

# ATOMIC ENERGY ACT

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Wholly Amended by Act No. 3549, Apr. 1, 1982

Amended by Act No. 3850, May 12, 1986

Act No. 4541, Mar. 6, 1993

Act No. 4940, Jan. 5, 1995

Act No. 5233, Dec. 30, 1996

Act No. 5453, Dec. 13, 1997

Act No. 5820, Feb. 8, 1999

Act No. 6354, Jan. 16, 2001

Act No. 6472, May 24, 2001

Act No. 6873, May 15, 2003

Act No. 7428, Mar. 31, 2005

Act No. 7806, Dec. 30, 2005

Act No. 8852, Feb. 29, 2008

Act No. 8974, Mar. 21, 2008

Act No. 9016, Mar. 28, 2008

Act No. 10086, Mar. 17, 2010

## CHAPTER I GENERAL PROVISIONS

### Article 1 (Purpose)

The purpose of this Act is to contribute to the improvement of citizens' living standards and the promotion of social welfare, to strive for the prevention of disaster resulting from radiation, and to ensure the safety of the general public by prescribing matters concerning the research, development, production and utilization of nuclear energy (hereinafter referred to as "nuclear energy utilization") and the safety control thereof, and promoting the advancement of science and the development of the industry.

### Article 2 (Definitions)

The definitions of terms used in this Act shall be as follows: *<Amended by Act No. 3850, May 12, 1986; Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

1. The term "nuclear energy" means all forms of energy released from an atomic nucleus in the course of the transformation of an atomic nucleus;
2. The term "nuclear materials" means nuclear fuel materials and nuclear source materials;
3. The term "nuclear fuel materials" means materials capable of producing nuclear energy, such as uranium, thorium, etc., which are prescribed by Presidential Decree;
4. The term "nuclear source materials" means materials which are raw materials for nuclear fuel

- materials, such as uranium ore, thorium ore, etc., which are prescribed by Presidential Decree;
5. The term "radioactive materials" means nuclear fuel materials, spent nuclear fuel, radioactive isotopes and nuclear fission products;
  6. The term "radioactive isotopes" means isotopes and their compounds which emit radiation, which are prescribed by Presidential Decree;
  7. The term "radiation" means electromagnetic waves or particle beams which are capable of directly or indirectly ionizing air, which are prescribed by Presidential Decree;
  8. The term "nuclear reactors" means the apparatus in which nuclear fuel materials are used as fuel: *Provided*, That those nuclear reactors which are prescribed by Presidential Decree shall be excluded herefrom;
  9. The term "radiation generating devices" means the equipment which generates radiation by means of accelerating charged particles, which are prescribed by Presidential Decree;
  10. The term "related facilities" means such facilities which are prescribed by Presidential Decree concerning the safety of nuclear reactors;
  11. The term "refining" means physical or chemical processing of nuclear raw materials in order to increase the content of uranium or thorium contained in nuclear raw materials;
  12. The term "conversion" means the chemical processing of nuclear fuel materials in order to change nuclear fuel materials into a form in which they become suitable for fabrication;
  13. The term "fabrication" means the physical or chemical processing of nuclear fuel materials in order to change nuclear fuel materials into a form in which they may be used as fuel in a reactor;
  14. The term "spent nuclear fuel processing" means the processing of nuclear fuel materials which have been used as fuel in a reactor, or other nuclear fuel materials which have been subject to nuclear fission reaction for the purpose of research and experimentation, or means the separation of nuclear fuel materials and other materials from spent nuclear fuel by physical or chemical processing;
  15. The term "nuclear fuel cycling project" means the project related to refining, conversion, fabrication or spent nuclear fuel processing;
  16. The term "radiation control area" means an area in which the external radiation quantity and rate, the concentration of radioactive materials in the air, or the surface contamination degree of materials polluted by radioactive materials are in danger of exceeding the limit prescribed by Ordinance of the Ministry of Education, Science and Technology, and in which people's access is required to be controlled for the safe management of radiation and measures need to be taken to protect people with access for the prevention of radiation damage;
  17. The term "internationally controlled materials" means materials which are subject to security measures in accordance with the treaty relating to research, development and utilization of nuclear energy and other international treaties (hereinafter referred to as "international treaty") which are prescribed by Ordinance of the Ministry of Education, Science and Technology;
  18. The term "radioactive waste" means radioactive materials or other materials contaminated by such radioactive materials (hereinafter referred to as "radioactive materials, etc.") (including spent nuclear fuel) which are all subject to disposal;
  19. The term "radiation exposure quantity" means the quantity of radiation exposed to the exterior or

interior of human body: *Provided*, That the quantity of radiation exposed for medical treatment and the quantity of natural radiation which is not artificially increased shall be excluded herefrom. In such cases, kinds and application standards shall be determined and published by the Minister of Education, Science and Technology;

20. The term "nuclear power utilization facilities" means facilities related to the utilization of nuclear power which are prescribed by Presidential Decree;
21. The term "radiation work employee" means a person who is engaged in the work exposed or in danger of being exposed to radiation while working on the operation, utilization, or preservation of the nuclear power utilization facilities or on the usage, treatment, accumulation, conservation, processing, discharge, disposal, transport, control, or decontamination of radioactive materials, etc.

## **CHAPTER II ATOMIC ENERGY COMMISSION AND ATOMIC ENERGY SAFETY COMMISSION**

### **Article 3 (Atomic Energy Commission)**

The Atomic Energy Commission (hereinafter referred to as the "Commission") shall be established under the jurisdiction of the Prime Minister in order to deliberate and decide on important matters concerning the utilization and safety of nuclear energy.

*[This Article Wholly Amended by Act No. 5233, Dec. 30, 1996]*

### **Article 4 (Functions of Commission)**

The Commission shall deliberate and decide on matters falling under any of the following subparagraphs: *<Amended by Act No. 9016, Mar. 28, 2008>*

1. Integration and coordination concerning the utilization of nuclear energy;
2. Formulation of a comprehensive plan for the promotion of nuclear energy;
3. Estimation and allocation plans of expenditures for the utilization of nuclear energy;
4. Promotion of experimentation and research concerning the utilization of nuclear energy;
5. Fostering and training of researchers, engineers and technicians for the utilization of nuclear energy;
6. Basic plans to manage radioactive wastes;
7. Other matters referred to the discussion of the Commission which are deemed important by the chairperson of the Commission.

*[This Article Wholly Amended by Act No. 5233, Dec. 30, 1996]*

### **Article 4-2 (Composition of Commission)**

(1) The Commission shall be comprised of not less than nine but not more than 11 members, including the chairperson. *<Amended by Act No. 5820, Feb. 8, 1999>*

(2) The chairperson shall be the Prime Minister, and the members shall be the Minister of Strategy and Finance, the Minister of Education, Science and Technology, and the Minister of Knowledge Economy (hereinafter referred to as "ex officio members") and other persons appointed or commissioned by the President, upon recommendation of the chairperson. *<Amended by Act No.*

5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>

(3) The Commission shall have an executive secretary nominated by the chairperson, from among public officials belonging to the Ministry of Education, Science and Technology. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

[This Article Newly Inserted by Act No. 5233, Dec. 30, 1996]

#### **Article 5 (Atomic Energy Safety Commission)**

The Atomic Energy Safety Commission (hereinafter referred to as the "Safety Commission") shall be established under the jurisdiction of the Minister of Education, Science and Technology in order to deliberate and decide on important matters concerning the safety of nuclear energy. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

[This Article Wholly Amended by Act No. 5233, Dec. 30, 1996]

#### **Article 5-2 (Functions of Safety Commission)**

The Safety Commission shall deliberate and decide on the matters falling under each of the following subparagraphs:

1. Integration and coordination of the matters concerning the safety control of nuclear energy;
2. Control of nuclear materials and nuclear reactors;
3. Protection of hazards which may be caused by exposure to radioactivity in the course of nuclear energy utilization;
4. Estimation and allocation plans of expenditures for safety control of nuclear energy;
5. Promotion of experimentation and research activities concerning safety control of nuclear energy;
6. Fostering and training of researchers, engineers and technicians for safety control of nuclear energy;
7. Safety control of nuclear wastes;
8. Countermeasures for disasters due to radiation;
9. Other matters referred to discussion of the Safety Commission which are deemed important by the chairperson of the Safety Commission.

[This Article Newly Inserted by Act No. 5233, Dec. 30, 1996]

#### **Article 5-3 (Composition of Safety Commission)**

(1) The Safety Commission shall be comprised of not less than seven but not more than nine members, including its chairperson. <Amended by Act No. 6354, Jan. 16, 2001>

(2) The chairperson shall be the Minister of Education, Science and Technology, and the members shall be appointed or commissioned by the Minister of Education, Science and Technology in consultation with the Minister of Knowledge Economy: *Provided*, That any person who is engaged in the operation of nuclear power reactors and related facilities shall not be commissioned as a member of the Safety Commission. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

(3) The Safety Commission shall have an executive secretary who is designated by the Minister of Education, Science and Technology, from among public officials belonging to the Ministry of Education, Science and Technology. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

[This Article Newly Inserted by Act No. 5233, Dec. 30, 1996]

#### **Article 6 (Disqualification of Members)**

No person who falls under any of the subparagraphs of

[Article 33 of the State Public Officials Act](#) may be a member of the Commission and the Safety Commission. <Amended by Act No. 5233, Dec. 30, 1996; Act No. 7806, Dec. 30, 2005>

#### **Article 7 (Term of Members)**

The term of the members of the Commission and the Safety Commission, excluding *ex officio* members, shall be three years, and the term may be renewed. <Amended by Act No. 5233, Dec. 30, 1996>

#### **Article 8 (Operation of Commission and Safety Commission)**

Necessary matters for the operation of the Commission and the Safety Commission shall be prescribed by Presidential Decree. <Amended by Act No. 5233, Dec. 30, 1996>

### **CHAPTER III ESTABLISHMENT AND EXECUTION OF COMPREHENSIVE NUCLEAR ENERGY PROMOTION PLANS AND RESEARCH AND DEVELOPMENT, ETC. OF NUCLEAR ENERGY**

#### **Article 8-2 (Establishment of Comprehensive Nuclear Energy Promotion Plans)**

(1) The Minister of Education, Science and Technology shall establish a comprehensive nuclear energy promotion plan (hereinafter referred to as "comprehensive plan") for the utilization and safety control of nuclear energy every five years. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

(2) A comprehensive plan under paragraph (1) shall include the following matters:

1. Current status of and prospects for the utilization and safety control of nuclear energy;
2. Policy targets and basic direction of the utilization and safety control of nuclear energy;
3. Tasks by sector and implementation thereof;
4. Plans to invest required financial resources and securing such resources;
5. Other matters necessary for the utilization and safety control of nuclear energy.

(3) If the Minister of Education, Science and Technology intends to establish a comprehensive plan under paragraph (1), he/she shall consult with the heads of relevant ministries and agencies. The same shall also apply where he/she intends to modify the existing comprehensive plan. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

(4) A comprehensive plan under paragraph (1) shall be finally determined through the deliberation and resolution of the Commission: *Provided*, That if any minor matters prescribed by Presidential Decree are changed, this shall not apply.

(5) If it is deemed necessary for establishing a comprehensive plan under paragraph (1), the Minister of Education, Science and Technology may request the heads of relevant ministries and agencies to submit materials necessary for the establishment of the comprehensive plan. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

[This Article Newly Inserted by Act No. 4940, Jan. 5, 1995]

### **Article 8-3 (Execution of Comprehensive Plan)**

(1) The Minister of Education, Science and Technology shall notify the heads of relevant ministries and agencies of the comprehensive plan finally determined under [Article 8-2](#) (4) and the Minister of Education, Science and Technology and the heads of relevant ministries and agencies shall establish an execution plan by sector concerning matters under their control according to the comprehensive plan every five years, and establish and execute a detailed project promotion plan according to the execution plan by sector. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(2) The Minister of Education, Science and Technology and the heads of relevant ministries and agencies shall, when establishing an execution plan by sector under paragraph (1), determine it finally following consultation with the heads of other ministries and agencies, if necessary, and the heads of the relevant ministries and agencies shall notify the Minister of Education, Science and Technology thereof. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*  
*[This Article Newly Inserted by Act No. 4940, Jan. 5, 1995]*

### **Article 9 (Nuclear Energy Research and Development Institution, etc.)**

(1) In order to professionally carry out functions concerning research and experimentation on the utilization of nuclear energy, and other functions concerning the promotion of the utilization of nuclear energy, and safety control coupled with the utilization of nuclear energy, a nuclear energy research and development institution, nuclear energy safety-specialized institution, or nuclear power-related services and products manufacturing institution may be established under the control of the Minister of Education, Science and Technology. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(2) Matters concerning the establishment and operation of any nuclear energy research and development institution, the nuclear energy safety specialized institution, or the nuclear power-related services and products manufacturing institution shall be separately prescribed by the Acts.  
*[This Article Wholly Amended by Act No. 4940, Jan. 5, 1995]*

### **Article 9-2 (Implementation of Nuclear Energy Research and Development Projects)**

(1) In order to establish a plan for nuclear energy research and development projects according to an execution plan by sector established under [Article 8-3](#) (1), and to implement such projects efficiently, the Minister of Education, Science and Technology may select, each year, research tasks, and require institutions or organizations prescribed in the subparagraphs of [Article 7 \(1\) of the Technology Development Promotion Act](#) to conduct research by entering into an agreement with them. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 6472, May. 24, 2001; Act No. 8852, Feb. 29, 2008>*

(2) Expenses incurred in executing nuclear energy research and development projects under paragraph (1) shall be covered by the following financial resources: *<Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999>*

1. Contributions of the Government;
2. Nuclear Energy Research and Development Fund under [Article 10-3](#);
3. Borrowings under [Article 4](#);
4. Residues resulting from the course of implementing a nuclear energy research and development

project and other revenues.

(3) Matters necessary for the execution of the nuclear energy research and development projects under paragraph (1), and the management of the expenses under paragraph (2) shall be prescribed by Presidential Decree.

