister of Oceans and Fisheries may have public officials under his or her jurisdiction (including executive officers and employees of the Association if the duties of the Minister have been entrusted to the Association pursuant to Article 60 (2)) engage in any of the following activities:

1. Entering another person's land or public waters;
 2. Changing trees, soil, stone, or any other obstacle on another person's land or in public waters;
 3. Temporarily using another person's land or public waters as a site for stacking materials or a temporary road.
- (2) A person who intends to enter another person's land or public waters pursuant to paragraph (1) 1 shall notify the owner, possessor, or manager of such land, etc. (hereinafter referred to as "owner, etc.") of the date, time, place, details, etc. of such entry, by seven days prior to the date of entry: Provided, That such person shall publicly announce the date, time, place, etc. of entry on the bulletin board or website of the Eup/Myeon office or Dong community center having jurisdiction over the relevant area or in daily newspapers, by 14 days prior to the date of entry, in any of the following cases:
1. Where the owner, etc. of such land or public waters are unknown;
 2. Where the address or residence of the owner, etc. of such land or public waters or any other place of notification is unknown.
- (3) A person who intends to engage in any activity specified in paragraph (1) 2 or 3 shall obtain consent from the owner, etc.: Provided, That this shall not apply where 14 days have passed after the person publicly announced the date, time, place, details, etc. of the activity on the bulletin board or website of the Eup/Myeon office or Dong community center having jurisdiction over the relevant area or in daily newspapers, in any of the following cases:
1. Where the owner, etc. of the relevant land, public waters, or obstacle are unknown;
 2. Where the address or residence of the owner, etc. of the relevant land, public waters, or obstacle or any other place of notification is unknown.
- (4) Where any person sustains a loss due to any activity specified in the subparagraphs of paragraph (1), the Minister of Oceans and Fisheries shall indemnify the person for the loss, as prescribed by Presidential Decree.

Article 58 (Fees)

- (1) Any of the following persons shall pay a fee, as prescribed by Ordinance of the Ministry of Oceans and Fisheries:
1. A person who intends to undergo an examination regarding the appropriateness of a copy of marine information under Article 21 (2);
 2. A person who applies for the issuance of a certificate of marine research technique career under Article 26 (3);
 3. A person who files for registration of marine research and information business under Article 30 (1);
 4. A person who applies for the issuance of a registration certificate or registration pocket book of marine research and information business under Article 33 (1);
 5. A person who intends to undergo a performance inspection regarding marine research equipment under Article 41 (1);

6. A person who applies for the issuance of a copy of marine information under Article 42 (3) for profit-making purposes;
 7. A person who intends to obtain approval for the publication of a copied product of a marine publication or a product similar to a marine publication by modifying it under Article 48 (1).
- (2) In any of the following cases, fees may be exempted notwithstanding paragraph (1): Provided, That in cases of subparagraph 2, fees may be exempted or reduced in accordance with the relevant agreement:
1. Where a person falling under paragraph (1) 7 is the State, a local government, a school, etc. defined in Article 2 of the Elementary and Secondary Education Act or Article 2 of the Higher Education Act and issues the relevant product for non-profit purposes;
 2. Where a person falling under paragraph (1) 7 is a foreign government that has entered into an agreement with the Government of the Republic of Korea.

Article 59 (Entrustment of Business)

If deemed necessary for the public interests, the Minister of Oceans and Fisheries may conduct entrusted marine research to the extent not impeding the performance of his or her duties, as prescribed by Ordinance of the Ministry of Oceans and Fisheries.

Article 60 (Delegation and Entrustment of Authority or Duties)

- (1) Part of the authority of the Minister of Oceans and Fisheries under this Act may be delegated to the head of an affiliated agency in accordance with Presidential Decree.
- (2) Any of the following duties of the Minister of Oceans and Fisheries under this Act may be entrusted to the Association in accordance with Presidential Decree:
1. Installing and managing national marine reference point markers under Article 9 (2);
 2. Relocating national marine reference point markers under Article 10 (3);
 3. Operating the Korea Ocean Observing Network under Article 15 (1);
 4. Receiving reports filed by marine research technicians; keeping and managing the records of marine research technicians' workplaces, career, etc.; issuing a certificate of marine research technique career; requesting the submission of relevant data to verify reported matters, as well as receiving the data submitted; and verifying marine research technicians' workplaces, career, etc. under Article 26;
 5. Performing activities concerning quality control of marine information under Article 43;
 6. Printing and supplying marine publications under Article 47 (1), as well as managing the inventory of such publications;
 7. Receiving fees concerning the issuance of a certificate of marine research technique career under Article 58 (1) 2.

