

ELECTRICAL TECHNOLOGY MANAGEMENT ACT

Act No. 5132, Dec. 30, 1995
Amended by Act No. 5453, Dec. 13, 1997
Act No. 5784, Feb. 5, 1999
Act No. 6673, Mar. 25, 2002
Act No. 7428, Mar. 31, 2005
Act No. 7740, Dec. 23, 2005
Act No. 8852, Feb. 29, 2008
Act No. 9180, Dec. 26, 2008
Act No. 9680, May 21, 2009
Act No. 10911, Jul. 25, 2011
Act No. 11690, Mar. 23, 2013
Act No. 11970, Jul. 30, 2013
Act No. 12305, Jan. 21, 2014
Act No. 13741, Jan. 6, 2016
Act No. 13805, Jan. 19, 2016
Act No. 13860, Jan. 27, 2016
Act No. 16802, Dec. 10, 2019
Act No. 19042, Nov. 15, 2022

CHAPTER I GENERAL PROVISIONS

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Article 1 (Purpose)

The purpose of this Act is to contribute the development of the national economy and secure the safety of the public by promoting the research and development of electrical technology and efficiently utilizing and managing it, so as to improve the level of electrical technology and to ensure the appropriate installation of electric facilities.

Article 2 (Definitions)

The terms used in this Act are defined as follows: <Amended on May 21, 2009; Jul. 25, 2011; Dec. 10, 2019>

1. The term "electrical technology" means technology concerning the plan, investigation, design, construction and supervision of electric installations prescribed in subparagraph 16 of Article 2 of the Electric Utility Act (hereinafter referred to as "electric facilities") and the maintenance, repair, operation, management, safety, diagnosis and inspection of the completed electric facilities: Provided, That the facilities built up by construction works under the Framework Act on the Construction Industry and a nuclear reactor and its related facilities under the Nuclear Safety Act shall be excluded;
2. The term "electrical engineer" means a holder of technical qualifications in the electricity area pursuant to the National Technical Qualifications Act and a person who has certain academic background or career, who has been recognized by the Minister of Trade, Industry and Energy pursuant to Article 7-2;
3. The term "design" means preparing plans, design plans, design specifications, a statement of items of the construction cost and technical calculations concerning the installation and repair works of electric facilities and documents related thereto (hereinafter referred to as "design documents");
4. The term "construction supervision" means that a construction supervision company entrusted with the installation and repair works of electric facilities checks whether they are carried out according to the design documents and other related documents, gives technical directions concerning quality management, construction management, safety management, etc. and exercises the authority of a person who places an order as proxy according to the related statutes;
5. The term "supervisor" means a person employed in a construction supervision company who conducts the affairs of the construction supervision of electric facilities.

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CHAPTER II PROMOTION OF ELECTRICAL TECHNOLOGY

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Article 3 (Establishment of Basic Plans for Promotion of Electrical Technology)

(1) The Minister of Trade, Industry and Energy shall establish a basic plan for the promotion of electrical technology (hereinafter referred to as "basic plan") in order to promote the research and development of electrical technology and efficiently utilize the outcomes thereof. <Amended on Mar. 23, 2013>

(2) The basic plan shall include the matters falling under each of the following subparagraphs:

1. The basic goal of the promotion of electrical technology and direction of execution thereof;
2. Policies for stimulating the development of electrical technology and utilizing such technology;
3. Matters concerning training of electrical engineers and the supply of and demand for them;
4. Matters concerning the adoption of new electrical technology;
5. Matters concerning management of information about electrical technology and electrical technology standardization;
6. Matters concerning the guidance for and fostering of an institute or organization which conducts research on electrical technology;
7. Matters concerning international cooperation in electrical technology;
8. Matters concerning financial support for the promotion of electrical technology;
9. Other matters concerning the promotion of electrical technology.

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Article 4 (Fostering of Research Institutes)

- (1) The Minister of Trade, Industry and Energy shall provide guidance and support to an institute or organization which conducts the research and development of electrical technology for the promotion of electrical technology. <Amended on Mar. 23, 2013>
- (2) The Government may subsidize an institute or organization under paragraph (1) within budgetary limits.
- (3) Necessary matters concerning the scope of an institute or organization under paragraph (1) and the guidance and support therefor shall be prescribed by Presidential Decree.

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Article 5 (Selection of Research Projects)

- (1) Where the Minister of Trade, Industry and Energy deems it necessary for the research and development of electrical technology, he or she may select a research project concerning electrical technology and designate a person who will conduct research thereon. <Amended on Mar. 23, 2013>
- (2) Matters necessary for the selection of a research project and the designation of a person who will conduct research under paragraph (1) and the subsidization of research, etc., shall be prescribed by Presidential Decree.

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Article 6 (Recommendation for Research and Development of Electrical Technology)

For the research and development and the introduction of new technology, the Minister of Trade, Industry and Energy may recommend that any of the following persons establish and operate an affiliated research institute or make an investment in joint research, information exchange and the development of technology, as prescribed by Presidential Decree: <Amended on Mar. 23, 2013>

1. A public corporation under the direction and supervision of the Minister of Trade, Industry and Energy, among the public corporations under Article 5 of the Act on the Management of Public Institutions (hereinafter referred to as "public corporations");
2. An association of electrical engineers under Article 18;
3. An organization related to electrical technology;
4. An academic organization related to electricity.