(4) The Minister of Education, Science and Technology may borrow money from the account of the Nuclear Energy Research and Development Fund under [Article 10-3](#) (1) in order to cover the expenses incurred in implementing the nuclear energy research and development projects under paragraph (1). *<Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(5) The head of an institution or organization (hereinafter referred to as "competent research institution") which respectively conducts a nuclear energy research and development project after concluding an agreement on research tasks pursuant to paragraph (1), may collect technical fees from persons who use of the outcomes of research and development, as prescribed by the agreement: *Provided*, That where the operator of a nuclear reactor for power generation under [Article 23-2](#) (1) uses the outcomes of the research and development, from among the outcomes of the research and development conducted using the Nuclear Energy Research and Development Fund under [Article 10-3](#), his/her technical fees may be exempted. *<Newly Inserted by Act No. 7806, Dec. 30, 2005>*

(6) The head of a competent research institution shall, if he/she collects or exempts the technical fees pursuant to paragraph (5), make a report thereon to the Minister of Education, Science and Technology, as prescribed by Presidential Decree. *<Newly Inserted by Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>*

(7) The ownership of industrial property rights, etc. generated as a result of the research and development of a nuclear energy research and development project shall revert to a competent research institution: *Provided*, That persons prescribed by Presidential Decree may own the industrial property rights, etc. jointly with the competent research institution. *<Newly Inserted by Act No. 7806, Dec. 30, 2005>*

*[This Article Newly Inserted by Act No. 4940, Jan. 5, 1995]*

### **Article 9-3 (Bearing Expenses of Nuclear Energy Research and Development Projects)**

(1) The operator of a nuclear power reactor under [Article 23-2](#) (1) shall bear the expenses incurred for nuclear energy research and development projects under [Article 9-2](#) (2).

(2) The amount to be borne by the operator of a nuclear power reactor under paragraph (1) (hereinafter referred to as "charges") shall be prescribed by Presidential Decree within the limit of not exceeding the amount obtained by multiplying 1.2 won per kilowatt-hour by the volume of electricity generated operating the relevant nuclear reactor during the preceding year. *<Amended by Act No. 6354, Jan. 16, 2001>*

(3) The operator of a nuclear power reactor under paragraph (1) shall submit the materials detailing the quarterly power output generated by operating his/her nuclear reactor for power generation to the Minister of Education, Science and Technology within 15 days after the end of each quarter. *<Newly Inserted by Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>*

(4) The Minister of Education, Science and Technology shall order the operator of a nuclear power reactor to pay such charges under paragraph (2). *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(5) Charges under paragraph (2) shall be paid into the Nuclear Energy Research and Development Fund under [Article 10-3](#) (1).

(6) The method and period of the payment of charges under paragraph (4) and other necessary matters shall be prescribed by Presidential Decree. *<Amended by Act No. 7806, Dec. 30, 2005>*  
*[This Article Newly Inserted by Act No. 5233, Dec. 30, 1996]*

#### **Article 9-4 (Compulsory Collection)**

(1) Where a person operating a nuclear power reactor under [Article 23-2](#) (1) fails to pay charges under [Article 9-3](#) (2) by the deadline, the Minister of Education, Science and Technology shall urge him/her to pay the charges within seven days after the deadline expires. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(2)

[Articles 21](#) and

[22 of the National Tax Collection Act](#) shall apply *mutatis mutandis* where the charges and overdue charges fail to be paid by the deadline. *<Amended by Act No. 7806, Dec. 30, 2005>*

(3) If an urging notice is issued under paragraph (1), a deadline of payment not less than 10 but not more than 60 days shall be given.

(4) If a person to whom an urging notice is given under paragraph (1) fails to pay the relevant charges and additional dues under paragraph (2) by such deadline, the Minister of Education, Science and Technology may collect them in the same manner as delinquent national taxes are collected. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

*[This Article Newly Inserted by Act No. 5233, Dec. 30, 1996]*

#### **Article 9-5 (Establishment of Korea Institute of Nonproliferation and Control)**

(1) The Korea Institute of Nonproliferation and Control established (hereinafter referred to as the "Nonproliferation and Control Institute") shall be established in order to ensure that the efficient promotion of duties, such as safety measures, export and import control, etc. of nuclear energy facilities and nuclear materials, etc. (hereinafter referred to as "control of nuclear energy").

(2) The Nonproliferation and Control Institute shall be a juristic person.

(3) The Nonproliferation and Control Institute shall be established by effecting the registration of its establishment in the place where its principal office is located.

(4) The Nonproliferation and Control Institute shall, when it intends to change its articles of association, obtain authorization thereon from the Minister of Education, Science and Technology. *<Amended by Act No. 8852, Feb. 29, 2008>*

(5) The Nonproliferation and Control Institute shall have not more than 11 directors, including the chief director and the president as its executives, and one auditor, and its executives shall be selected and appointed by the board of directors, as prescribed by the articles of association, and approval for their selections and appointments shall be obtained from the Minister of Education, Science and Technology. *<Amended by Act No. 8852, Feb. 29, 2008>*



- (6) The board of directors mandated to deliberate and resolve on the important matters of the Nonproliferation and Control Institute shall be established in the Institute.
- (7) The president shall represent the Nonproliferation and Control Institute and exercise overall control over the work of the Nonproliferation and Control Institute while directing and supervising the employees of the Institute.
- (8) The Government may contribute expenses incurred in establishing and operating the Nonproliferation and Control Institute within the budgetary limits.
- (9) Except for those provided for in this Act, the provisions governing incorporated foundations under the

[Civil Act](#) shall apply *mutatis mutandis* to the Nonproliferation and Control Institute.

*[This Article Newly Inserted by Act No. 7806, Dec. 30, 2005]*

#### **Article 9-6 (Affairs of Nonproliferation and Control Institute)**

The Nonproliferation and Control Institute shall carry out the following affairs: <Amended by Act No. 8852, Feb. 29, 2008>

1. Research and development activities on facilities, equipment and technology related to the nuclear energy, research and development activities and affairs on safety measures for nuclear materials, which are commissioned by the Minister of Education, Science and Technology pursuant to [Article 111 \(1\)](#);
2. Affairs concerning the control of the import and export of internationally regulated materials, including nuclear materials, etc. which are commissioned by the Minister of Education, Science and Technology pursuant to [Article 111 \(1\)](#);
3. Affairs concerning the physical protection, which is commissioned by the Minister of Education, Science and Technology pursuant to [Article 45 \(1\) of the Protection of Nuclear Facilities, etc. and Prevention of Radiation Disasters Act](#);
4. Affairs concerning the research and development of the technology used to control the nuclear energy;
5. Affairs concerning support for international cooperation aimed at controlling the nuclear energy;
6. Affairs concerning education about the control of the nuclear energy;
7. Other matters necessary to perform the affairs of controlling the nuclear energy.

*[This Article Newly Inserted by Act No. 7806, Dec. 30, 2005]*

#### **Article 10 (Subsidization to Patent, etc.)**

The Government may subsidize any invention under an application for patent, or any patented invention on nuclear energy within the budgetary limits.

*[This Article Wholly Amended by Act No. 4940, Jan. 5, 1995]*

#### **Article 10-2 (Investigation of Actual Situations)**

- (1) For the purpose of efficiently implementing policies on nuclear energy, the Minister of Education, Science and Technology shall conduct an investigation on the actual situations of the nuclear energy industry. In such cases, the Minister of Education, Science and Technology may require an institution or organization prescribed by Presidential Decree to conduct such investigation on actual situations.

*<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(2) If it is deemed necessary for an investigation on actual situations under paragraph (1), the Minister of Education, Science and Technology may request any nuclear power-related enterprise, educational institution, research institute, or other nuclear power-related organization, to furnish material or to state opinions. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

*[This Article Newly Inserted by Act No. 4940, Jan. 5, 1995]*

## **CHAPTER III-2 NUCLEAR ENERGY RESEARCH AND DEVELOPMENT FUND**

### **Article 10-3 (Establishment of Nuclear Energy Research and Development Fund)**

(1) The Government shall establish the Nuclear Energy Research and Development Fund (hereinafter referred to as "Fund") in order to secure financial resources required for nuclear energy research and development projects under [Article 9-2](#) (2).

(2) The Fund shall be created with the following financial resources:

1. Charges under [Article 9-3](#) and additional dues under [Article 9-4](#) (2);
2. Revenues accrued from the operation of the Fund;
3. Borrowings and other revenues under paragraph (3).

(3) A person who manages the Fund may, if deemed necessary for the operation of the Fund, borrow money (including borrowings from international organizations, foreign nations or foreigners) or introduce goods at the expense of the Fund.

*[This Article Newly Inserted by Act No. 5233, Dec. 30, 1996]*

### **Article 10-4 (Management and Operation of Fund)**

(1) The Fund shall be managed and operated by the Minister of Education, Science and Technology: *Provided*, That the Minister of Education, Science and Technology may, if deemed necessary, delegate or entrust business concerning management and operation of the Fund to the head of a relevant agency or organization, as prescribed by Presidential Decree. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(2) Necessary matters for the management and operation of the Fund shall be prescribed by Presidential Decree.

*[This Article Newly Inserted by Act No. 5233, Dec. 30, 1996]*

### **Article 10-5 (Use of Fund)**

(1) The Fund shall be used for the following projects: *<Amended by Act No. 6354, Jan. 16, 2001>*

1. Nuclear energy research and development projects implemented under [Article 9-2](#);
2. Projects supporting machinery and materials, and equipment for research and development necessary to implement nuclear energy research and development projects;
3. Projects undertaken to train human resources engaged in the nuclear energy;
4. Other projects related to such nuclear energy research and development projects prescribed by Presidential Decree.

(2) The Minister of Education, Science and Technology may contribute the necessary expenditures to an agency or organization which implements projects under the subparagraphs of paragraph (1).

*<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

*[This Article Newly Inserted by Act No. 5233, Dec. 30, 1996]*

## **CHAPTER IV CONSTRUCTION AND OPERATION OF NUCLEAR REACTORS AND RELATED FACILITIES**

### **SECTION 1 Construction of Nuclear Power Reactors and Related Facilities**

#### **Article 11 (Construction Permits)**

(1) A person who intends to construct a nuclear power reactor and related facilities shall obtain a construction permit from the Minister of Education, Science and Technology, as prescribed by Presidential Decree. The same shall apply where he/she intends to modify any permitted matters: *Provided*, That when he/she intends to modify any minor matters prescribed by Ordinance of the Ministry of Education, Science and Technology, he/she shall report it. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(2) A person who intends to obtain a permit under paragraph (1) shall submit, to the Minister of Education, Science and Technology, an application with a written environmental impact analysis by radiation, preliminary safety analysis report, and quality assurance programs regarding construction, and other documents prescribed by Ordinance of the Ministry of Education, Science and Technology attached thereto. *<Amended by Act No. 4940, Jan. 5, 1995; Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(3) The Minister of Education, Science and Technology may grant approval to a person who intends to construct a nuclear power reactor and related facilities after reviewing the application for prior approval for a site if filed by the said person before applying for a construction permit. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(4) A person who has obtained approval for a construction site under paragraph (3) may execute the construction work to such extent prescribed by Ordinance of the Ministry of Education, Science and Technology. *<Amended by Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(5) A person who intends to obtain approval for a construction site under paragraph (3) shall file an application for approval with the Minister of Education, Science and Technology, with a written environmental impact analysis by radiation, on-site investigation report, and other documents prescribed by Ordinance of the Ministry of Education, Science and Technology attached thereto. *<Amended by Act No. 4940, Jan. 5, 1995; Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(6) Where a person who intends to construct a nuclear power reactor and related facilities intends to construct structures under

[Article 2 \(1\) 2 of the Building Act](#) after obtaining approval with respect to a site under paragraph (3), the person shall be deemed to have obtained a permit for the construction of such structures under [Article 11](#) of the same Act when the person furnishes design documents to the head of a relevant administrative agency under

[Article 11](#) (3) of the same Act. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 7806, Dec. 30, 2005; Act No. 8974, Mar. 21, 2008>

#### **Article 12 (Standards for Permit)**

Standards for a construction permit under [Article 11](#) (1) shall be as follows: <Amended by Act No. 4940, Jan. 5, 1995; Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>

1. Technical capability prescribed by Ordinance of the Ministry of Education, Science and Technology as being deemed necessary for the construction of a nuclear power reactor and related facilities shall be available;
2. The location, structures and equipment of the nuclear power reactor and related facilities shall conform to a technical standards prescribed by Ordinance of the Ministry of Education, Science and Technology in such a way that they do not present any impediment to the prevention of disasters caused by radioactive materials, etc. to human bodies, materials and the public;
3. The construction of any nuclear power reactor and related facilities shall conform to standards prescribed by Presidential Decree with the aim of preventing any hazard caused by radioactive materials to the people's health and the environment;
4. The contents of a quality assurance program under [Article 11](#) (2) shall conform to standards prescribed by Ordinance of the Ministry of Education, Science and Technology.

#### **Article 12-2 (Approval for Standard Design)**

(1) Any person who intends to repeatedly construct the nuclear power reactor and related facilities of the same design may obtain approval for such design (hereinafter referred to as "standard design") from the Minister of Education, Science and Technology, as prescribed by Presidential Decree, and the same shall apply where he/she intends to modify any approved matters: *Provided*, that if he/she intends to modify minor matters prescribed by Ordinance of the Ministry of Education, Science and Technology, he/she shall file a report thereon with the Minister of Education, Science and Technology. <Amended by Act No. 8852, Feb. 29, 2008>

(2) Any person who intends to obtain approval under paragraph (1) shall file an application for approval with a technical paper on the standard design and other documents prescribed by Ordinance of the Ministry of Education, Science and Technology attached thereto, with the Minister of Science and Technology. <Amended by Act No. 8852, Feb. 29, 2008>

(3) The valid period of approval under paragraph (1) shall be ten years and the Minister of Education, Science and Technology may, when he/she deems that the safety of the design is seriously affected even during the valid period, order any person who has been granted approval for the standard design to correct or supplement the approved matters. <Amended by Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>

(4) Notwithstanding paragraph (3), where an application is filed for a permit to construct a nuclear

reactor and related facilities applying the standard design under the valid period of the approval for standard design, such approval for standard design for the nuclear reactor and the related facilities shall be deemed valid by the date on which the permit to operate them is granted. <Newly Inserted by Act No. 7806, Dec. 30, 2005>

(5) The standards for granting approval under paragraph (1) shall be as follows: <Newly Inserted by Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>

1. The location, the structure, the equipment and the performance of a nuclear power reactor and related facilities shall conform to technical standards prescribed by Ordinance of the Ministry of Education, Science and Technology in order to prevent radioactive materials, etc. from causing disasters to human bodies, objects and the public;
2. A nuclear power reactor and related facilities shall be in conformity with standards prescribed by Presidential Decree in order to prevent radioactive materials, etc. generated from the construction and operation of the nuclear power reactor and related facilities from causing disasters to the people's health and the environment.

(6) The Minister of Education, Science and Technology may exclude matters prescribed by Presidential Decree, such as other matters requiring the continued incorporation of new technology, from the standard design. <Amended by Act No. 8852, Feb. 29, 2008>

(7) When approval under paragraph (1) is granted, the matters for which approval is granted in advance under paragraph (1) may be not entered in the application for a permit prescribed in [Articles 11](#) (2) and [21](#) (2).