Article 61 (Legal Fiction as Public Officials for Purposes of Applying Penalty Provisions)

The executive officers and employees of the Association who perform the duties entrusted by the Minister of Oceans and Fisheries pursuant to Article 60 (2) shall be deemed public officials for purposes of applying penalty provisions pursuant to Articles 127 and 129 through 132 of the Criminal Act.

CHAPTER VI PENALTY PROVISIONS

Article 62 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than three years or by a fine not exceeding 30 million won:

1. A person who relocates the Korea Ocean Observing Network without authorization or engages in any activity destroying it or impairing its utility, in violation of Article 16 (1);
2. A person who undermines fairness of a tendering procedure related to marine research and information business by fraud, force, or any other method, in violation of Article 31.

Article 63 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than two years or by a fine not exceeding 20 million won:

1. A person who intentionally produces marine information different from the facts;
2. A person who relocates any national marine reference point marker without authorization or engages in any activity destroying it or impairing its utility, in violation of Article 10 (1);
3. A person who conducts marine research or produces any navigational publication during the period of business suspension specified in Article 28 (1);
4. A person who fails to file for registration of marine research and information business, in violation of Article 30 (1); or operates a marine research and information business after such business is registered by fraud or other improper means.

Article 64 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding 10 million won:

1. A person who accesses the Korea Ocean Observing Network without obtaining permission from the Minister of Oceans and Fisheries, in violation of Article 16 (2);
2. A person who refuses to conduct marine research or produce a navigational publication without good cause, in violation of Article 27 (1);
3. A person who divulges any confidential information learned in the course of performing his or her duties without good cause, in violation of Article 27 (2);
4. A person who belongs to at least two marine research and information business entities, in violation of Article 27 (3);

5. A person who lends his or her certificate of marine research technique career to another person, or allows another person to conduct marine research or produce any navigational publication in his or her name, in violation of Article 27 (4);
6. A person who lends his or her registration certificate or registration pocket book of marine research and information to another person, or allows another person to conduct a marine research and information business using his or her name or trade name, in violation of Article 33 (2);
7. A person who uses a registration certificate or registration pocket book of marine research and information business borrowed from another person, or operates a marine research and information business using another person's name or trade name, in violation of Article 33 (3);
8. A person who publishes a copied product of a marine publication or a product similar to such marine publication by modifying it without obtaining approval from the Minister of Oceans and Fisheries, in violation of Article 48 (1).

Article 65 (Joint Penalty Provisions)

If the representative of a corporation, or an agent or employee of, or any other person employed by a corporation or an individual commits any offense specified in Articles 62 through 64 in connection with the affairs of the corporation or individual, not only shall such offender be punished accordingly, but the corporation or individual shall also be punished by a fine under the relevant provisions: Provided, That this shall not apply where such corporation or individual has not been negligent in taking due care and supervision concerning the relevant affairs to prevent such offense.

Article 66 (Administrative Fines)

(1) Any of the following persons shall be subject to an administrative fine not exceeding three million won:

1. A person who interferes with marine research publicly announced by the Minister of Oceans and Fisheries under Article 11 without good cause;
2. A person who fails to conduct a hydrographic survey, in violation of Article 20 (1);
3. A person who fails to submit a copy of marine information obtained through a general hydrographic survey without good cause, in violation of Article 21 (1);
4. A person who fails to report on a marine research technician under Article 26 (1), or files a false report thereon;
5. A person who fails to receive education and training without good cause, in violation of Article 29 (1);
6. A person who fails to bear expenses referred to in Article 29 (2), or gives any disadvantage to a marine research technician on the grounds of bearing expenses;
7. A person who fails to report on changes in registered matters of marine research and information business, in violation of Article 30 (3);