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Article 7 (Management of Electrical Engineering Human Resources)

(1) The Minister of Trade, Industry and Energy may formulate and implement a policy concerning the management and training, etc. of electrical engineers and supervisors if necessary for the efficient utilization of electrical engineering human resources and the improvement of technical capabilities.

<Amended on Mar. 23, 2013>

(2) Necessary matters concerning the management of electrical engineers and supervisors shall be determined by Presidential Decree.

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Article 7-2 (Recognition of Results of Electrical Engineer)

(1) A person that intends to be recognized as an electrical engineer shall file an application with the Minister of Trade, Industry and Energy, as prescribed by Presidential Decree.

(2) Where an applicant referred to in paragraph (1) meets the qualifications of electrical engineers prescribed by Presidential Decree, the Minister of Trade, Industry and Energy shall recognize such applicant as an electrical engineer.

(3) Where the Minister of Trade, Industry and Energy recognizes an applicant pursuant to paragraph (1) as an electrical engineer, it shall issue a certificate (hereinafter referred to as a “career pocketbook”) to confirm the electrical engineer's grade and experience.

(4) The application procedure pursuant to paragraphs (1) through (3), standards and scope of technical qualifications, academic background, and experience, and matters necessary for issuance of a career pocketbook shall be prescribed by Presidential Decree.

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Article 8 (Prohibition of Lending Career Pocketbook)

No electrical engineer shall allow any other person to use his or her name to perform any electrical technical services or lend his or her career pocketbook to any other person. <Amended on Mar. 23, 2013; Dec. 10, 2019>

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Article 8-2 (Revocation of Authorization of Electrical Engineer)

(1) The Minister of Trade, Industry and Energy shall revoke the authorization of an electric power engineer if the electrical engineer falls under any of the following:

- 1. When they have been recognized as an electrical engineer by fraud or other improper means;
- 2. Where the national technical qualification is revoked pursuant to Article 16 of the National Technical Qualification Act.

(2) Where a electrical engineer falls under any of the following grounds, the Minister of Land, Infrastructure and Transport may suspend recognition of the electrical engineer for up to three years:

- 1. Where an electrical engineer allows another person to use his or her name to perform any electrical technical services or lends his or her career pocketbook;
- 2. Where the national technical qualification is suspended pursuant to Article 16 of the National Technical Qualifications Act.

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CHAPTER III DESIGN AND SUPERVISION OF ELECTRIC FACILITIES

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Article 9 (Standards for Electrical Technology)

The standards for electrical technology (hereinafter referred to as "technical standards") necessary for the design, supervision, testing, inspection, and management of electric facilities shall be determined by

Ordinance of the Ministry of Trade, Industry and Energy. <Amended on Mar. 23, 2013>

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Article 10 (Observance of Technical Standards)

(1) A person who prepares design documents under Article 11 (1) and (2) shall do so in conformity with the technical standards.

(2) A supervisor shall supervise the installation of electric facilities so that they are installed according to the design documents and the technical standards.

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Article 11 (Preparation of Design Documents for Electric Facilities)

(1) The design documents for electric facilities shall be prepared by a professional engineer in the field of electricity under the National Technical Qualifications Act: Provided, That this shall not apply to standard design documents prescribed by Ordinance of the Ministry of Trade, Industry and Energy and the design documents to which a new or special construction method is applied. <Amended on Mar. 23, 2013>

(2) With regard to design documents for the electric facilities equipped with electrical installations for general use provided in subparagraph 18 of Article 2 of the Electric Utility Act and for the electric facilities necessary for performing repair works with no need to increase capacity, among electrical installations for private use prescribed in subparagraph 19 of Article 2 of the same Act, notwithstanding paragraph (1), a person who has obtained a designer license by applying to the Minister of Trade, Industry and Energy, as prescribed by Presidential Decree among technical qualification holders under the National Technical Qualifications Act, may prepare those documents. <Amended on May 21, 2009; Dec. 10, 2019>

(3) A professional engineer in the field of electricity, a designer and design business entity (referring to a person who has filed for registration of design business under Article 14 (1); hereinafter the same shall apply) who has prepared design documents for electric facilities under paragraphs (1) and (2) shall affix his or her signature and seal to the design documents.

(4) A design document of electric facilities meeting the requirements prescribed by Presidential Decree, among design documents under paragraph (1), shall be subject to design supervision, as prescribed by Presidential Decree: Provided, That this shall not apply if the design document is a standard design document or a design document of repair work with no need to change capacity. <Amended on Jan. 27,

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Article 12 (Construction Supervision)

(1) A person who places an order for the installation and repair of electric facilities (hereinafter referred to as "person who places an order") shall place an order for construction supervision to another person who has filed for registration of construction supervision under Article 14 (1) (hereinafter referred to as "supervision service provider") to ensure and improve the quality of the installation and repair of electric facilities.