(8) [Article 13](#) shall apply *mutatis mutandis* to cases under paragraph (1). In such cases, "permit under [Article 11](#) (1)" in the main sentence of [Article 13](#) and "after a permit is revoked in accordance with [Article 17](#)" in subparagraph 3 of [Article 13](#) shall be deemed "approval under [Article 12-2](#) (1)" and "after approval is revoked in accordance with [Article 12-3](#)," respectively.

[This Article Newly Inserted by Act No. 6354, Jan. 16, 2001]

#### **Article 12-3 (Revocation of Approval for Standard Design)**

If a person who has been granted approval under [Article 12-2](#) (1) falls under any of the following subparagraphs, the Minister of Education, Science and Technology may revoke such approval:

<Amended by Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>

1. When he/she obtains approval by fraud or other illegal means;
2. When he/she modifies the matters, any modification of which requires approval, without obtaining approval therefor under the latter part of the main sentence of [Article 12-2](#) (1);
3. When he/she violates an order issued under [Article 12-2](#) (3);
4. When he/she falls under any of subparagraphs 1, 2, and 4 of [Article 13](#) applicable *mutatis mutandis* in accordance with [Article 12-2](#) (8): *Provided*, That the same shall not apply where an executive is replaced with new one within three months from the day he/she falls under any of the said subparagraphs.

[This Article Newly Inserted by Act No. 6354, Jan. 16, 2001]

#### **Article 13 (Disqualification)**

No person who falls under any of the following subparagraphs may be granted a construction permit

under [Article 11](#) (1): *<Amended by Act No. 7428, Mar. 31, 2005>*

1. A person who has been declared incompetent, quasi-incompetent, or bankrupt by the court, and is not yet reinstated;
2. A person who has been sentenced to imprisonment without prison labor or heavier punishment, and for whom two years have not yet elapsed since the execution of such punishment was completed or non-execution thereof was finally decided, or who is now under a suspended execution after such suspended execution was decided;
3. A person for whom two years have not yet elapsed after a permit is revoked under [Article 17](#);
4. A juristic person having any executive officer falling under any of subparagraphs 1 through 3.

**Article 14 Deleted.** *<by Act No. 5820, Feb. 8, 1999>*

**Article 15 Deleted.** *<by Act No. 4940, Jan. 5, 1995>*

#### **Article 15-2 (Regulation on Measurement Control)**

(1) A person who has obtained a permit under [Article 11](#) (1) (hereinafter referred to as "installer of a nuclear power reactor") shall make regulations on the measurement control of the nuclear materials of the internationally controlled materials (hereinafter referred to as "specific nuclear materials"), as prescribed by Presidential Decree, and obtain approval from the Minister of Education, Science and Technology, before starting using the specific nuclear materials. The same shall also apply where he/she intends to modify it: *Provided*, That if he/she intends to modify minor matters prescribed by Ordinance of the Ministry of Education, Science and Technology, he/she shall report it. *<Amended by Act No. 4940, Jan. 5, 1995; Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 6873, May 15, 2003; Act No. 8852, Feb. 29, 2008>*

(2) When the Minister of Education, Science and Technology recognizes that the regulations on measurement control under paragraph (1) is insufficient to ensure appropriate measurement control and protection of the specific nuclear materials, he/she may order the supplementation thereof.

*<Amended by Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999; Act No. 6873, May 15, 2003; Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>*

(3) and (4) Deleted. *<by Act No. 5820, Feb. 8, 1999>*

*[This Article Newly Inserted by Act No. 3850, May 12, 1986]*

#### **Article 16 (Inspections)**

(1) An installer of a nuclear power reactor shall undergo an inspection of the Minister of Education, Science and Technology with respect to the construction of a nuclear power reactor and related facilities, the measurement control of the specific nuclear materials, as prescribed by Presidential Decree. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 6873, May 15, 2003; Act No. 8852, Feb. 29, 2008>*

(2) If it has turned out, as a result of an inspection under paragraph (1), that any of the following cases arrive, the Minister of Education, Science and Technology may order an installer of nuclear power reactor to take corrective or complementary measures: *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 6873, May 15, 2003; Act No. 8852, Feb. 29, 2008>*

1. Where he/she fails to meet the standards for permit under [Article 12](#);

2. Where he/she violates requirements specified by attachments to an application for the permission under [Article 11](#) (2) and the regulations on measurement control under [Article 15-2](#);
3. Deleted. <by Act No. 7806, Dec. 30, 2005>

*[This Article Wholly Amended by Act No. 4940, Jan. 5, 1995]*

#### **Article 17 (Revocation, etc. of Construction Permits)**

(1) The Minister of Education, Science and Technology may order the revocation of a permit, or the suspension of construction work specifying a period not exceeding one year, where an installer of nuclear power reactor falls under any of the following subparagraphs: <Amended by Act No. 3850, May 12, 1986; Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

1. Where he/she obtains a permit by fraud or other illegal means;
2. Where he/she fails to commence the permitted construction work within the period prescribed by Presidential Decree or where he/she has suspended the construction work for continuously no less than one year without justifiable grounds;
3. Where he/she modifies any matters subject to permission under the latter part of [Article 11](#) (1) without obtaining permission;
4. Where he/she fails to meet the standards for permit under [Article 12](#);
5. Where he/she falls under any of subparagraphs 1, 2 and 4 of [Article 13](#): *Provided*, That this shall not apply where an executive of a corporation falls under such case and he/she is replaced with new one within three months;
6. Where he/she violates an order issued under [Article 16](#) (2) or [103](#) (1) and (3);
7. Where he/she violates [Article 15-2](#) (1), [99-2](#) or [101](#);
8. Where he/she violates the conditions for permission under [Article 104](#).

(2) Where the Minister of Education, Science and Technology shall order the suspension of construction work under paragraph (1), if such a measure is likely to cause a grave inconvenience to the users, etc. of such project, or to be detrimental to the public interest, the Minister of Education, Science and Technology may impose penalty surcharges not exceeding 50 million won in lieu of the suspension of such construction work. <Newly Inserted by Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

(3) The amount of penalty surcharges depending on the kind, seriousness, etc. of an offense on which the penalty surcharges are imposed under paragraph (2), and other necessary matters, shall be prescribed by Presidential Decree. <Newly Inserted by Act No. 4940, Jan. 5, 1995>

(4) If penalty surcharges under paragraph (2) are not paid by the deadline, it shall be collected by the Minister of Education, Science and Technology in the same manner as delinquent national taxes are collected. <Newly Inserted by Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

#### **Article 18 (Records and Keeping)**

An installer of a nuclear power reactor shall make records of matters concerning the construction of the nuclear power reactor and related facilities, as prescribed by Ordinance of the Ministry of Education, Science and Technology, and keep such records at each construction site or place of



business. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

**Article 19 Deleted.** <by Act No. 5820, Feb. 8, 1999>

#### **Article 20 (Succession)**

If the installer of a nuclear power reactor transfers his/her business or deceases, or the merger of juristic persons takes place, the transferee, successor or the juristic person surviving such merger or the juristic person newly established by such merger shall succeed to the status of the installer of a nuclear power reactor. In such cases, where the successor falls under subparagraphs 1 through 3 of [Article 13](#), he/she may transfer his/her business to another person within three months.

[This Article Wholly Amended by Act No. 5820, Feb. 8, 1999]

## **SECTION 2 Operation of Nuclear Power Reactors and Related Facilities**

#### **Article 21 (Operation Permit)**

(1) A person who intends to operate a nuclear power reactor and related facilities shall obtain a permit from the Minister of Education, Science and Technology, as prescribed by Presidential Decree. The same shall apply where he/she intends to modify any permitted matters: *Provided*, That when he/she intends to modify minor matters prescribed by Ordinance of the Ministry of Education, Science and Technology, he/she shall report it. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

(2) A person who intends to obtain a permit under paragraph (1) shall file, to the Minister of Education, Science and Technology, an application with the technical operation manual of a nuclear power reactor and related facilities (hereinafter referred to as "technical operation manual"), a final safety analysis report, a quality assurance program for its operation, a written environmental impact analysis by radiation (limited to only any parts different from the written environmental impact analysis by radiation filed pursuant to [Article 11](#) (2)), and other documents prescribed by Ordinance of the Ministry of Education, Science and Technology attached thereto. <Amended by Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999; Act No. 6873, May 15, 2003; Act No. 8852, Feb. 29, 2008>

(3) [Article 13](#) shall apply *mutatis mutandis* to cases under paragraph (1). In such cases, the term "[Article 17](#)" in subparagraph 3 of [Article 13](#) shall be deemed "[Article 24](#)".

#### **Article 22 (Standards for Permit)**

Standards for permit under [Article 21](#) (1) shall be as follows: <Amended by Act No. 4940, Jan. 5, 1995; Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>

1. Technical capability necessary for the operation of a nuclear power reactor and related facilities which are prescribed by Ordinance of the Ministry of Education, Science and Technology shall be available;
2. The performance of a nuclear power reactor and related facilities shall conform to technical standards prescribed by Ordinance of the Ministry of Education, Science and Technology in



such a way that there shall be no impediment to the prevention of disasters against radiation damages to human bodies, materials and the general public caused by radioactive materials, etc.;

3. The operation of a nuclear power reactor and related facilities shall conform to standards prescribed by Presidential Decree in order to prevent radioactive materials, etc. produced during the operation of a nuclear power reactor and related facilities from causing disasters to the people's health and the environment;
4. The contents of quality assurance program under [Article 21](#) (2) shall conform to the standards prescribed by Ordinance of the Ministry of Education, Science and Technology.

**Article 23 Deleted.** *<by Act No. 4940, Jan. 5, 1995>*

#### **Article 23-2 (Inspections)**

(1) A person who has obtained a permit under [Article 21](#) (1) (hereinafter referred to as "operator of a nuclear power reactor") shall undergo an inspection by the Minister of Education, Science and Technology for matters, etc. concerning the operation of the nuclear power reactor and related facilities, and the measurement control of the specific nuclear materials, as prescribed by Presidential Decree. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 6873, May 15, 2003; Act No. 8852, Feb. 29, 2008>*

(2) *Deleted.* *<by Act No. 5820, Feb. 8, 1999>*

(3) If it has turned out, as a result of the inspection under paragraph (1), that the operator of a nuclear power reactor falls under any of the following subparagraphs, the Minister of Education, Science and Technology may order him/her to take corrective or complementary measures:  
*<Amended by Act No. 5820, Feb. 8, 1999; Act No. 6873, May 15, 2003; Act No. 8852, Feb. 29, 2008>*

1. Where he/she fails to meet standards for a permit under [Article 22](#) or measures taken pursuant to [Article 29](#) (1) are insufficient;
2. Where he/she violates requirements specified in attachments to an application for a permit under [Article 21](#) (2) and the regulations on measurement control under [Article 15-2](#) applicable *mutatis mutandis* under [Article 32](#);
3. *Deleted.* *<by Act No. 7806, Dec. 30, 2005>*

*[This Article Newly Inserted by Act No. 4940, Jan. 5, 1995]*

#### **Article 23-3 (Periodic Safety Assessment)**

(1) Every operator of a nuclear power reactor shall periodically assess the safety of the nuclear power reactor and related facilities, and report the results thereof to the Minister of Education, Science and Technology, as prescribed by Presidential Decree. *<Amended by Act No. 8852, Feb. 29, 2008>*

(2) The Minister of Education, Science and Technology may, when the results of the periodic safety assessment referred to in paragraph (1) and the safety measures taken based on such results are deemed insufficient, order the operator of the relevant nuclear power reactor to correct or supplement such insufficiencies. *<Amended by Act No. 8852, Feb. 29, 2008>*

(3) Matters concerning the method of assessing the safety under paragraph (1) and particulars of

the assessment, etc. shall be prescribed by Presidential Decree.

*[This Article Newly Inserted by Act No. 6354, Jan. 16, 2001]*

#### **Article 24 (Revocation, etc. of Operating License)**

(1) The Minister of Education, Science and Technology may order the revocation of a permit or suspension of operation for a specified period not exceeding one year, if the operator of a nuclear power reactor falls under any of the following subparagraphs: *<Amended by Act No. 3850, May 12, 1986; Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>*

1. Where he/she obtains a permit by fraud or other illegal means;
2. Where he/she fails to commence the operation for which a permit is granted within a period prescribed by Presidential Decree or where he/she discontinues the business continuously for not less than one year without justifiable grounds;
3. Where he/she modifies any matters subject to permit under the latter part of [Article 21](#) (1) without obtaining permit;
4. Where he/she falls under any of subparagraphs 1, 2 and 4 of [Article 13](#) applicable *mutatis mutandis* under [Article 21](#) (3): *Provided*, That this shall not apply where an executive of a corporation falls under such case and if he/she is replaced with new one within three months;
5. Where he/she fails to meet the standards for a permit under [Article 22](#);
6. *Deleted*; *<by Act No. 4940, Jan. 5, 1995>*
7. *Deleted*; *<by Act No. 5820, Feb. 8, 1999>*
8. Where he/she violates an order issued under [Article 23-2](#) (3), [23-3](#) (2), [30](#), [98](#) (2) or [103](#) (1) and (3);
9. Where he/she violates [Article 15-2](#) (1) applicable *mutatis mutandis* under [Article 32](#);
10. Where he/she violates [Article 29](#), [84](#), [96](#) (5), [99-2](#), [101](#) or [105](#) (1);
11. Where he/she violates the conditions for permission under [Article 104](#).

(2) [Article 17](#) (2) through (4) shall apply *mutatis mutandis* where the suspension of operation is to be ordered under paragraph (1). *<Newly Inserted by Act No. 4940, Jan. 5, 1995; Act No. 6354, Jan. 16, 2001>*

#### **Article 25 (Records and Keeping)**

An operator of a nuclear power reactor shall make records of matters concerning the operation of a nuclear power reactor and related facilities, as prescribed by Ordinance of the Ministry of Education, Science and Technology, and keep such records at each operation site or place of business.

*<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

**Articles 26 through 28 Deleted.** *<by Act No. 5820, Feb. 8, 1999>*

#### **Article 29 (Safety Measures, etc. for Operation)**

(1) An operator of a nuclear power reactor who operates a nuclear power reactor and related facilities shall take necessary measures for the safety of human bodies, materials and the general public, as prescribed by Presidential Decree. *<Amended by Act No. 3850, May 12, 1986; Act No. 5820, Feb. 8, 1999>*

(2) An operator of a nuclear power reactor and his/her employees shall observe the technical operation manual under [Article 21](#) (2).