8. A person who fails to report on business suspension, business closure, etc. of a marine research and information business entity under Article 34, or files a false report thereon;
 9. A person who fails to report on the succession to the status of a marine research and information business entity under Article 35 (3);
 10. A person who fails to notify the details of disposition, in violation of Article 38 (2);
 11. A person who fails to undergo a performance inspection regarding marine research equipment without good cause, in violation of Article 41 (1);
 12. A person who sells marine publications without observing the selling prices thereof, or distributes navigational publications without modifying them in accordance with the latest issue of Notices to Mariners, in violation of Article 50 (4);
 13. A person who fails to report on matters relating to sales agency business for marine publications under Article 51 (1), or files a false report thereon;
 14. A person who fails to make a report under Article 55 (1) without good cause, or makes a false report;
 15. A person who refuses, interferes with, or evades investigations conducted under Article 55 (1) without good cause.
- (2) Administrative fines referred to in paragraph (1) shall be imposed and collected by the Minister of Oceans and Fisheries, as prescribed by Presidential Decree.

ADDENDA <Act No. 17063, Feb. 18, 2020>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Reporting)

(1) Articles 30 (4) and (5) and 35 (4) and (5) shall begin to apply to reports filed after this Act enters into force.

(2) Article 51 shall begin to apply where the fact specified in each subparagraph of Article 51 (1) occurs after this Act enters into fact.

Article 3 (Applicability to Fees)

@Article 58 (1) shall begin to apply to persons who fall under the subparagraphs of Article 58 (1) after this Act enters into force.

Article 4 (General Transitional Measures)

Acts performed by or toward administrative agencies in relation to waterway surveys, waterway technicians, or waterway business pursuant to the previous Act on the Establishment, Management, etc. of Spatial Data (referring to the Act before it has been amended under Article 17 (3) of the Addenda; hereinafter the same shall apply), as at the time this Act enters into force, shall be deemed acts performed by or toward administrative agencies pursuant to this Act, if such corresponding provisions exist herein.

Article 5 (Transitional Measures concerning Waterway Surveys)

Waterway surveys and the outcomes of waterway surveys conducted pursuant to the previous Act on the Establishment, Management, etc. of Spatial Data before this Act enters into force shall be deemed marine research and marine information defined in subparagraphs 1 and 10 of Article 2, respectively.

Article 6 (Transitional Measures concerning Waterway Publications)

Waterway publications defined in subparagraph 15 of Article 2 of the previous Act on the Establishment, Management, etc. of Spatial Data, as at the time this Act enters into force, shall be deemed marine publications defined in subparagraph 11 of Article 2.

Article 7 (Transitional Measures concerning Master Plans for Waterway Surveys)

A master plan for waterway surveys and annual execution plan formulated pursuant to Article 30 of the previous Act on the Establishment, Management, etc. of Spatial Data, as at the time this Act enters into force, shall be deemed a master plan and annual implementation plan formulated pursuant to Article 7, respectively.

Article 8 (Transitional Measures concerning National Control Points)

A national control point prescribed by the Minister of Oceans and Fisheries, among national control points referred to in Article 7 (1) 1 of the previous Act on the Establishment, Management, etc. of Spatial Data as at the time this Act enters into force, and the marker of such national control point shall be deemed a national marine reference point and national marine reference point marker referred to in Article 9, respectively.

Article 9 (Transitional Measures concerning Matters Subject to Deliberation by National Geographical Names Committee)

The National Geographical Names Committee established pursuant to Article 91 of the previous Act on the Establishment, Management, etc. of Spatial Data shall transfer its duties concerning the establishment and change of marine geographical names subject to deliberation, as at the time this Act enters into force, to the Maritime Affairs and Fisheries Development Committee established pursuant to Article 23 (2).

Article 10 (Transitional Measures concerning Waterway Technicians)

(1) A waterway technician referred to in Article 43 of the previous Act on the Establishment, Management, etc. of Spatial Data, as at the time this Act enters into force, shall be deemed a marine research technician referred to in Article 25.

(2) Reporting on a waterway technician under Article 43 (3) of the previous Act on the Establishment, Management, etc. of Spatial Data, as at the time this Act enters into force, shall be deemed reporting on a marine research technician under Article 25.

(3) A person who conducts marine research (excluding survey of marine geographical names; hereafter the same shall apply in this Article) or produces navigational publications as at the time this Act enters into force but has failed to file a report under Article 43 (3) of the previous Act on the Establishment, Management, etc. of Spatial Data shall file a report under Article 26 (1) within one year after this Act

enters into force, notwithstanding Article 26 (1).