(2) Notwithstanding paragraph (1), an order for construction supervision may not be placed to a supervision service provider in the case of the installation and repair of any of the following electric facilities:

1. Construction of electric facilities executed by the State, local governments public corporations and other agencies or organizations prescribed by Presidential Decree, the supervision of which is performed by a person employed by any of them and to whom a supervisor's pocketbook has been issued in accordance with the standards for the assignment under paragraph (4);

2. Construction of other small-scale or special facilities prescribed by Presidential Decree.

(3) A person whose qualifications as a supervisor has been recognized by applying to the Minister of Trade, Industry and Energy shall supervise the construction of electric facilities, as prescribed by Presidential Decree. <Amended on Dec. 10, 2019>

(4) The scope of installation or repair works subject to construction supervision under paragraphs (1) through (3), standards for the assignment of supervisors, authorization as supervisors and verification thereof, issuance of supervisors' qualification certificates and work scope and other necessary matters shall be prescribed by Presidential Decree. <Amended on Dec. 10, 2019>

(5) A supervisor who conducts supervision under paragraph (3) shall faithfully perform his or her duties and endeavor to improve the quality of the installation and repair of electric facilities, and shall not conduct any act impairing his or her dignity as a supervisor.

(6) No person whose authorization as a supervisor has been verified under paragraph (3) shall allow any other person to perform supervision of the construction of any electric facilities or lend his or her supervisor certificate issued by the Minister of Trade, Industry and Energy to any other person. <Amended on Mar. 23, 2013; Dec. 10, 2019>

(7) Necessary matters concerning the execution of construction supervision under paragraphs (1) and (2) shall be determined by Ordinance of the Ministry of Trade, Industry and Energy. <Amended on Mar. 23, 2013>

(8) Where the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, a Do Governor, or a Special Self-Governing Province Governor (hereinafter referred to as the

"Mayor/Do Governor") approves plans for housing construction projects under Article 15 (1) of the Housing Act, notwithstanding paragraph (1), he or she shall select a supervision service provider to perform supervision of the construction of electric facilities for the housing construction works (excluding cases where a project proprietor falls under any subparagraph of Article 14-2 (1)) in accordance with the evaluation criteria for project performance capabilities under Article 14-2 (2). <Amended on Jul. 30, 2013, Jan. 19, 2016>

(9) Matters necessary for housing construction works for which the Mayor/Do Governor selects a supervision service provider under paragraph (8) and the scope thereof shall be prescribed by Presidential Decree.

(10) Article 8-2 shall apply mutatis mutandis to the cancellation and suspension of authorization as supervisors. In such cases, "electrical engineer" shall be construed as "supervisor," "electrical technical services" as "construction supervision of electric facilities," and "career pocketbook" as "certificate of qualification of a supervisor," respectively. <Newly Inserted on Dec. 10, 2019>

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Article 12-2 (Assignment of Supervisors)

(1) When any of the following persons (hereinafter referred to as "supervision service provider, etc.") intends to perform construction supervision, he or she shall assign supervisors under his or her control before commencing the works pursuant to the standards for the assignment of supervisors determined and publicly announced by the Minister of Trade, Industry and Energy: <Amended on Mar. 23, 2013>

- 1. A supervision service provider;
- 2. A person who has the supervisor under his or her control perform construction supervision under Article 12 (2) 1.

(2) When a supervision service provider, etc. assign a supervisor under his or her control (including cases of change in assignment), he or she shall report assignment status to the Mayor/Do Governor within 30 days. In such case, the supervision service provider shall obtain a confirmation from a person who places an order for the construction work. <Amended on Jan. 27, 2016>

(3) A supervision service provider, etc. shall submit a report on the completion of construction supervision to the Mayor/Do Governor within 30 days when his or her service of construction supervision has been completed. In such case, the supervision service provider shall obtain a confirmation from a person who places an order for the construction work. <Amended on Jan. 27, 2016>

(4) When the Mayor/Do Governor has received a report on the assignment status of supervisors under paragraph (2) or a report on the completion of construction supervision under paragraph (3), he or she shall keep records of and maintain such facts, and when a supervision service provider, etc. file an application therefor, he or she shall issue a written confirmation on the assignment status of supervisors or a certificate of completion of construction supervision.

(5) Necessary matters concerning the details of a report on the assignment status of supervisors under paragraph (2) or the details of a report on the completion of construction supervision and the methods for submitting such report under paragraph (3), and the issuance, etc. of a written confirmation on the assignment status of supervisors or a certificate of the completion of construction supervision under paragraph (4), shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy. <Amended

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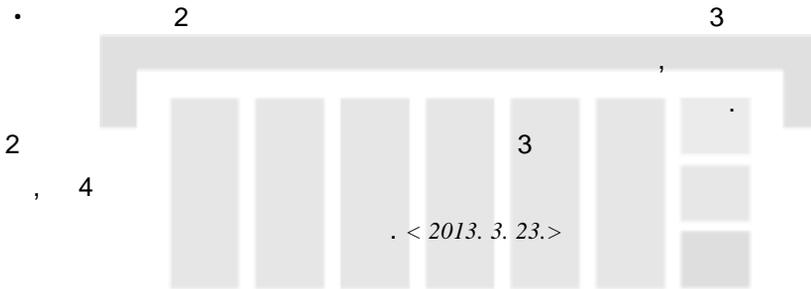
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Article 13 (Supervisors' Order to Suspend Construction)

(1) Where a constructor executes the installation and repair works of electric facilities in a way not in compliance with design documents and other related documents, a supervisor may issue an order to reconstruct or suspend construction thereof, or take other necessary measures.