(3) An operator of a nuclear power reactor shall assign not less than one person who has obtained a nuclear reactor operation supervision license and not less than one person who has obtained a nuclear reactor operation technician license under [Article 91](#) to engage in the operation affairs of such nuclear reactor under the same Article. *<Newly Inserted by Act No. 5820, Feb. 8, 1999>*

(4) Every operator of a nuclear power reactor shall assign not less than one person who has obtained a license for the supervision and handling of nuclear fuel materials or license for the supervision of handling radioactive isotopes under [Article 91](#) to work for the safety control of nuclear materials and radioactive isotopes in the reactor and related facilities. *<Newly Inserted by Act No. 6354, Jan. 16, 2001>*

### **Article 30 (Measures for Suspension of Use, etc. of Nuclear Power Reactors and Related Facilities)**

The Minister of Education, Science and Technology may, when the performance of a nuclear power reactor and related facilities are deemed to be not in conformity with technical standards under subparagraph 2 of [Article 22](#), or measures taken pursuant to [Article 29](#) (1) are deemed insufficient, order an operator of the nuclear power reactor to take measures, such as the suspension of use, reconstruction, repair, transfer, and designation of operation methods for a nuclear power reactor and related facilities, or modification of a technical operation manual, removal of pollution, or other measures necessary for safety. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

### **Article 31 (Dismantlement of Nuclear Power Reactors and Related Facilities)**

(1) If an operator of a nuclear power reactor intends to dismantle a nuclear power reactor and related facilities, he/she shall prepare a dismantlement plan for a nuclear power reactor and related facilities (hereinafter referred to as "dismantlement plan") and obtain, in advance, approval from the Minister of Education, Science and Technology. The same shall also apply where he/she intends to alter such dismantlement plan: *Provided*, That he/she shall file a report to the Minister of Education, Science and Technology when he/she intends to alter minor matters prescribed by Ordinance of the Ministry of Education, Science and Technology. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(2) A dismantlement plan under paragraph (1) shall include the following matters: *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>*

1. A method of dismantling a nuclear power reactor and related facilities, and the schedule of the work;
2. A method of removing radioactive materials and pollution caused thereby;
3. A method of treating and disposing of radioactive wastes;
4. Measures necessary for preventing any accident by radiation;
5. Evaluation of the impact of radioactive materials, etc. on the environment, and the countermeasures;
6. A quality assurance program for the dismantlement of any nuclear power reactor and related

facilities;

7. Other matters determined by the Minister of Education, Science and Technology.

(3) and (4) *Deleted. <by Act No. 5820, Feb. 8, 1999>*

(5) The Minister of Education, Science and Technology shall check and inspect the dismantling status of a nuclear power reactor and related facilities before such dismantlement is completed.

*<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(6) If it turns out, as a result of a check and inspection under paragraph (5), that an operator of a nuclear power reactor has failed to carry out the dismantling work in accordance with the dismantlement plan under paragraph (2), the Minister of Education, Science and Technology may order him/her to take corrective or complementary measures. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

*[This Article Wholly Amended by Act No. 4940, Jan. 5, 1995]*

#### **Article 32 (Application Mutatis Mutandis)**

Articles 15-2 and 20 shall apply *mutatis mutandis* to an operator of a nuclear power reactor. In such cases, the term "installer of a nuclear power reactor" shall be deemed "operator of a nuclear power reactor". *<Amended by Act No. 3850, May 12, 1986; Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999>*

### **SECTION 3 Construction and Operation of Nuclear Research Reactors, etc.**

#### **Article 33 (Permit for Research Nuclear Reactors, etc.)**

(1) A person who intends to construct and operate a nuclear reactor and related facilities for research or educational purposes shall obtain, according to their respective types, a permit from the Minister of Education, Science and Technology, as prescribed by Presidential Decree. The same shall also apply where he/she intends to modify any permitted matters: *Provided*, That if he/she intends to modify any minor matters prescribed by Ordinance of the Ministry of Education, Science and Technology, he/she shall report it. *<Amended by Act No. 3850, May 12, 1986; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(2) A person who intends to obtain a permit under paragraph (1) shall submit an application for a permit to the Minister of Education, Science and Technology with a written environmental impact analysis by radiation, a technical operation manual, a safety analysis report, a quality assurance program on construction and operation, and other documents prescribed by Ordinance of the Ministry of Education, Science and Technology, according to the type of a permit: *Provided*, That in cases of a nuclear reactor, the thermal output of which is under ten kilowatts, and which is used for such research or education authorized by the Minister of Education, Science and Technology, a quality assurance program on construction and operation need not to be attached. *<Amended by Act No. 4940, Jan. 5, 1995; Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(3) Articles 12, 13 and 22 shall also apply *mutatis mutandis* to cases under paragraph (1). In such

cases, the term "Article 17" in subparagraph 3 of Article 13 shall be deemed "Article 35".

#### **Article 34 (Notification, etc. of Entry and Departure of Foreign AtomicPowered Ship)**

(1) Any operator of a foreign atomic-powered ship who intends to make a nuclear-reactor-installed ship (excluding any warship and hereafter in this Article referred to as "foreign atomic-powered ship") owned by any of the following persons enter or leave a port in the Republic of Korea, shall file a report, in advance, to the Minister of Education, Science and Technology, as prescribed by Presidential Decree: <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

1. A person who does not have the Korean nationality;
2. A person who is not a juristic person or organization established pursuant to Korean Acts and subordinate statutes.

(2) Where the Minister of Education, Science and Technology has received a report under paragraph (1) and deems it necessary, he/she shall inform the Minister of Land, Transport and Maritime Affairs of such measures to be taken by the operator of a foreign atomic-powered ship for prevention of a disaster caused by nuclear reactors or radioactive materials, as prescribed by Ordinance of the Ministry of Education, Science and Technology. <Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

(3) Upon receiving a report under paragraph (2), the Minister of Land, Transport and Maritime Affairs shall order the operator of a foreign atomic-powered ship to take necessary measures for the prevention of disasters caused by a nuclear reactor or radioactive materials according to the contents of the report, and instruct the head of a local port office to appropriately regulate the operation of such atomic-powered ship. <Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

#### **Article 35 (Revocation, etc. of Permit for Construction, Operation, etc.)**

The Minister of Education, Science and Technology may order the revocation of a permit or suspension of business within one year if a person who has been granted a permit under Article 33

(1) (hereinafter referred to as "installer of a research nuclear reactor, etc.") falls under any of the following subparagraphs: <Amended by Act No. 3850, May 12, 1986; Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

1. Where he/she obtains a permit by fraud or other illegal means;
2. Where he/she fails to commence the business for which the permission is granted within a period prescribed by Presidential Decree, or suspends the business continuously for not less than one year without justifiable grounds;
3. Where he/she fails to meet the standards for a permit under Articles 12 and 22 applicable *mutatis mutandis* under Article 33 (3);
4. Where he/she falls under any of subparagraphs 1, 2 and 4 of Article 13 applicable *mutatis mutandis* under Article 33 (3): *Provided*, That this shall not apply where an executive of a corporation falls under such case and he/she is replaced with new one within three months;
5. Where he/she modifies any matters subject to permit under the latter part of Article 33 (1) without obtaining a permit;
6. Where he/she violates Article 15-2 (1) or 29 applicable *mutatis mutandis* under Article 36;

7. Where he/she violates an order issued under [Article 16](#) (2), [23-2](#) (3), or [30](#) applicable *mutatis mutandis* under [Article 36](#);
8. Where he/she violates an order issued under [Article 34](#) (3), [98](#) (2) or [103](#) (1) and (3);
9. Where he/she violates [Article 84](#), [96](#) (5), [99-2](#), [101](#) or [105](#) (1);
10. Where he/she violates the conditions for permission under [Article 104](#).

#### **Article 35-2 (Report on Suspension, Discontinuation, etc. of Business)**

When the installer of a research nuclear reactor suspends or discontinues all or part of his/her business or resumes his/her suspended business, he/she shall file a report, to the Minister of Education, Science and Technology, within 30 days from the date of such suspension, discontinuation or resumption of the business. <Amended by Act No. 8852, Feb. 29, 2008>  
[This Article Newly Inserted by Act No. 5820, Feb. 8, 1999]

#### **Article 36 (Application Mutatis Mutandis)**

- (1) [Articles 15-2](#), [16](#), [18](#), [20](#), [23-2](#), [25](#), [29](#) through [31](#) shall apply *mutatis mutandis* to the installer of a research nuclear reactor, etc. <Amended by Act No. 3850, May 12, 1986; Act No. 4940. Jan. 5, 1995; Act No. 5820, Feb. 8, 1999>
- (2) In applying *mutatis mutandis* paragraph (1), the terms "installer of a nuclear power reactor" and "operator of a nuclear power reactor" shall be deemed "installer of a research nuclear reactor, etc." <Amended by Act No. 3850, May 12, 1986>

### **CHAPTER V Deleted.**

[Articles 37 through 42-9](#) Deleted. <by Act No. 5820, Feb. 8, 1999>

## **CHAPTER VI NUCLEAR FUEL CYCLING ENTERPRISE AND USE OF NUCLEAR MATERIALS**

### **SECTION 1 Nuclear Fuel Cycling Enterprise**

#### **Article 43 (Permit, etc. for Nuclear Fuel Cycling Business)**

- (1) A person who intends to carry on the business of refining or processing nuclear raw materials or nuclear fuel materials (including the business of converting such materials) shall obtain a permit from the Minister of Education, Science and Technology, as prescribed by Presidential Decree. The same shall also apply where he/she intends to modify any permitted matters: *Provided*, That if he/she intends to modify any minor matters prescribed by Ordinance of the Ministry of Education, Science and Technology, he/she shall report it. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>
- (2) A person who intends to carry on the business of processing spent nuclear fuel, shall have his/her business designated by the competent minister, as prescribed by Presidential Decree. If he/she intends to modify any designated matters, he/she shall obtain the permit from the competent

minister: *Provided*, That if he/she intends to modify any minor matters prescribed by Ordinance of the Ministry of Education, Science and Technology, he/she shall report it. <Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

(3) A person who intends to obtain a permit under paragraph (1) shall submit an application for a permit to the Minister of Education, Science and Technology, and a person who intends to have his/her business designated under paragraph (2) shall submit an application for designation to the competent Minister, with a written environmental impact analysis by radiation, safety control regulations, explanatory statement of design and work methods, a quality assurance program for the operation of the business and other documents prescribed by Ordinance of the Ministry of Education, Science and Technology. <Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

(4) Matters necessary for the processing or disposal of spent nuclear fuel materials shall be determined by the Minister of Education, Science and Technology and the Minister of Knowledge Economy in consultation with the relevant Minister and through the deliberation and decision by the Commission. <Newly Inserted by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

(5) [Article 13](#) shall apply *mutatis mutandis* to cases under paragraphs (1) and (2). In such cases, "Article 17" in subparagraph 3 of [Article 13](#) shall be deemed "Article 46".

#### **Article 44 (Standards for Permit, etc.)**

Standards for a permit or designation under [Article 43](#) (1) and (2) are as follows: <Amended by Act No. 4940, Jan. 5, 1995; Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>

1. Deleted; <by Act No. 7806, Dec. 30, 2005>
2. Technical capability prescribed by Ordinance of the Ministry of Education, Science and Technology which is required to carry out a project shall be secured;
3. The location, structure, equipment, and performance of nuclear fuel cycling facilities shall conform to technical standards prescribed by Ordinance of the Ministry of Education, Science and Technology in such a way that they do not present any impediment to the prevention of disasters caused by radioactive materials, etc. to human bodies, materials and the public;
4. The operation of nuclear fuel cycling facilities shall conform to standards that prescribed by Presidential Decree in order to prevent radioactive materials, etc. produced during the operation of such facilities from causing disasters to the people's health and the environment.

**Articles 44-2 and 44-3 Deleted.** <by Act No. 5820, Feb. 8, 1999>

#### **Article 45 (Inspections)**

(1) A person who has obtained a permit or designation under [Article 43](#) (1) and (2) (hereinafter referred to as "nuclear fuel cycling enterpriser") shall undergo an inspection by the Minister of Education, Science and Technology on matters, etc. concerning the installation and operation of nuclear fuel cycling facilities, and the measurement control of the specific nuclear materials, as prescribed by Presidential Decree. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 6873, May 15, 2003; Act No. 8852, Feb. 29, 2008>



(2) If it has turned out, as a result of an inspection under paragraph (1), that a nuclear fuel cycling enterpriser falls under any of the following subparagraphs, the Minister of Education, Science and Technology may order him/her to take corrective or complementary measures: <Amended by Act No. 5820, Feb. 8, 1999; Act No. 6873, May 15, 2003; Act No. 8852, Feb. 29, 2008>

1. Where he/she fails to meet standards for a permit under [Article 44](#), or where safety measures under [Article 53](#) (1) are insufficient;
2. Where he/she violates requirements specified by attachments to an application for a permit under [Article 43](#) (3) and the regulation on measurement control under [Article 15-2](#) applicable *mutatis mutandis* under [Article 56](#);
3. Deleted. <by Act No. 7806, Dec. 30, 2005>

[This Article Wholly Amended by Act No. 4940, Jan. 5, 1995]

#### **Article 46 (Revocation, etc. of Permit, etc.)**

(1) Where a nuclear fuel cycling enterpriser falls under any of the following subparagraphs, the Minister of Education, Science and Technology may revoke a permit and the competent Minister may cancel designation, respectively, or they may order him/her to suspend his/her business for a specified period not exceeding one year: <Amended by Act No. 3850, May 12, 1986; Act No. 4940, Jan. 5, 1995; Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

1. Where he/she obtains a permit or designation by fraud or other illegal means;
2. Where he/she fails to commence the permitted or designated business within a period prescribed by Presidential Decree or suspends such business continuously for not less than one year without any justifiable grounds;
3. Where he/she modifies any matters subject to permit under the latter part of [Article 43](#) (1) or paragraph (2) of the same Article without obtaining the permit thereof;
4. Where he/she falls under any of subparagraphs 1, 2 and 4 of [Article 13](#) applicable *mutatis mutandis* under [Article 43](#) (5): *Provided*, That this shall not apply where an executive of a corporation falls under such a case and he/she is replaced with new one within three months;
5. Where he/she fails to meet standards for a permit or designation under [Article 44](#);
6. Where he/she violates an order issued under [Article 45](#) (2), [54](#), [98](#) (2) or [103](#) (1) and (3);
7. Where he/she violates [Article 53](#) (1) and (2), [84](#), [96](#) (5), [99-2](#), [101](#) or [105](#) (1);
8. Where he/she violates [Article 15-2](#) (1) applied *mutatis mutandis* under [Article 56](#);
9. Deleted; <by Act No. 5820, Feb. 8, 1999>
10. Where he/she violates the conditions for permission or designation under [Article 104](#).