(4) A waterway technique record certificate issued pursuant to Article 43 (3) of the previous Act on the Establishment, Management, etc. of Spatial Data, as at the time this Act enters into force, shall be deemed a certificate of marine research technique career issued under Article 26 (3).

(5) A person who conducts marine research or produces navigational publications, as at the time this Act enters into force, shall receive education and training pursuant to Article 29 (1) within two years from the date this Act enters into force, notwithstanding Article 29 (1).

Article 11 (Transitional Measures concerning Specialized Institutions related to Education)

A related specialized institution performing the duties of education pursuant to Article 97 (2) of the previous Act on the Establishment, Management, etc. of Spatial Data, as at the time this Act enters into force, shall be deemed designated as a specialized education institution for education and training pursuant to Article 29 (4).

Article 12 (Transitional Measures concerning Registration of Waterway Business)

(1) Registration of waterway business under Article 54 (1) of the previous Act on the Establishment, Management, etc. of Spatial Data before this Act enters into force shall be deemed registration of marine research and information business under Article 30. In such cases, registration of waterway surveying business, among waterway businesses specified in Article 54 (1) of the previous Act on the Establishment, Management, etc. of Spatial Data, shall be deemed registration of both ocean observation business defined in subparagraph 13 (a) of Article 2 and hydrographic survey business defined in subparagraph 13 (b) of Article 2; and registration of any other type of waterway business shall be deemed registration of the type of marine research and information business under this Act, as prescribed by Presidential Decree.

(2) A person who runs a marine information service business, as at the time this Act enters into force, may run the marine information service business defined in subparagraph 13 (d) of Article without filing for registration under Article 30 (1) until one year from the date this Act enters into force, notwithstanding Article 30 (1).

(3) A registration certificate and registration pocket book of waterway business issued under Article 54 (3) of the previous Act on the Establishment, Management, etc. of Spatial Data, before this Act enters into force, shall be deemed a registration certificate and registration pocket book of marine research and information business issued under Article 33 (1), respectively.

Article 13 (Transitional Measures concerning Sales Agents)

A sales agent to sell waterway publications under Article 35 (2) of the previous Act on the Establishment, Management, etc. of Spatial Data, before this Act enters into force, shall be deemed a sales agent designated pursuant to Article 50 (1).

Article 14 (Transitional Measures concerning Maritime Survey Association)

The Maritime Survey Association established pursuant to Article 57 of the previous Act on the Establishment, Management, etc. of Spatial Data, before this Act enters into force, shall be deemed the

Association established pursuant to Article 54.

Article 15 (Transitional Measures concerning Administrative Disposition)

Administrative disposition for an act violating the previous Act on the Establishment, Management, etc. of Spatial Data before this Act enters into force shall be governed by the previous Act on the Establishment, Management, etc. of Spatial Data if the criteria therefor have been more strengthened than the previous ones; and shall be governed by this Act if the criteria therefor have been more relaxed than the previous ones.

Article 16 (Transitional Measures concerning Penalty Provisions and Administrative Fines)

For purposes of applying penalty provisions or an administrative fine to an act violating the previous Act on the Establishment, Management, etc. of Spatial Data before this Act enters into force, the previous Act on the Establishment, Management, etc. of Spatial Data shall apply.

Article 17 Omitted.

Article 18 (Relationship to Other Statutes and Regulations)

Any citation of the previous Act on the Establishment, Management, etc. of Spatial Data or of any provisions thereof in any other statute or regulation, as at the time this Act enters into force, shall be deemed a citation of this Act or the corresponding provisions of this Act in lieu of the previous Act on the Establishment, Management, etc. of Spatial Data or any provisions thereof, if such corresponding provisions exist herein.

ADDENDA <Act No. 18755, Jan. 11, 2022>

Article 1 (Enforcement Date)

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

Articles 2 through 40 Omitted.

ADDENDA <Act No. 18959, Jun. 10, 2022>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Notice)

The amended provisions of Article 49 (2) and (3) shall also apply to marine shooting and marine training that is being conducted or managed and construction work that is in progress, as at the time this Act enters into force.

Article 3 Omitted.

Last updated : 2023-03-31