(2) A construction business entity that has received an order for reconstruction or construction suspension or directions concerning other necessary measures from a supervisor under paragraph (1) shall comply therewith unless any justifiable ground exists.

(3) Where a supervisor has given an order for reconstruction or construction suspension, or has taken other necessary measures, he or she shall promptly inform a person who places an order for the construction work of the matters related thereto.

(4) Where a person who places an order is informed of an order for reconstruction or construction suspension or other necessary measures by a supervisor under paragraph (3), he or she shall promptly take measures necessary therefor.

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Article 14 (Registration of Design Business and Supervision Services)

(1) A person who intends to operate any of the following business shall file for registration of his or her business with the Mayor/Do Governor by type of the business. This shall also apply to cases where he or she intends to modify any registration details:

1. The business of designing electric facilities (hereinafter referred to as "design business");
2. The business of supervising construction of electric facilities (hereinafter referred to as "supervision business").

(2) The type of design business and supervision services, the registration standards and the scope of business by type, and other necessary matters shall be prescribed by Presidential Decree.

(3) No design business entity or supervision service provider whose business has been registered under paragraph (1) shall allow any other person to carry on the design business or supervision services under the name of the business entity himself or herself, or may lend his or her certificate of registration to any other person.

(4) Necessary matters concerning procedures for registration and modified registration of the design business and the supervision services shall be determined by Ordinance of the Ministry of Trade, Industry and Energy. <Amended on Mar. 23, 2013>

(5) The price of design and supervision shall be determined and publicly notified by the Minister of Trade, Industry and Energy. <Amended on Mar. 23, 2013>

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Article 14-2 (Selection of Design Business Entities and Supervision Service Providers)

(1) Any of the following persons shall prepare and publicly notify an execution plan, as prescribed by Presidential Decree, for a project, the amount of which is not less than the notified amount under Article 4 of the Act on Contracts to Which the State Is a Party, among design and construction supervision services for electric facilities ordered by the said persons:

- 1. The State;
- 2. A local government;
- 3. Public corporations;
- 4. Other institutions or entities prescribed by Presidential Decree.

(2) When any person falling under any subparagraph of paragraph (1) intends to carry out a project published under paragraph (1), he or she shall select a design business entity and a supervision service provider according to technical and management capability, and the evaluation criteria of project performance capabilities prescribed by Presidential Decree.

(3) Where any design business entity or supervision service provider causes damage to the object of the relevant service or any third party by intention or negligence in the course of implementing a design and construction supervision service contract, he or she shall make compensation for such damage, and in order to secure such compensation, he or she shall purchase an insurance or enter a mutual aid under Article 18-2 to compensation for such damage. In such cases, a person who places an order referred to in paragraph (1) shall appropriate the expenses incurred in purchasing an insurance or entering a mutual aid into the service charges.

(4) Necessary matters concerning procedures for selecting a design business entity and a supervision service provider under paragraph (2), and the term, kind, object, method, etc. of an insurance or mutual aid under paragraph (3) shall be prescribed by Presidential Decree.

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Article 14-3 (Separate Orders for Design and Construction Supervision Services)

A person who places an order shall place an order for the design or construction supervision services of electric facilities falling under any of the following subparagraphs, separately from other service projects, such as construction of such facilities: Provided, That the same shall not apply to the electric facilities of a scale not exceeding the scale prescribed by Presidential Decree or cases where there is a compelling reason:

- 1. A project for the design and construction supervision of electric facilities, the execution plan of which is prepared and publicly announced under Article 14-2 (1);
- 2. A project required to receive cooperation from related specialized engineers pursuant to Article 67 of the Building Act.

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Article 15 (Grounds for Disqualification of Registration)

Any of the following persons shall not be allowed to file for registration of design business or supervision services under Article 14: <Amended on Jan. 21, 2014; Jan. 27, 2016>

- 1. A person under adult guardianship;
- 2. A person who was declared bankrupt, but has not yet been reinstated;

3. A person in whose case two years have not elapsed since his or her imprisonment with labor declared by a court for the violation of this Act was completely executed (including cases where the execution was deemed to have been completed) or exempted;
4. A person who is under suspension of the execution of punishment imposed on him or her for the violation of this Act;
5. A person in whose case two years have not elapsed since the registration of his or her design business or supervision services was revoked under Article 16 (excluding cases where the registration was revoked due to the grounds for disqualification under subparagraphs 1 or 2);
6. A juristic person who has an executive officer falling under any of subparagraphs 1 through 5.