(2) [Article 17](#) (2) through (4) shall apply *mutatis mutandis* where the suspension of business shall be ordered under paragraph (1). <Newly Inserted by Act No. 4940, Jan. 5, 1995>

#### **Article 47 (Records and Keeping)**

A nuclear fuel cycling enterpriser shall make records of matters on the construction and operation of nuclear fuel cycling facilities, as prescribed by Ordinance of the Ministry of Education, Science and Technology, and keep such records at each plant or place of business. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>



**Articles 48 through 52 Deleted.** <by Act No. 5820, Feb. 8, 1999>

**Article 53 (Safety Measures, etc. for Operation)**

(1) In operating the facilities, a nuclear fuel cycling enterpriser shall take measures, etc. for the safety of human bodies, materials and the general public, as prescribed by Presidential Decree.

<Amended by Act No. 3850, May 12, 1986; Act No. 5820, Feb. 8, 1999>

(2) A nuclear fuel cycling enterpriser and his/her employees shall observe the safety control regulations under [Article 43](#) (3). <Newly Inserted by Act No. 5820, Feb. 8, 1999>

**Article 54 (Measures Including Suspension of Operation, etc. of Nuclear Fuel Cycling Facilities)**

The Minister of Education, Science and Technology may, when he/she recognizes that the safety measures under [Article 53](#) are insufficient, order a nuclear fuel cycling enterpriser to suspend using the facilities, or renovate, repair, relocate such facilities, or to take necessary measures for the safety of such facilities, including the designation of operational methods. <Amended by Act No. 3850, May 12, 1986; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

**Article 55 (Dismantlement of Nuclear Fuel Cycling Facilities)**

(1) If a nuclear fuel cycling enterpriser intends to dismantle the nuclear fuel cycling facilities, he/she shall prepare a dismantling plan of such facilities, and obtain, in advance, approval from the Minister of Education, Science and Technology. The same shall also apply where he/she intends to modify it: *Provided*, That when he/she intends to alter minor matters prescribed in Ordinance of the Ministry of Education, Science and Technology, he/she shall file a report to the Minister of Education, Science and Technology. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

(2) A dismantlement plan of facilities under paragraph (1) shall include the following matters: <Amended by Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>

1. A method of dismantling the nuclear fuel cycling facilities and the schedule of work;
2. A method of removing radioactive materials and pollution caused thereby;
3. A method of treating and disposing of radioactive wastes;
4. Measures necessary for preventing any disasters caused by radiation;
5. Evaluation of the impact of radioactive materials, etc. on the environment, and the countermeasures;
6. A quality assurance program for dismantling the nuclear fuel cycling facilities;
7. Other matters determined by the Minister of Education, Science and Technology.

(3) and (4) Deleted. <by Act No. 5820, Feb. 8, 1999>

(5) The Minister of Education, Science and Technology shall check and inspect the dismantling status of such facilities before the dismantling work is finished. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

(6) If it turns out, as a result of a check and inspection under paragraph (5), that a nuclear fuel cycling enterpriser has failed to carry out the dismantling work in accordance with the dismantling plan of facilities under paragraph (2), the Minister of Education, Science and Technology may order him/her to take corrective or complementary measures. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

*[This Article Wholly Amended by Act No. 4940, Jan. 5, 1995]*

#### **Article 55-2 (Report on Business Commencement)**

A nuclear fuel cycling enterpriser shall, when he/she commences, suspends, or discontinues his/her business or resumes his/her suspended business, file a report to the Minister of Education, Science and Technology within 30 days from the date of such commencement, suspension, discontinuation or resumption of his/her business. *<Amended by Act No. 8852, Feb. 29, 2008>*

*[This Article Newly Inserted by Act No. 5820, Feb. 8, 1999]*

#### **Article 56 (Application Mutatis Mutandis)**

Articles 15-2 and 20 shall apply *mutatis mutandis* to a nuclear fuel cycling enterpriser. In such cases, the "installer of a nuclear power reactor" shall be deemed "nuclear fuel cycling enterpriser". *<Amended by Act No. 3850, May 12, 1986; Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999>*

## **SECTION 2 Use of Nuclear Materials**

#### **Article 57 (Permit for Use, etc. of Nuclear Fuel Materials)**

(1) A person who intends to use or possess nuclear fuel materials, excluding those falling under any of the following subparagraphs shall obtain a permit from the Minister of Education, Science and Technology, as prescribed by Presidential Decree. The same shall also apply where he/she intends to modify any permitted matters: *Provided*, That if he/she intends to modify any minor matters prescribed by the Ordinance of the Ministry of Education, Science and Technology, he/she shall report it: *<Amended by Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999; Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>*

1. Where an installer of a nuclear power reactor, operator of a nuclear power reactor or installer of a research nuclear reactor, etc. uses nuclear fuel materials for the business for which he/she has obtained a permit therefor;
2. Where a nuclear fuel cycling enterpriser uses nuclear fuel materials for the permitted or designated business;
3. Where he/she uses nuclear fuel materials of such kinds and quantity prescribed by Presidential Decree.

(2) A person who intends to obtain a permit under paragraph (1) shall file an application for a permit with the safety control regulations and documents prescribed by Ordinance of the Ministry of Education, Science and Technology attached thereto with the Minister of Education, Science and Technology. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(3) Article 13 shall apply *mutatis mutandis* to cases under paragraph (1). In such cases, "Article 17" in subparagraph 3 of Article 13 shall be deemed "Article 60".

#### **Article 58 (Standards for Permit)**

Standards for a permit under Article 57 (1) shall be as follows: *<Amended by Act No. 4940, Jan. 5, 1995; Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>*

1. Deleted; <by Act No. 7806, Dec. 30, 2005>
2. Technical capability prescribed by Ordinance of the Ministry of Education, Science and Technology as being necessary for the use or possession of nuclear fuel materials shall be available;
3. The location, structure and installation of utilization facilities, distribution facilities, storage facilities, temporary storage facilities, treatment facilities and discharge facilities (hereinafter referred to as "utilization facilities, etc.") shall conform to technical standards prescribed by Ordinance of the Ministry of Education, Science and Technology in such a way that they do not present any impediment to the prevention of damage caused by radioactive materials, etc. to human bodies, materials and the general public ;
4. The use or possession of nuclear fuel materials shall conform to standards prescribed by Presidential Decree in order to prevent radioactive materials, etc. from causing disasters to the people's health and the environment;
5. Equipment and human resources prescribed by Presidential Decree shall be available.

#### **Article 59 (Inspections)**

(1) A person who has obtained a permit under [Article 57](#) (1) (hereinafter referred to as "nuclear fuel material user") shall undergo an inspection by the Minister of Education, Science and Technology with respect to matters, etc. concerning the use or possession of nuclear fuel materials and the measurement control of specific nuclear materials, as prescribed by Presidential Decree. <Amended by Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999; Act No. 6873, May 15, 2003; Act No. 8852, Feb. 29, 2008>

(2) If it has turned out, as a result of an inspection under paragraph (1), that a nuclear fuel material user falls under any of the following subparagraphs, the Minister of Education, Science and Technology may order him/her to take corrective or complementary measures: <Amended by Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999; Act No. 6873, May 15, 2003; Act No. 8852, Feb. 29, 2008>

1. Where he/she fails to meet standards for a permit under [Article 58](#), and technical standards under the main sentence of [Article 62](#) (1);
2. Where he/she violates requirements specified by attachments to an application for a permit under [Article 57](#) (2) or the regulations on measurement control under [Article 15-2](#) applicable *mutatis mutandis* under [Article 63](#);
3. Deleted. <by Act No. 7806, Dec. 30, 2005>

#### **Article 60 (Revocation, etc. of Permit for Use and Possession)**

The Minister of Education, Science and Technology may, if a nuclear fuel material user falls under any of the following subparagraphs, revoke his/her a permit or order him/her to suspend his/her operation for a specified period not exceeding one year: <Amended by Act No. 3850, May 12, 1986; Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

1. Where he/she obtains a permit by fraud or other illegal means;
2. Where he/she modifies any matters subject to a permit under the latter part of [Article 57](#) (1) without obtaining the permit thereof;

3. Where he/she falls under any of subparagraphs 1, 2 and 4 of [Article 13](#) as applied *mutatis mutandis* under [Article 57](#) (3): *Provided*, That this shall not apply where an executive of a corporation falls under such a case and he/she is replaced with new one within three months;
4. Where he/she fails to meet the standards for a permit under [Article 58](#);
5. *Deleted; <by Act No. 5820, Feb. 8, 1999>*
6. Where he/she violates [Article 62](#) (3) or [15-2](#) (1) applicable *mutatis mutandis* under [Article 63](#);
7. Where he/she violates an order issued under [Article 59](#) (2), [62](#) (2), [98](#) (2) or [103](#) (1) and (3);
8. Where he/she violates [Article 84](#), [99-2](#), [101](#) or [105](#) (1);
9. Where he/she violates the conditions for permission under [Article 104](#).

#### **Article 61 (Records and Keeping)**

A nuclear fuel material user shall make records of matters concerning the use or possession of nuclear fuel materials, as prescribed by Ordinance of the Ministry of Education, Science and Technology, and keep such records at each plant or place of business. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

#### **Article 62 (Obligation to Observe Standards, etc.)**

(1) A nuclear fuel material user shall observe technical standards prescribed by Ordinance of the Ministry of Education, Science and Technology with respect to matters falling under the following subparagraphs: *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

1. The use, distribution, storage, transportation, temporary storage, treatment and discharge of nuclear fuel materials or other materials contaminated thereby in the place of business;
2. Facilities, etc. for the use of nuclear fuel materials or other materials contaminated thereby.

(2) The Minister of Education, Science and Technology may, when he/she deems that the use, distribution, storage, transportation, temporary storage, treatment or discharge of nuclear fuel materials or other materials contaminated thereby in the relevant place of business fails to conform to technical standards under paragraph (1), order a nuclear fuel material user to repair, renovate or relocate, suspend using the facilities concerned, alter safety methods and take necessary measures for safety. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(3) A user of nuclear fuel materials and his/her employees shall observe the safety control regulations under [Article 57](#) (2). *<Newly Inserted by Act No. 5820, Feb. 8, 1999>*

#### **Article 63 (Application Mutatis Mutandis)**

[Articles 15-2](#), [20](#), and [55-2](#) shall apply *mutatis mutandis* to a nuclear fuel materials user. In such cases, "installer of a reactor for power generation", "installer of a research nuclear reactor" or "nuclear fuel cycling enterpriser" shall be deemed "nuclear fuel material user". *<Amended by Act No. 3850, May 12, 1986; Act No. 5820, Feb. 8, 1999>*

#### **Article 64 (Report, etc. of Use of Nuclear Raw Materials)**

(1) A person who intends to use nuclear raw materials, except the following cases, shall file a report to the Minister of Education, Science and Technology, as prescribed by Presidential Decree. The same shall apply where he/she intends to alter any reported matters: *<Amended by Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

1. Where an installer of a nuclear power reactor, operator of a nuclear power reactor, installer of a research nuclear reactor, or nuclear fuel cycling enterpriser, etc. uses nuclear raw materials for the permitted or designated business;
  2. Where nuclear raw materials of such kind and quantity prescribed by Ordinance of the Ministry of Education, Science and Technology are used.
- (2) A person who has filed a report pursuant to paragraph (1) (hereinafter referred to as "nuclear raw material user"), shall use nuclear raw materials according to technical standards prescribed by Ordinance of the Ministry of Education, Science and Technology. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*
- (3) Where the use of nuclear raw materials fails to conform to technical standards under paragraph (2), the Minister of Education, Science and Technology may order a nuclear raw material user to take corrective or complementary measures to bring his/her use of such materials into conformity with such standards. *<Amended by Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*
- (4) A nuclear raw material user shall record matters concerning the use of nuclear raw materials, as prescribed by Ordinance of the Ministry of Education, Science and Technology, and keep such records at each plant or place of business. *<Amended by Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

## **CHAPTER VII RADIOACTIVE ISOTOPES AND RADIATION GENERATING DEVICES**

### **Article 65 (Permit for Use of Radioactive Isotopes and Radiation Generating Devices)**

- (1) A person who intends to produce, sell, use (including the possessing and handling; hereinafter the same shall apply) or make the mobile-use of radioactive isotopes or radiation generating devices (hereinafter referred to as "radioactive isotopes, etc.") shall obtain a permit from the Minister of Education, Science and Technology, as prescribed by Presidential Decree. The same shall also apply where he/she intends to alter any permitted matters: *Provided*, That if he/she intends to alter minor matters such as the temporary change of place of use, which are prescribed by Ordinance of the Ministry of Education, Science and Technology, he/she shall file a report thereon. *<Amended by Act No. 3850, May 12, 1986; Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>*
- (2) Notwithstanding paragraph (1), a person who intends to use or make the mobile-use sealed radioisotope, the purpose of use or quantity of which is smaller than what is prescribed by Ordinance of the Ministry of Education, Science and Technology or a radiation generating device, the purpose of use or capacity of which is smaller than what is prescribed by Ordinance of the Ministry of Education, Science and Technology, shall file a report to the Minister of Education, Science and Technology, as prescribed by Presidential Decree. The same shall apply where he/she intends to alter reported matters. *<Amended by Act No. 3850, May 12, 1986; Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>*

(3) and (4) *Deleted. <by Act No. 6354, Jan. 16, 2001>*

(5) A person who intends to obtain a permit under paragraph (1) shall file an application for a permit with a safety analysis report, quality assurance program, safety radiation report and safety control regulations and other documents prescribed by Ordinance of the Ministry of Education, Science and Technology attached thereto with the Minister of Education, Science and Technology and a person who intends to file a report under paragraph (2) shall file such report with documents prescribed by Ordinance of the Ministry of Education, Science and Technology attached thereto, with the Minister of Education, Science and Technology: Provided, that the submission of the safety analysis report and the quality assurance program shall be limited to a person who intends to obtain a permit for production. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>*

(6) [Article 13](#) shall apply *mutatis mutandis* to a person who has been granted a permit under paragraph (1) (hereinafter referred to as "permitted user") and a person who has filed a report under paragraph (2) (hereinafter referred to as "reported user"). In such cases, "no person ... may be granted a construction permit under [Article 11](#) (1)" in the main sentence of [Article 13](#) shall be construed as "no permit or report may be granted or filed under [Article 65](#) (1) and (2)", "after a permit is revoked under [Article 17](#)" in subparagraph 3 of the same Article as "after a permit is revoked or use is prohibited under [Article 68](#)", and "any executive" in subparagraph 4 of the same Article as "the representative". *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001>*

#### **Article 65-2 (Registration of Business Agent)**

(1) Any person who intends to carry on any of the following affairs on behalf of any permitted user and reported user shall register his/her business with the Minister of Education, Science and Technology: *<Amended by Act No. 8852, Feb. 29, 2008>*

1. Removal of radioactive contamination;
2. Collection, treatment and transportation of radioactive isotopes and radioactive wastes;
3. Preparation of a radioactive safety report and safety control regulations;
4. Supervision over the installation of utilization facilities, etc.;
5. Safety control of radiations;
6. Other affairs related to the safety control of hazard prevention of radiations which are prescribed by Ordinance of the Ministry of Education, Science and Technology.