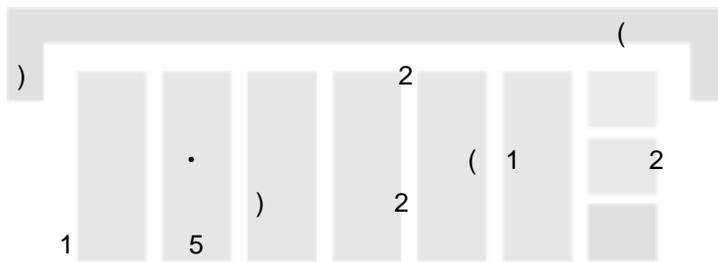
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Article 16 (Revocation of Registration or Suspension of Business)

Where a design business entity or supervision service provider falls under any of the following subparagraphs, the Mayor/Do Governor may revoke the registration or issue an order to fully or partially suspend the business for a period not exceeding six months, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy: Provided, That where he or she falls under subparagraph 1 or 2, the registration shall be revoked: <Amended on Mar. 23, 2013>

1. Where the agent has made registration by fraud or other improper means;
2. Where one month has passed from the date on which he or she ceased to meet the registration standards under Article 14 (2);
3. Where he or she fails to faithfully perform the design or construction supervision services, thereby posing danger to the public or having the electric facilities installed in a faulty manner;
4. Where he or she falls under any of the grounds for disqualification prescribed in subparagraphs 1 through 4 of Article 15 or where he or she falls under subparagraph 6 of the said Article (in the case of a juristic person, excluding the cases where its representative is replaced within six months);

5. Where he or she lends a certificate of registration to any other person.

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Article 16-2 (Transfer of Design Business and Supervision Services)

(1) When a design business entity or supervision service provider falls under any of the following subparagraphs, he or she shall file a report to the Mayor/Do Governor, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy: <Amended on Mar. 23, 2013>

- 1. Where he or she intends to transfer or acquire design business or supervision services;
- 2. When he or she intends to effect a merger between design business entities or supervision service providers.

(2) When a transfer or acquisition of the design business or the supervision services or a merger between corporations is reported under paragraph (1), the transferee of the design business or supervision services, or the corporation incorporated or surviving the merger shall inherit the status of the transferor, or the design business entity or supervision service provider of the corporation extinguished by the merger.

(3) Article 15 shall apply mutatis mutandis to the successor referred to in paragraph (2).

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Article 17 (Reporting of Suspension of Service)

Where the design business or supervision services are suspended, resumed, or closed, it shall be reported to the Mayor/Do Governor, as prescribed by Ordinance of the Ministry of Trade, Industry and Energy. <Amended on Mar. 23, 2013>

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CHAPTER IV ASSOCIATION OF ELECTRICAL ENGINEERS

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Article 18 (Establishment of Association of Electrical Engineers)

(1) Electrical engineers, etc. may establish an association of electrical engineers (hereinafter referred to as the "Association") after obtaining authorization therefor from the Minister of Trade, Industry and Energy, for the promotion of the research and development of electrical technology, improvement in the quality of electric facilities, maintenance of dignity, improvement of business affairs, and the training and guidance for and management of electrical engineers. <Amended on Mar. 23, 2013>

(2) The Association shall be a juristic person.

(3) The Association shall be established at the time when it files for registration of such establishment at the location of its main office.

(4) Matters to be included in the articles of association, the method of operation and other necessary matters shall be prescribed by Ordinance of the Ministry of Trade, Industry and Energy. <Amended on Mar. 23, 2013>

(5) Except as provided in this Act, provisions concerning an incorporated association in the Civil Act shall apply mutatis mutandis to the Association.

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Article 18-2 (Mutual Aid Programs)

(1) The Association may carry on mutual aid business after obtaining authorization therefor from the Minister of Trade, Industry and Energy to ensure the smooth operation of business related to guarantees, loans, etc. that are necessary for the design business entities and supervision service providers to secure economic independence and to elevate their economic status. <Amended on Mar. 23, 2013>

(2) Where the Association intends to carry on mutual aid business under paragraph (1), it shall establish mutual-aid rules governing the scope and details of the mutual aid business, mutual aid payouts, mutual aid premiums, etc. and obtain approval therefor from the Minister of Trade, Industry and Energy. The same shall also apply to cases where the Association intends to amend the details of mutual-aid rules. <Amended on Mar. 23, 2013>

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Article 22 Deleted. <Feb. 5, 1999>

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CHAPTER V SUPPLEMENTARY PROVISIONS

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Article 23 (Report and Inspection)

(1) Where the Minister of Trade, Industry and Energy or the Mayor/Do Governor deems it necessary to confirm whether the registration standards are satisfied and whether a signature and seal are affixed to drawing documents, he or she may order a design business entity or a supervision service provider to report thereon, or have a relevant public official enter the office or the place of business of the design business entity and the supervision service provider to inspect related documents and facilities, or make inquiries to interested persons. <Amended on Mar. 23, 2013; Jan. 27, 2016>

(2) Where the Minister of Trade, Industry and Energy or the Mayor/Do Governor intends to conduct an inspection (including inquiries; hereafter in this Article the same shall apply) under paragraph (1), he or she shall notify a person subject to the inspection of an inspection schedule including the date and time, purposes, details, etc. of the inspection, by not later than seven days before the inspection: Provided, That this shall not apply to the cases of emergency, or the case where the purposes of an inspection are deemed unachievable due to the destruction of evidence, etc. if a prior notice is given. <Amended on Mar. 23, 2013>

(3) A public official who enters the relevant office or the place of business and conducts an investigation under paragraph (1) shall carry an identification indicating his or her authority and present it to interested persons. and deliver a document stating his or her name, the date and time, purposes, etc. of the inspection to interested persons at the time of the inspection.