(2) Any person who has registered his/her business under paragraph (1) (hereinafter referred to as "business agent") shall, when he/she intends to modify the registered matters, file a report thereon with the Minister of Education, Science and Technology. *<Amended by Act No. 8852, Feb. 29, 2008>*

(3) Any person who intends to register his/her business under paragraph (1) shall file an application with business agency regulations and other documents prescribed by Ordinance of the Ministry of Education, Science and Technology attached thereto, with the Minister of Education, Science and Technology. *<Amended by Act No. 8852, Feb. 29, 2008>*

(4) [Article 13](#) shall apply *mutatis mutandis* to cases under paragraph (1). In such cases, "no person ... may be granted a construction permit under [Article 11](#) (1)" in the main sentence of [Article 13](#) shall be construed as "no registration may be filed under [Article 65-2](#) (1)", "after a permit is revoked under

Article 17" in subparagraph 3 of the same Article as "after the registration is revoked under Article 68", and "any executive" in subparagraph 4 of the same Article as "the representative".

*[This Article Newly Inserted by Act No. 6354, Jan. 16, 2001]*

#### **Article 66 (Standards for Permit, etc.)**

(1) Standards for a permit under Article 65 (1) shall be as follows: *<Amended by Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>*

1. The location, structure and installation of production and utilization facilities, etc. shall conform to technical standards prescribed by Ordinance of the Ministry of Education, Science and Technology;
2. The quantity of radioactive isotopes, contaminated materials thereby, or exposed radiation generated by radiation generating devices shall not exceed the dose limit prescribed by Presidential Decree;
3. The performance and contents of a quality assurance program of radioactive isotopes, etc. intended for production shall be in conformity with standards prescribed and published by the Minister of Education, Science and Technology;
4. Equipment and human resources prescribed by Presidential Decree shall be secured.

(2) Standards required for registration under Article 65-2 (1) shall be as follows: *<Amended by Act No. 6354, Jan. 16, 2001; Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>*

1. It is required to secure technical capability prescribed by Ordinance of the Ministry of Education, Science and Technology as being necessary to perform the agency business;
2. It is required to secure equipment and human resources prescribed by Presidential Decree;
3. It is required to make the scope of business agency and business agency regulations in conformity with standards prescribed by Ordinance of the Ministry of Education, Science and Technology.

#### **Article 67 (Inspections)**

(1) A permitted user and business agent shall undergo inspections of the Minister of Education, Science and Technology as prescribed by Presidential Decree with respect to the production, sale, use, mobile-use or agency business of radioactive isotopes, etc.: *Provided*, That the same shall not apply where such inspections are exempted, as prescribed by Presidential Decree. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>*

(2) If it has turned out, as a result of an inspection under paragraph (1), that a permitted user or business agent falls under any of the following subparagraphs, the Minister of Education, Science and Technology may order him/her to take corrective or complementary measures: *<Amended by Act No. 4940, Jan. 5, 1995; Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>*

1. Where he/she fails to meet the standards for a permit under Article 66 (1) or standards for registration under Article 66 (2);
2. Where he/she violates the safety control regulations under Article 65 (5) or the agency business regulations under Article 65-2 (3);



3. Deleted. <by Act No. 7806, Dec. 30, 2005>

#### **Article 68 (Revocation, etc. of Permit for Production, Sale, Use or Mobile-Use, etc.)**

(1) If a permitted user, reported user or business agent falls under any of the following subparagraphs, the Minister of Education, Science and Technology may order the revocation of a permit or registration, or the suspension of business or prohibition of use (limited to a reported user) for a fixed period not exceeding one year: <Amended by Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>

1. Where he/she obtains a permit, filed a report or registered his/her business by fraud or other illegal means;
2. Where he/she fails to commence the permitted use or business within a period prescribed by Presidential Decree or suspends the business continuously for not less than one year without justifiable grounds;
3. Where he/she alters any permitted matters, reports matters or registers matters without obtaining a permit for alteration, filing a report on alteration under the latter part of [Article 65](#) (1), (2) or [65-2](#) (2);
4. Where he/she falls under any of subparagraphs 1, 2 and 4 of [Article 13](#) applicable *mutatis mutandis* under [Articles 65](#) (6) and [65-2](#) (4): *Provided*, That the same shall not apply where the representative of a corporation who falls under such case is replaced with new one within three months from the date he/she is found to fall under such case;
5. Where he/she fails to meet the standards for a permit or registration under [Article 66](#);
6. Where he/she violates an order or report under [Article 67](#) (2), [71](#) (2), [98](#) (2) or [103](#) (1) and (3);
7. Where he/she violates [Article 71](#) (3), [84](#), [99-2](#), [101](#) or [105](#) (1);
8. Where he/she violates the conditions for permission under [Article 104](#).

(2) The Minister of Education, Science and Technology may impose a penalty surcharge not exceeding 50 million won in lieu of the suspension of business, if he/she needs to order the suspension of business under paragraph (1). <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

(3) The amount of penalty surcharges to be imposed depending on the kind and seriousness of a violation under paragraph (2) and other necessary matters shall be prescribed by Presidential Decree.

(4) Where penalty surcharges under paragraph (2) is not paid within the deadline, such penalty surcharges shall be collected by the Minister of Education, Science and Technology in the same manner as delinquent national taxes are collected. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

[This Article Wholly Amended by Act No. 5233, Dec. 30, 1996]

#### **Article 69 (Records and Keeping)**

A permitted user, a reported user and a business agent shall record matters concerning the production, use, mobile-use, distribution, storage, transportation, temporary storage, treatment, discharge, sales, or agency business, etc., of radioactive isotopes and shall keep such recorded matters at each plant or business place, as prescribed by Ordinance of the Ministry of Education,



Science and Technology. <Amended by Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>  
[This Article Wholly Amended by Act No. 5820, Feb. 8, 1999]

**Article 70 Deleted.** <by Act No. 5820, Feb. 8, 1999>

**Article 71 (Obligation, etc. to Observe Standards)**

(1) A permitted user or the reported user shall observe technical standards concerning the following matters which are prescribed by Ordinance of the Ministry of Education, Science and Technology:  
<Amended by Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>

1. The location, structure and installation of production and utilization facilities, etc. of radioactive isotopes and other materials contaminated thereby or radiation generating devices;
2. The production, use, distribution, storage, transportation, temporary storage, treatment and discharge of radioactive isotopes or materials contaminated thereby or radiation generating devices at a business place;
3. The mobile-use and sales of radioactive isotopes, etc.

(2) The Minister of Education, Science and Technology may, when the location, structure and installation of the production and utilization facilities of radioactive isotopes and other materials contaminated thereby or radiation generating devices, and the production, use, distribution, storage, transportation, temporary storage, treatment, and discharge of them at a business place, and the mobile-use or sales of radioactive isotopes, etc., are deemed to fail to conform to the technical standards under paragraph (1), order a permitted user and a reported user to repair, renovate, relocate or suspend using the relevant facilities, alter the methods of handling such facilities and take other measures necessary for safety. <Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>

(3) A permitted user and his/her employees shall observe the safety control regulations under [Article 65](#) (5), and a business agent and his/her employees shall observe the business agency regulations under [Article 65-2](#) (3). <Newly Inserted by Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001>

**Article 72 (Approval, etc. of Design of Radiation Generating Devices, etc.)**

(1) Any person who intends to manufacture radiation generating devices or devices containing radiative isotopes (hereinafter referred to as "radiation equipment"), or to import radiation equipment manufactured in foreign countries shall obtain approval from the Minister of Education, Science and Technology, as prescribed by Presidential Decree. The same shall apply where he/she intends to alter any permitted matters: *Provided*, That when he/she intends to alter minor matters prescribed by Ordinance of the Ministry of Education, Science and Technology, he/she shall file a report to the Minister of Education, Science and Technology. <Amended by Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>

(2) Any person who intends to obtain approval under paragraph (1) shall file an application for such approval with the design data of radiation equipment, safety evaluation data, quality assurance plan concerning such manufacturing and other documents prescribed by Ordinance of the Ministry of Education, Science and Technology attached thereto, with the Minister of Education, Science and Technology. <Amended by Act No. 8852, Feb. 29, 2008>

*[This Article Wholly Amended by Act No. 5820, Feb. 8, 1999]*

#### **Article 73 (Inspections)**

(1) Any person who has obtained approval under [Article 72](#) (1) and other person who has imported radiation equipment shall have such manufactured or imported radiation equipment inspected by the Minister of Education, Science and Technology, as prescribed by Presidential Decree: *Provided*, That the same shall not apply where such inspection is exempted, as prescribed by Presidential Decree.

*<Amended by Act No. 8852, Feb. 29, 2008>*

(2) A permitted user and a reported user shall use the radiation equipment which passes an inspection under paragraph (1).

*[This Article Wholly Amended by Act No. 5820, Feb. 8, 1999]*

**Article 74 Deleted.** *<by Act No. 5820, Feb. 8, 1999>*

#### **Article 75 (Application Mutatis Mutandis)**

[Articles 20](#) and [55-2](#) shall apply *mutatis mutandis* to a permitted user, reported user and business agent. In such cases, "installer of a nuclear power reactor", "installer of a research nuclear reactor" or "nuclear fuel cycling enterpriser" shall be deemed "permitted user, reported user and business agent". In such cases, the installer of any nuclear power reactor or operator of nuclear fuel cycling business shall be deemed the permitted user, reported user and business agent. *<Amended by Act No. 6354, Jan. 16, 2001>*

*[This Article Amended by Act No. 5820, Feb. 8, 1999]*

### **CHAPTER VII-2 Deleted.**

**Articles 75-2 through 75-5 Deleted.** *<by Act No. 5820, Feb. 8, 1999>*

### **CHAPTER VIII DISPOSAL AND TRANSPORT**

#### **Article 76 (Permit for Construction and Operation of Disposal Facilities, etc.)**

(1) Any person who intends to construct and operate the storage, processing and disposal facilities of radioactive wastes and accessory facilities (hereinafter referred to as "disposal facilities, etc.") shall obtain a permit from the Minister of Education, Science and Technology, as prescribed by Presidential Decree. The same shall also apply where he/she intends to modify any permitted matters: *Provided*, That if he/she intends to modify any minor matters prescribed by Ordinance of the Ministry of Education, Science and Technology, he/she shall report thereon. *<Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(2) Any person who intends to obtain a permit under paragraph (1) shall file an application for such permit with a written environmental impact analysis by radiation, safety analysis report, safety control regulations, statement explaining design and methods of construction work, quality assurance plan concerning construction and operation, and other documents prescribed by Ordinance of the Ministry of Education, Science and Technology attached thereto, with the Minister of Education, Science and

Technology. <Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

(3) [Article 13](#) shall apply mutatis mustandis to paragraph (1). In such cases, "[Article 17](#)" in subparagraph 3 of [Article 13](#) shall be deemed "[Article 79](#)".

#### **Article 77 (Standards for Permit)**

Standards for a permit under [Article 76](#) (1) shall be as follows: <Amended by Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>

1. Technical capability prescribed by Ordinance of the Ministry of Education, Science and Technology as being necessary for the construction and operation of disposal facilities, etc. shall be available;
2. The location, structure, equipment, and performance of disposal facilities, etc. shall conform to such standards as prescribed by Ordinance of the Ministry of Education, Science and Technology, in such a way that they do not present any impediment to the prevention of hazards caused by radioactive materials, etc. to human bodies, materials and the general public;
3. The construction and operation of disposal facilities, etc. shall conform to standards prescribed by Presidential Decree in order to prevent radioactive materials, etc. produced during construction or operation of such facilities from causing disasters to the people's health and the environment;
4. It is required to secure equipment and human resources prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 5233, Dec. 30, 1996]

**Article 77-2 Deleted.** <by Act No. 5820, Feb. 8, 1999>

#### **Article 78 (Inspections)**

(1) Any person who has obtained a permit for the construction or operation of disposal facilities, etc. under [Article 76](#) (1) (hereinafter referred to as "constructor or operator of disposal facilities, etc.") shall undergo an inspection by the Minister of Education, Science and Technology with respect to matters concerning the installation and operation of disposal facilities, etc., the storage, treatment and disposal of radioactive wastes and measurement control of specific nuclear materials, as prescribed by Presidential Decree. <Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 6873, May 15, 2003; Act No. 8852, Feb. 29, 2008>

(2) The Minister of Education, Science and Technology may, when the constructor or operator of disposal facilities, etc. falls under any of the following subparagraphs as a result of an inspection under paragraph (1), order him/her to take corrective or supplementary measures: <Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 6873, May 15, 2003; Act No. 8852, Feb. 29, 2008>

1. Where he/she fails to meet the standards for a permit under [Article 77](#), and technical standards under [Article 82](#) (1);
2. Where he/she violates requirements specified by attachments to an application for a permit under [Article 76](#) (2) and violates the regulations on measurement control under [Article 15-2](#) applicable *mutatis mutandis* under [Article 83](#);
3. Deleted. <by Act No. 7806, Dec. 30, 2005>

[This Article Wholly Amended by Act No. 4940, Jan. 5, 1995]

#### **Article 79 (Revocation, etc. of Permit for Construction or Operation of Disposal Facilities, etc.)**

(1) The Minister of Education, Science and Technology may, when the constructor or operator of disposal facilities, etc. falls under any of the following subparagraphs, revoke a permit or order the suspension of his/her business for a fixed period not exceeding one year: <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

1. Where he/she obtains a permit by fraud or other illegal means;
2. Where he/she fails to commence the business, for which a permit is granted within a period prescribed by Presidential Decree, or suspends the business continuously for not less than one year without justifiable grounds;
3. Where he/she modifies any matters subject to permit under the latter part of [Article 76](#) (1) without obtaining the permit thereof;
4. Where he/she falls under any of subparagraph 1, 2 and 4 of [Article 13](#) applicable mutants mustangs under [Article 76](#) (3): *Provided*, That if an executive of a corporation falls under such case and he/she is replaced with new one within three months, this shall not apply;
5. Where he/she fails to meet the standards for a permit under [Article 77](#);
6. Where he/she violates [Article 15-2](#) (1) applied *mutatis mutandis* under [Article 83](#);
7. Where he/she violates an order issued under [Article 78](#) (2), [82](#) (2), [98](#) (2) or [103](#) (1) and (3);
8. Where he/she violates [Article 82](#) (3), [96](#) (5), [99-2](#), [101](#) or [105](#) (1);
9. Where he/she violates the conditions for permission under [Article 104](#).

(2) [Article 17](#) (2) through (4) shall apply *mutatis mutandis* to the suspension of business under paragraph (1).

[This Article Wholly Amended by Act No. 5233, Dec. 30, 1996]

#### **Article 80 (Records and Keeping)**

The constructor or operator of disposal facilities, etc. shall record matters concerning the storage, treatment or disposal of radioactive wastes and keep such records at disposal facilities, etc. as prescribed by Ordinance of the Ministry of Education, Science and Technology. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

[This Article Wholly Amended by Act No. 4940, Jan. 5, 1995]

#### **Article 81 Deleted.** <by Act No. 5820, Feb. 8, 1999>

#### **Article 82 (Obligation to Observe Standards)**

(1) The constructor or operator of disposal facilities etc. shall observe technical standards concerning the following matters which are prescribed by Ordinance of the Ministry of Education, Science and Technology: <Amended by Act No. 8852, Feb. 29, 2008>

1. The location, structure, installation and performance of disposal facilities, etc.;
2. The storage, treatment, or disposal of radioactive wastes.

(2) The Minister of Education, Science and Technology may, when the location, structure, installation and performance of disposal facilities, etc., and storage, treatment or disposal of radioactive wastes are deemed to fail to conform to the technical standards under paragraph (1), order the constructor or operator of the disposal facilities, etc. to repair, renovate, relocate the relevant facilities, suspend his/her business, alter methods of handling and take other measures necessary for safety.

<Amended by Act No. 8852, Feb. 29, 2008>

(3) The constructor or operator of the disposal facilities, etc. and his/her employees shall observe the safety control regulations under [Article 76](#) (2).

[This Article Wholly Amended by Act No. 5820, Feb. 8, 1999]

#### **Article 83 (Application Mutatis Mutandis)**

[Articles 11](#) (3) through (6), [15-2](#), [20](#) and [55-2](#) shall apply *mutatis mutandis* to the constructor or operator of the disposal facilities, etc. In such cases, "installer of a nuclear power reactor", "installer of a research nuclear reactor, etc.", or "nuclear fuel cycling enterpriser" shall be deemed "constructor or operator of disposal facilities, etc.".

[This Article Wholly Amended by Act No. 5820, Feb. 8, 1999]

#### **Article 84 (Restrictions on Disposal of Radioactive Wastes)**

(1) No person may dispose of radioactive wastes in the manner of dumping them into the sea.

(2) No person, other than the constructor or operator of disposal facilities, etc., may dispose of any radioactive wastes of the kinds and quantity prescribed by Ordinance of the Ministry of Education, Science and Technology in the manner of burying them shallowly (including burying them in "cave") or deeply in the ground. <Amended by Act No. 8852, Feb. 29, 2008>

(3) Radioactive wastes, other than those referred to in paragraph (2), shall be disposed of in conformity with methods and procedures prescribed by Presidential Decree.

(4) Any person who intends to commission the disposal of radioactive wastes under paragraph (2) to the constructor or operator of disposal facilities, etc. shall transfer such radioactive wastes in conformity with standards prescribed by Ordinance of the Ministry of Education, Science and Technology. <Amended by Act No. 8852, Feb. 29, 2008>

[This Article Wholly Amended by Act No. 5820, Feb. 8, 1999]

**Article 84-2 Deleted.** <by Act No. 9016, Mar. 28, 2008>

**Articles 84-3 through 84-5 Deleted.** <by Act No. 5233, Dec. 30, 1996>

**Article 85 Deleted.** <by Act No. 5233, Dec. 30, 1996>

**Article 85-2 Deleted.** <by Act No. 4940, Jan. 5, 1995>

**Article 85-3 Deleted.** <by Act No. 5233, Dec. 30, 1996>

#### **Article 86 (Report on Transport)**

(1) Where the installer of a nuclear power reactor, the operator of a nuclear power reactor, installer of a research nuclear reactor, a nuclear fuel cycling enterpriser, nuclear fuel material user, nuclear raw material user, permitted user, reported user, business agent, or the constructor or operator of disposal facilities, etc. (hereinafter referred to as "nuclear power-related enterpriser") intends to transport radioactive materials, etc. of the kinds and quantities prescribed by Ordinance of the Ministry of Education, Science and Technology out of his/her business place to another place, or to import such radioactive materials into his/her business place from overseas, he/she shall file a report thereon to the Minister of Education, Science and Technology, as prescribed by Presidential Decree. <Amended by Act 4940, Jan. 5, 1995; Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act

*No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>*

(2) Any person who intends to have any ship or any aircraft loaded with radioactive materials, etc, the quantity of which is prescribed by Ordinance of the Ministry of Education, Science and Technology, enter any port or any airport of the Republic of Korea or sail through the territorial waters of the Republic of Korea (limited to any ship), shall file a report thereon with the Minister of Education, Science and Technology, as prescribed by Presidential Decree. The same shall apply where he/she intends to modify any reported matters. *<Newly Inserted by Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>*

#### **Article 87 (Technical Standards concerning Transport or Package)**

(1) The transport of radioactive materials, etc. by rail, road, ship or aircraft, or domestic and international mail service shall be made in conformity with technical standards on package and transport prescribed by Ordinance of the Ministry of Education, Science and Technology. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(2) *Deleted. <by Act No. 5820, Feb. 8, 1999>*

#### **Article 88 (Exposure Control, etc.)**

A nuclear power-related enterpriser shall verify whether workers engaged in the transport of radioactive materials, etc. are exposed to radiation, and shall conduct training for safety.

#### **Article 89 (Measures, etc. Taken to Deal With Accidents)**

(1) A nuclear power-related enterpriser and a person commissioned by any nuclear power-related enterpriser to transport radio-active materials, etc. shall develop and implement an emergency response plan, as prescribed by Ordinance of the Ministry of Education, Science and Technology, in order to prepare for accidents that could occur while transporting or packaging radioactive materials, etc. *<Amended by Act No. 8852, Feb. 29, 2008>*

(2) When any leakage or fire of radioactive materials, etc., or any other accident occurs while transporting or packaging radioactive materials, etc., the relevant nuclear power-related enterpriser and the person commissioned by the relevant nuclear power-related enterpriser to transport the radioactive materials, etc. shall take necessary safety measures, as prescribed by Presidential Decree and report the fact, without delay, to the Minister of Education, Science and Technology. *<Amended by Act No. 8852, Feb. 29, 2008>*

*[This Article Wholly Amended by Act No. 7806, Dec. 30, 2005]*

#### **Article 90 (Inspections of Transport and Package)**

(1) A nuclear power-related enterpriser and a person commissioned by the relevant nuclear power-related enterpriser to transport the radioactive materials, etc. shall undergo an inspection by the Minister of Education, Science and Technology as to whether he/she observes technical standards under [Article 87](#), as prescribed by Presidential Decree. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(2) The Minister of Education, Science and Technology may, when the technical standards under [Article 87](#) is found to fall short of being met as a result of the inspection under paragraph (1), order corrective or supplementary measures. *<Amended by Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

#### **Article 90-2 (Approval of Design of Transport Containers)**

(1) If a nuclear power-related enterpriser intends to manufacture containers for packaging or transportation of radioactive materials (hereinafter referred to as "transport containers"), the quantity of which is determined by Ordinance of the Ministry of Education, Science and Technology, or to import the transport containers manufactured in foreign countries, he/she shall obtain approval therefor from the Minister of Education, Science and Technology according to design standards prescribed by Presidential Decree. The same shall apply where he/she intends to modify any approved matters: *Provided*, That if he/she intends to alter minor matters prescribed by Ordinance of the Ministry of Education, Science and Technology, he/she shall file a report thereon to the Minister of Education, Science and Technology. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>

(2) Any person who intends to obtain approval under paragraph (1) shall file an application for the approval of manufacturing transport containers with the design data of such transport container, quality assurance plan concerning manufacture, a safety analysis report and other documents prescribed by Ordinance of the Ministry of Education, Science and Technology attached thereto, with the Minister of Education, Science and Technology. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>

*[This Article Newly Inserted by Act No. 4940, Jan. 5, 1995]*

#### **Article 90-3 (Inspections)**

(1) A nuclear power-related enterpriser shall undergo an inspection by the Minister of Education, Science and Technology with respect to manufactured or imported transport containers for which approval has been obtained under [Article 90-2](#) (1) and other transport containers in use, as prescribed by Presidential Decree: *Provided*, That the same shall not apply where such inspection is exempted, as prescribed by Presidential Decree. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>

(2) A nuclear power-related enterpriser shall use the transport containers which have passed an inspection under paragraph (1). <Amended by Act No. 6354, Jan. 16, 2001>

*[This Article Newly Inserted by Act No. 4940, Jan. 5, 1995]*

### **CHAPTER IX DOSIMETER READING SERVICE**

#### **Article 90-4 (Registration of Dosimeter Reading Service Providers)**

(1) Any person who intends to render the dosimeter reading service aimed at reading the quantity of radiation exposed to human bodies shall register his/her business with the Minister of Education, Science and Technology. <Amended by Act No. 8852, Feb. 29, 2008>

(2) Any person who has registered his/her business pursuant to paragraph (1) (hereinafter referred to as "dosimeter reading service provider") shall, where he/she intends to alter any registered matters, file a report thereon to the Minister of Education, Science and Technology. <Amended by Act No. 8852, Feb. 29, 2008>

(3) Any person who intends to register his/her business pursuant to paragraph (1) shall file an



application for such registration with a quality assurance plan concerning dosimeter reading and other documents prescribed by Ordinance of the Ministry of Education, Science and Technology attached thereto, with the Minister of Education, Science and Technology. <Amended by Act No. 8852, Feb. 29, 2008>

(4) Article 13 shall apply *mutatis mutandis* to a person who intends to register his/her business pursuant to paragraph (1). In such cases, "a permit is revoked under Article 17" in subparagraph 3 of Article 13 shall be deemed "registration is revoked under Article 90-7" and "any executive" in subparagraph 4 of the same Article shall be deemed "representative".

[This Article Wholly Amended by Act No. 5820, Feb. 8, 1999]

#### **Article 90-5 (Standards for Registration)**

Standards for registration under [Article 90-4](#) (1) shall be as follows: <Amended by Act No. 8852, Feb. 29, 2008>

1. Technical capability prescribed by Ordinance of the Ministry of Education, Science and Technology which are necessary to install and operate reading facilities shall be secured;
2. The contents of a quality assurance plan under [Article 90-4](#) (3) shall conform to standards prescribed by Ordinance of the Ministry of Education, Science and Technology.

[This Article Wholly Amended by Act No. 5820, Feb. 8, 1999]

#### **Article 90-6 (Inspections)**

(1) A dosimeter reading service provider shall undergo an inspection by the Minister of Education, Science and Technology with respect to his/her dosimeter reading service as prescribed by Presidential Decree. <Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

(2) The Minister of Education, Science and Technology may, when a dosimeter reading service provider is found to fail to meet registration standards under [Article 90-5](#) as a result of an inspection referred to in paragraph (1), order him/her to take corrective or supplementary measures. <Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>

[This Article Newly Inserted by Act No. 4940, Jan. 5, 1995]

#### **Article 90-7 (Revocation, etc. of Registration for Dosimeter Reading Service Providers)**

(1) The Minister of Education, Science and Technology may, when a dosimeter reading service provider falls under any case of the following subparagraphs, revoke his/her registration or order the suspension of his/her business for a fixed period not exceeding one year: <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

1. Where he/she registers his/her business by fraud or other illegal means;
2. Where he/she fails to commence his/her registered business within a period prescribed by Presidential Decree or suspends his/her business continuously for not less than one year without any justifiable grounds;
3. Where he/she alters any registered matters without filing a report thereon under [Article 90-4](#) (2);
4. Where he/she fails to meet the standard for registration under [Article 90-5](#);
5. Where he/she falls under any of subparagraphs 1, 2 and 4 of [Article 13](#) applied *mutatis mutandis*



under [Article 90-4](#) (4): *Provided*, That the same shall not apply where the representative of a juristic person falling under such subparagraphs is replaced with new one within three months after the date he/she is found to fall under such subparagraphs;

6. Deleted; <by Act No. 5820, Feb. 8, 1999>

7. Where he/she violates an order issued under [Article 90-6](#) (2) or [103](#) (1) and (3).

(2) [Article 68](#) (2) through (4) shall apply *mutatis mutandis* where a dosimeter reading service provider is ordered to suspend his/her business under paragraph (1). <Newly Inserted by Act No. 5820, Feb. 8, 1999>

[This Article Newly Inserted by Act No. 4940, Jan. 5, 1995]

#### **Article 90-8 (Recording and Keeping)**

A dosimeter reading service provider shall record matters concerning reading facilities and reading service, as prescribed by Ordinance of the Ministry of Education, Science and Technology, and keep such records at each factory and each business place. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

[This Article Newly Inserted by Act No. 4940, Jan. 5, 1995]

**Articles 90-9 through 90-11 Deleted.** <by Act No. 5820, Feb. 8, 1999>

#### **Article 90-12 (Application Mutatis Mutandis)**

[Articles 20](#) and [55-2](#) shall apply *mutatis mutandis* to a dosimeter reading service provider. In such cases, "installer of a nuclear power reactor" or "nuclear fuel cycling enterpriser" shall be deemed "dosimeter reading service provider". <Amended by Act No. 6354, Jan. 16, 2001>

[This Article Wholly Amended by Act No. 5820, Feb. 8, 1999]

## **CHAPTER X LICENSE AND EXAMINATION**

#### **Article 91 (License, etc.)**

(1) No person, other than a person who has obtained a license from the Minister of Education, Science and Technology, as prescribed by Presidential Decree, or other than a radiation control engineer under the

[National Technical Qualifications Act](#), may operate a nuclear reactor and handle nuclear fuel materials as well as radioactive isotopes, etc.: *Provided*, That the same shall not apply where a person who has received education and training under [Article 105](#) (1) operates such reactor or handles such materials under the direction and supervision of a person who has obtained a license under each subparagraph of paragraph (2) (excluding subparagraph 2) or a radiation control engineer under the

[National Technical Qualifications Act](#). <Amended by Act No. 3850, May 12, 1986; Act No. 5820, Feb. 8, 1999; Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>

(2) A license under paragraph (1) shall be classified as follows:

1. A license for the supervisor of nuclear reactor operation;
2. A license for the operator of a nuclear reactor;
3. A license for the supervisor of nuclear fuel material handling;

4. A license for the operator of nuclear fuel materials handling;
5. A general license for the operator of radioactive isotopes handling;
6. A special license for the operator of radioactive isotopes handling;
7. A license for the supervisor of radiation handling.