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Article 24 (Maintenance of Confidentiality)

No person who conducts design or supervision services according to this Act shall divulge any confidential information he or she has acquired while carrying out his or her duties: Provided, That this shall not apply in any case where the Minister of Trade, Industry and Energy deems this necessary for the development of electrical technology. <Amended on Mar. 23, 2013>

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Article 25 (Hearings)

If the Minister of Science and ICT intends to revoke the registration of a professional engineer office under Article 16, he or she shall hold a hearing. <Amended on Mar. 23, 2013; Jan. 6, 2016>

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Article 26 (Fees)

A person falling under any of the following shall pay fees, as determined by Ordinance of the Ministry of Trade, Industry and Energy or the municipal ordinance of the Special Metropolitan City, a Metropolitan City, a Special Self-Governing City, a Do, or a Special Self-Governing Province: <Amended on Mar. 23, 2013; Jul. 30, 2013; Dec. 10, 2019>

1. Deleted; <Jan. 6, 2016>
2. A person who intends to obtain a designer license under Article 11 (2);
3. A person who intends to have his or her qualification as a supervisor authorized under Article 12 (3);
4. A person who intends to receive a written confirmation on the assignment status of supervisors or a certificate of completion of construction supervision under Article 12-2 (4);
5. A person who intends to file for registration or modify registration of the design business or supervision services under Article 14 (1);
6. A person who intends to report the transfer, acquisition or merger of the design business or supervision services under Article 16-2 (1).

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Article 27 (Delegation of Authority)

(1) The Minister of Trade, Industry and Energy may delegate part of his or her authority under this Act to the Mayor/Do Governor, as prescribed by Presidential Decree. <Amended on Mar. 23, 2013>

(2) The Minister of Trade, Industry and Energy or the Mayor/Do Governor may entrust any of the following business under this Act to organizations, as prescribed by Presidential Decree: <Amended on Mar. 23, 2013; Dec. 10, 2019>

1. Education and training for and management of electrical engineers and supervisors under Article 7 (1);
1-2. Authorization as electrical engineers, and revocation and suspension thereof under Articles 7-2 and 8-2;
2. Issuance of designer licenses, and revocation and suspension thereof under Article 11 (2) and (7);
3. Authorization of qualification of supervisors under Article 12 (3) and cancellation and suspension of such recognition under Article 12 (3) and (10);
4. Receipt of a report on the assignment status of supervisors and a report on the completion of construction supervision, and recording and management thereof and issuance of a written confirmation on the assignment status of supervisors or a certificate of completion of construction supervision under Article 12-2 (4);
5. Receipt of an application to modify registration of design business or supervision services under Article 14 (1) (limited to a modification of technical human resources, such as electrical engineers and supervisors, etc.).

(3) When the Mayor/Do Governor and organizations have dealt with the delegated or entrusted business under paragraphs (1) and (2), they shall report the results thereof to the Minister of Trade, Industry and Energy. <Amended on Mar. 23, 2013>

(4) Where a disposition and others made by the Mayor/Do Governor or organizations under paragraph (1) or (2) is deemed illegal or unfair, the Minister of Trade, Industry and Energy may order them to cancel or suspend such disposition and others. <Amended on Mar. 23, 2013>

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CHAPTER VI? PENALTY PROVISIONS

Article 27-2 (Penalty Provisions)

(1) A person who causes danger to the public by incurring serious damage to the major part of electric facilities, such as transmission equipment, power plant, etc. which are prescribed by Presidential Decree during the warranty period under Article 15-2 of the Electrical Construction Business Act, due to design or construction supervision, in violation of Article 10 (1) and (2) shall be punished by imprisonment with labor for not more than seven years. <Amended on Jan. 21, 2014>

(2) A person who inflicts injury on any other person by committing an offense under paragraph (1) shall be punished by imprisonment with labor for a fixed term of not less than one year while any person who causes the death of any other person shall be punished by imprisonment with labor for a limited term of not less than three years.

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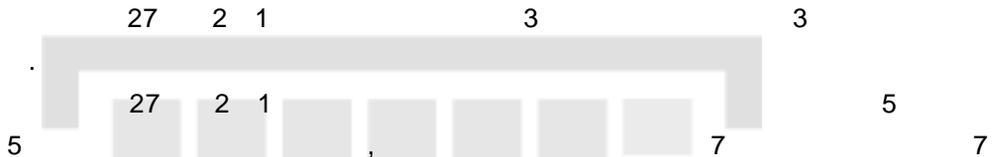
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Article 27-3 (Penalty Provisions)

(1) A person who commits an offense under Article 27-2 (1) due to negligence in performing business affairs shall be punished by imprisonment without labor for not more than three years, or by a fine not exceeding 30 million won.

(2) A person who inflicts injury on any other person committing an offense under Article 27-2 (1) due to negligence in performing business affairs shall be punished by imprisonment without labor for not more than five years, or by a fine not exceeding 50 million won while any person who causes the death of any other person shall be punished by imprisonment without labor for not more than seven years, or by a fine not exceeding 70 million won.

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Article 28 (Penalty Provisions)

Either 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 places an order for design service, in violation of Article 11 (5);
2. A person who places an order for construction supervision, in violation of Article 12 (1);
3. A person who fails to comply with a supervisor's reconstruction order or an order to suspend construction or to take other necessary measures under Article 13 (1);
4. A person who has filed for registration of design business or supervision services by fraud or other improper means;
5. A person who performs design business or construction supervision without filing for registration under Article 14 (1);
6. A design business entity or supervision service provider who continues to operate business during the period of business suspension under Article 16;
7. A person who divulges confidential information he or she has acquired in the course of carrying out his or her duties, in violation of Article 24.

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Article 29 (Penalty Provisions)

Any person falling under any of the following shall be subject to imprisonment with labor for not more than one year or by a fine not exceeding 10 million won: <Amended on Dec. 21, 2014>

1. An electrical engineer and his or her counterpart who violate Article 8;
2. A person who fails to observe the technical standards in conducting design services under Article 10 (1);
3. A person who fails to observe design documents or the technical standards in conducting construction supervision services under Article 10 (2);
4. A person who designs electricity facilities, in violation of Article 11 (1) or (2);
5. A person who fails to receive the design supervision under Article 11 (4);
6. A designer and the other party who violate Article 11 (6);
7. A supervisor and the other party who violate Article 12 (6);
8. A design business entity or supervision service provider and their respective other parties who violate Article 14 (3);
9. A design business entity or supervision service provider who fails to report or makes a false report, in violation of Article 16-2 (1).

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Article 29-2 (Joint Penalty Provisions)

(1) If the representative of a corporation, or an agent or employee of, or other person employed by the corporation or an individual commits any violations under Article 27-2 in conducting the business affairs of the corporation or individual, the corporation or individual shall, in addition to punishing the violator accordingly, be subject to a fine not exceeding 200 million won: Provided, That this shall not apply where such corporation or individual has not been negligent in exercising reasonable care and supervision concerning the relevant business affairs to prevent such violations.

(2) If the representative of a corporation, or an agent or employee of, or other person employed by the corporation or an individual commits any violations under Article 27-3, 28 or 29 in conducting the business affairs of the corporation or individual, the corporation or individual shall, in addition to punishing the violator accordingly, be subject to a fine under respective provisions: Provided, That this shall not apply where such corporation or individual has not been negligent in exercising reasonable care and supervision concerning the relevant business affairs to prevent such violations.

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Article 30 (Administrative Fines)

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

1. A person who fails to affix his or her signature and seal to design documents, in violation of Article 11 (3);

2. A supervision service provider, etc. who fail to assign supervisors, in violation of Article 12-2 (1):
Provided, That the State or local governments shall be excluded herefrom;

3. A person who violates notification duty under Article 13 (3);

4. Deleted; <Jan. 27, 2016>

5. A person who fails to report, in violation of Article 23 (1) or files a false report, or who refuses, obstructs or evades the entry, inspection and reply.

(2) A person who falls under any of the following subparagraphs shall be subject to an administrative fine not exceeding one million won: Provided, That in the case of subparagraphs 1 and 2, the State or local governments shall be excluded: <Amended on Jan. 27, 2016>

1. A supervision service provider, etc. who fail to report on the assignment status of supervisors or on changes in assignment under Article 12-2 (2);

2. A supervision service provider, etc. who fail to submit a report on the completion of construction supervision under Article 12-2 (3);

3. A person who fails to modify registration of design business or supervision services under Article 14 (1);

4. A person who fails to report on suspension or resumption of business or closure of business under Article 17.

(3) Administrative fines under paragraphs (1) and (2) shall be imposed and collected by the Mayor/Do Governor, as prescribed by Presidential Decree.

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Article 31 Deleted. <Mar. 25, 2002>

31 <2002. 3. 25.>

Article 32 (Legal Fiction as Public Officials in Application of Penalty Provisions)

The executive officers and employees of an organization engaged in the entrusted affairs under Article 27 (2) and a supervisor who carries out the affairs under Articles 12 and 13 shall be deemed public officials in applying Articles 129 through 132 of the Criminal Act.

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ADDENDA <Act No. 5132, Dec. 30, 1995>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Korean Association of Electrical Engineers)

(1) The Korean Association of Electrical Engineers (hereinafter referred to as the "Engineers Association"), an incorporated association established under Article 32 of the Civil Act as at the time this Act enters into force may make an application for approval to the Minister of Trade, Industry and Energy for an association to be established under Article 18 to succeed to all rights and obligations, following the resolution of the general meeting.

(2) The Engineers Association which has obtained approval based on an application pursuant to paragraph (1) shall be deemed dissolved simultaneously with the establishment of an association in accordance with this Act, notwithstanding the provisions regarding dissolution and liquidation under Civil Act, and an association established in accordance with this Act shall succeed to all rights and obligations belonging to the Engineers Association.

Article 3 Omitted.

Article 4 (Transitional Measures concerning Design or Supervision)

A person who conducts design or supervision concerning electric facilities as at the time this Act enters into force shall be deemed to conduct design or supervision according to this Act.

<5132, 1995. 12. 30.>

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

Article 1 (Enforcement Date)

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

Article 2 Omitted.

<5453, 1997. 12. 13.>

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ADDENDA <Act No. 5784, Feb. 5, 1999>

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

(2) (Transitional Measures concerning Korean Association of Electrical Engineers) The Korean Association of Electrical Engineers established under the former provisions as at the time this Act enters into force shall be deemed the Association of Electrical Engineers established under this Act.

<5784, 1999. 2. 5.>

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ADDENDA <Act No. 6673, Mar. 25, 2002>

(1) (Enforcement Date) This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Article 14-2 shall enter into force one year after the date of its promulgation.

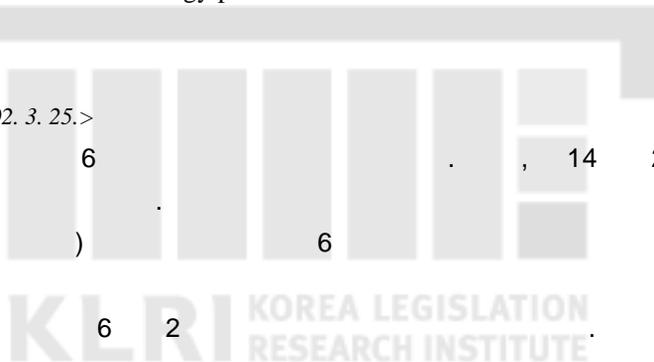
(2) (Transitional Measure concerning New Technology) Any electric technology which the Minister of Commerce, Industry and Energy publishes as a new technology and which is recommended by the Minister of Commerce, Industry and Energy to persons under any subparagraph of Article 6 for the research, development and introduction of new technology under the same Article as at the time this Act enters into force shall be deemed the new technology provided for in Article 6-2.

<6673, 2002. 3. 25.>

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ADDENDA <Act No. 7428, Mar. 31, 2005>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

<7428, 2005. 3. 31.>

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ADDENDA <Act No. 7740, Dec. 23, 2005>

- (1) (Enforcement Date) This Act shall enter into force six months after the date of its promulgation.
- (2) (Applicability to Selection of Supervision Service Providers) The amended provisions of Article 12 (8) shall apply starting from the first approval of housing construction business plans under Article 16 (1) of the Housing Act after this Act enters into force.
- (3) (Applicability to Submission of Completion Report on Construction Supervision) The amended provisions of Article 12-2 (3) shall apply starting from the first completion report on construction supervision services after this Act enters into force.

<7740, 2005. 12. 23.>

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

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

<8852, 2008. 2. 29.>

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ADDENDA <Act No. 9180, Dec. 26, 2008>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Construction Supervision, etc.)

An institution which falls under the category of government-invested institutions under the former Article 12 (2) 1 as at the time this Act enters into force but is not a public corporation shall be deemed a public corporation under the amended provisions of Article 12 (2) 1 for three months from the date on

which this Act enters into force.

Article 3 (Transitional Measures concerning Preparation of Execution Plan for Design or Construction Supervision and Public Announcement)

An institution which falls under the category of government-invested institutions under the former Article 14-2 (1) 3 as at the time this Act enters into force but is not a public corporations shall be deemed a public corporation under the amended provisions of Article 14-2 (1) 3 for three months from the date on which this Act enters into force.

<9180, 2008. 12. 26.>

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ADDENDA <Act No. 9680, May 21, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

<9680, 2009. 5. 21.>

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ADDENDA <Act No. 10911, Jul. 25, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

<10911, 2011. 7. 25.>

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ADDENDA <Act No. 11690, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

(2) Omitted.

Articles 2 through 7 Omitted.

<11690, 2013. 3. 23.>

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ADDENDA <Act No. 11970, Jul. 30, 2013>

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

<11970, 2013. 7. 30.>

ADDENDA <Act No. 12305, Jan. 21, 2014>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Incompetent, etc.)

A person who remains under the effects of the judicial declaration of incompetence or quasi-incompetence under Article 2 of the Addenda to the amended Civil Act (Act No. 10429) shall be deemed included among those who constitute an incompetent under the adult guardianship under the amended provisions of subparagraph 1 of Article 15.

<12305, 2014. 1. 21.>

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ADDENDA <Act No. 13741, Jan. 6, 2016>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Designation and Protection of New Technology)

Former provisions shall apply to a person who applied for designation of new technology, who obtained designation of new technology, or who applied for extension of period of protection of new technology pursuant to the former provisions as at the time this Act enters into force.

<13741, 2016. 1. 6.>

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ADDENDA <Act No. 13805, Jan. 19, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force on 8/12/2016.

Articles 2 through 22 Omitted.

<13805, 2016. 1. 19.>

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ADDENDA <Act No. 13860, Jan. 27, 2016>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Report on Assignment of Supervisors)

The amended provisions of Article 12-2 (2) shall begin to apply from the first case of reporting on the status of assignment of supervisors after this Act enters into force.

Article 3 (Applicability to Submission of Report on Completion of Construction Supervision)

The amended provisions of Article 12-2 (3) shall begin to apply from the first case of submitting a report on the completion of construction supervision after this Act enters into force.

<13860, 2016. 1. 27.>

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ADDENDUM <Act No. 16802, Dec. 10, 2019>

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

<16802, 2019. 12. 10.>

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ADDENDA <Act No. 19042, Nov. 15, 2022>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Separate Orders for Design or Construction Supervision Services)

The amended provisions of Article 14-3 shall begin to apply to installation and repair works of electric facilities publicly announced by a person placing an order (referring to the contracts for the projects required to receive cooperation of related specialized engineers) after this Act enters into force.

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Last updated : 2023-07-26