#### **Article 92 (Disqualifications)**

No person falling under each of the following subparagraphs may be granted a license referred to in [Article 91](#): <Amended by Act No. 3850, May 12, 1986; Act No. 4940, Jan. 5, 1995; Act No. 7428, Mar. 31, 2005>

1. A person who is 18 years of age or under;
2. A person who has been declared incompetent, quasi-incompetent or bankrupt by the court, and not yet reinstated;
3. A person who has been sentenced to imprisonment without prison labor or heavier punishment, in violation of this Act, and for whom two years have not elapsed after the execution of sentence is completed or the non-execution of sentence is finally decided, or who has been granted a stay of execution and is still under such stay of execution;
4. A person for whom two years have not elapsed since a license is revoked under [Article 93](#);
5. Deleted. <by Act No. 5820, Feb. 8, 1999>

#### **Article 93 (Revocation, etc. of License)**

(1) The Minister of Education, Science and Technology may, when a person who has obtained a license under Article 91 falls under any of the following subparagraphs, revoke his/her license or suspend his/her license for a fixed period not exceeding three years: *Provided*, That where he/she falls under subparagraph 1 or 2, his/her license shall be revoked: <Amended by Act No. 8852, Feb. 29, 2008>

1. Where he/she obtains a license by fraud or other illegal means;
2. Where he/she falls under each of subparagraphs 1 through 3 of [Article 92](#);
3. Where he/she violates [Article 95](#) (3);
4. Where he/she violates [Article 105](#) (2).

(2) Standards for revoking or suspending a license under paragraph (1) shall be prescribed by Ordinance of the Ministry of Education, Science and Technology. <Amended by Act No. 8852, Feb. 29, 2008>

[This Article Wholly Amended by Act No. 5820, Feb. 8, 1999]

#### **Article 94 (Examination for License)**

(1) A person who intends to obtain a license under [Article 91](#) shall pass an examination for license conducted by the Minister of Education, Science and Technology. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

(2) The Minister of Education, Science and Technology may exempt all or part of an examination for license under paragraph (1), as prescribed by Presidential Decree, where a person who has obtained a license falling under any of subparagraphs of [Article 91](#) (2) in a foreign country intends to obtain a licence under paragraph (1) of the same Article. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

(3) If a person who applies for an examination for license under paragraph (1) has cheated in the examination, the relevant examination shall be invalidated, and he/she shall be prohibited from applying for a license examination for three years from the date of application for such examination.

*<Newly Inserted by Act No. 5233, Dec. 30, 1996>*

(4) Qualifications for application, subjects and methods of the examination for license under paragraph (1), and other necessary matters shall be prescribed by Presidential Decree.

#### **Article 95 (Licenses)**

(1) The Minister of Education, Science and Technology shall issue a license to a person who has passed an examination for license under [Article 94](#), as prescribed by Ordinance of the Ministry of Education, Science and Technology. *<Amended by Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(2) *Deleted. <by Act No. 5820, Feb. 8, 1999>*

(3) No person who has obtained a license under paragraph (1) may lend or illegally use his/her license.

## **CHAPTER XI REGULATION AND SUPERVISION**

#### **Article 96 (Establishment of Restricted Areas)**

(1) When the State installs a reactor and related facilities, nuclear fuel cycling facilities, disposal facilities, etc., it may establish a specific range of a restricted area for the purpose of protecting human bodies, materials and the general public against radiation damage. *<Amended by Act No. 4940, Jan. 5, 1995>*

(2) In a restricted area under paragraph (1), the restriction of access or residence of the general public may be ordered.

(3) Necessary matters concerning the scope of the restricted area under paragraph (1), and the restriction of access or residence of the general public under paragraph (2) shall be prescribed by Presidential Decree.

(4) Any loss caused by a restriction under paragraph (2) shall be appropriately compensated. In such cases, matters necessary for the payment of compensation shall be prescribed by Presidential Decree.

(5) A person, other than the State, who intends to install and operate a nuclear reactor and related facilities, nuclear fuel cycling facilities, disposal facilities, etc., shall secure a specified range of site, as prescribed by Presidential Decree, and set up a restricted area under paragraph (1) within such range, and shall restrict access or residence of the general public in such restricted area. *<Amended by Act No. 4940, Jan. 5, 1995>*

#### **Article 96-2 (Restrictions on Construction of Dangerous Facilities)**

(1) The head of an administrative agency who intends to permit, authorize or approve the construction of any facilities which are harmful to the following nuclear-related facilities within the limit prescribed by Presidential Decree from a site where a nuclear reactor and related facilities, nuclear fuel cycling facilities, or waste disposal facilities, etc. are under construction or in operation with a

permit obtained under [Article 11](#), [21](#), [43](#), or [76](#) shall consult with the Minister of Education, Science and Technology. *<Amended by Act No. 8852, Feb. 29, 2008>*

(2) Facilities subject to consultation between the head of an administrative agency and the Minister of Education, Science and Technology under paragraph (1) shall be prescribed by Presidential Decree.

*<Amended by Act No. 8852, Feb. 29, 2008>*

*[This Article Newly Inserted by Act No. 5820, Feb. 8, 1999]*

#### **Article 97 (Measures to Prevent Radiation Damages)**

(1) A nuclear power-related enterpriser shall take the following measures to prevent radiation damage, as prescribed by Presidential Decree: *<Amended by Act No. 5820, Feb. 8, 1999>*

1. Measurement of radiation quantity and radioactive contamination;
2. Examination of physical health;
3. Control of exposure;
4. Measures necessary to maintain the quantity of emissions of radioactive materials and the quantity of radiation exposure rationally as low as possible.

(2) A nuclear power-related enterpriser shall take measures necessary to keep the quantity of radiation exposed to radiation handling employees and other persons with frequent access prescribed by Presidential Decree under the dose limit prescribed by Presidential Decree. *<Newly Inserted by Act No. 5820, Feb. 8, 1999>*

(3) A nuclear power-related enterpriser shall take necessary measures such as restrictions on access to nuclear power utilization facilities and health for any person suffering from radiation damage or other person suspected to suffer from such radiation damage. *<Amended by Act No. 5820, Feb. 8, 1999>*

#### **Article 98 (Measures to Prevent Radiation Damage and Report)**

(1) Where any of the following cases arrive, a nuclear power-related enterpriser shall take safety measures, as prescribed by Presidential Decree, and file a report thereon, without delay, to the Minister of Education, Science and Technology: *<Amended by Act No. 3850, May 12, 1986; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

1. Where danger occurs or may occur in nuclear power utilization facilities or radioactive materials, etc. due to earthquake, fire or other disasters;
2. Where a fault occurs in nuclear power utilization facilities;
3. Where radiation damage occur.

(2) If the Minister of Education, Science and Technology has received a report under paragraph (1), he/she may order a nuclear power-related enterpriser to suspend the use of nuclear power utilization facilities, transfer of radioactive materials, removal of contaminants or other measures necessary for the prevention of radiation damage. *<Amended by Act No. 3850, May 12, 1986; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

#### **Article 99 (Expropriation and Transfer of Nuclear Fuel Materials, etc.)**

(1) The Government may, under conditions separately prescribed by the Acts, expropriate a right to the relevant nuclear materials or radioactive isotopes, etc. from the manufacturer, possessor or manager of nuclear materials or radioactive isotopes, etc. or may order them to transfer the right to a

person designated by the Minister of Education, Science and Technology. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

(2) Where a right has been expropriated or transferred under paragraph (1), the Government shall make appropriate compensation therefor.

#### **Article 99-2 (Restrictions on Possession, Transfer and Takeover of Radioactive Materials, etc. or Radiation Generating Devices)**

Except cases falling under the following subparagraphs, the possession, transfer and takeover of radioactive materials, etc. or radiation generating devices shall be prohibited: *Provided*, That the same shall not apply where the State transfers or acquires nuclear materials or such nuclear materials are acquired from the State under an international commitment: <Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

1. Where a nuclear power-related enterpriser acquires or possesses radioactive materials or radiation generating devices within the limits of what is permitted, designated or reported, and transfers such materials or devices to other nuclear power-related enterpriser under this Act;
2. Where a nuclear power-related enterpriser transfers radioactive materials or radiation generating devices in his/her possession to other nuclear power-related enterpriser, as prescribed by Ordinance of the Ministry of Education, Science and Technology, at the time when his/her permit or designation is revoked under [Articles 17, 24, 35, 46, 60, 68 and 79](#);
3. Where a nuclear power-related enterpriser is in possession of or transfers radioactive materials or radiation generating devices in his/her possession to other nuclear power-related enterprisers as prescribed by Ordinance of the Ministry of Education, Science and Technology at the time when he/she discontinues his/her business or operation;
4. Where a person entrusted with transport of radioactive materials, etc. or radiation generating devices by a nuclear power related enterpriser, is in possession of such radioactive materials, etc. or radiation generating devices;
5. Where an employee of a nuclear power-related enterpriser is in possession of radioactive materials, etc. or radiation generating devices for the performance of his/her duty;
6. Where an inheritor of a nuclear power-related enterpriser is in possession of radioactive materials, etc. or radiation generating devices upon the death of the latter: *Provided*, That the same shall not apply where the relevant inheritor falls under any of subparagraphs 1 through 3 of [Article 13](#).

[This Article Newly Inserted by Act No. 3850, May 12, 1986]

#### **Article 100 (Measures Following Revocation of Permit or Discontinuation of Business)**

(1) A nuclear power-related enterpriser whose permit or designation has been revoked (including the prohibition of use), or who discontinues his/her business or the use under this Act, shall take measures necessary for the transfer, temporary storage, discharge, storage, treatment, disposal, decontamination, recording-transfer of radioactive materials, etc. or radiation generating devices or protection against radiation damage, as prescribed by Presidential Decree, and file a report thereon to the Minister of Education, Science and Technology within 30 days from the date on which such measures are taken. <Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No.

8852, Feb. 29, 2008>

(2) *Deleted. <by Act No. 5820, Feb. 8, 1999>*

(3) If a nuclear power-related enterpriser fails to take measures referred to in paragraph (1), or it is deemed necessary to protect local residents or the surrounding environment from radioactive materials etc. or radiation generating devices, the Minister of Education, Science and Technology may take necessary measures, such as the removal of radioactive materials, etc. or radiation generating devices, and dismantling of any contaminated facilities, etc. *<Newly Inserted by Act No. 4940, Jan. 5, 1995; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(4) The Minister of Education, Science and Technology may have a nuclear power-related enterpriser bear the expenses incurred in taking measures under paragraph (3). *<Newly Inserted by Act No. 4940, Jan. 5, 1995; Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

#### **Article 101 (Restriction on Handling of Facilities for Nuclear Power Utilization)**

No person who is 18 years of age or under may be allowed to handle facilities for utilization of nuclear power or radioactive materials, etc.: *Provided*, That the same shall not apply where such person handles such facilities or radioactive materials for the purpose of education and training, etc. recognized by the Minister of Education, Science and Technology. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

#### **Article 102 (Report of Theft, etc.)**

If a nuclear power-related enterpriser suffers from robbery, loss, fire or other accidents in connection with radiation generating devices or radioactive materials, etc. in his/her possession, he/she shall file a report thereon to the Minister of Education, Science and Technology without delay. *<Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

#### **Article 103 (Report, Inspection, etc.)**

(1) If it is deemed necessary for the implementation of this Act, the Minister of Education, Science and Technology may order any nuclear power-related enterpriser, any business operator, any dosimeter reading service provider, any enterpriser and any person prescribed by Presidential Decree who deals in internationally controlled materials or is engaged in related research to submit a report or documents on their business, and to complement any submitted documents. *<Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>*

(2) Where it is necessary to verify, on the spot, reported details or documents submitted under paragraph (1) and it is deemed specifically necessary for the safety of facilities for the utilization of nuclear power, or if it is necessary to conduct various inspections under this Act, the Minister of Education, Science and Technology may have any public official under his/her control enter the relevant business place, factory, ship, research facilities or site, etc., to inspect books, documents, facilities, and other necessary things, or ask any questions to related persons, and collect the minimum quantity of samples necessary for a test. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>*

(3) If the Minister of Education, Science and Technology finds, as a result of the inspection, etc.

conducted under paragraph (2), any matters violating this Act and the international treaty, he/she may order corrective or complementary measures. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(4) A person designated by the International Atomic Energy Agency or other persons designated by the government of a country that has supplied internationally controlled materials in accordance with an international commitment may enter the business place, factory, research facilities, sites, etc. of any person who deals in internationally controlled materials or is engaged in the related research to check books and documents, to inspect facilities and necessary goods, to ask questions to related persons or to collect the necessary minimum quantity of samples under the supervision of public officials designated by the Minister of Education, Science and Technology within the extent prescribed by the international commitment. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>*

(5) A person designated by the International Nuclear Energy Agency, may build any facilities to monitor the movement of internationally controlled materials or attach a seal thereto within the extent determined by the international commitment, under the supervision of public officials designated by the Minister of Education, Science and Technology. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>*

(6) The Minister of Education, Science and Technology may take any measures necessary for verifying any movement of, or managing any information on, the internationally controlled materials, as prescribed by Presidential Decree. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(7) A person who performs his/her duties to conduct any inspection, or to monitor and confirm any movement of the internationally controlled materials, under paragraphs (2) and (4) through (6), shall produce a certificate indicating his/her powers to related persons.

*[This Article Wholly Amended by Act No. 4940, Jan. 5, 1995]*

## CHAPTER XII SUPPLEMENTARY PROVISIONS

### **Article 104 (Conditions for Permit or Designation)**

(1) Conditions necessary for securing safety may be added to permission or designation, as prescribed by this Act. *<Amended by Act No. 3850, May 12, 1986>*

(2) Conditions under paragraph (1) shall be limited to the minimum for the implementation of this Act, and shall not impose unreasonable obligations upon a person who has obtained permission or designation.

### **Article 104-2 (Approval of Report on Specific Technical Subject)**

(1) If a person who intends to install and operate a nuclear reactor and related facilities, or who participates in the construction and operation of a nuclear reactor and related facilities, applies for the approval of a report on a specific technical subject, as prescribed by Ordinance of the Ministry of Education, Science and Technology, the Minister of Education, Science and Technology may approve it. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*



(2) Among matters to be entered in the documents of application for a permit under [Articles 11 \(2\), 21 \(2\) and 33 \(2\)](#), matters already approved under paragraph (1) may be not entered.

*[This Article Newly Inserted by Act No. 4940, Jan. 5, 1995]*

#### **Article 104-3 (Hearings)**

Where the Minister of Education, Science and Technology intends to take a disposition which falls under any of the following subparagraphs, he/she shall hold a hearing: *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

1. Revocation of a permit or registration under [Articles 17 \(1\), 24 \(1\), 35, 60, 68 \(1\), 79 \(1\), or 90-7](#);
2. Revocation of a permit or designation under [Article 46 \(1\)](#);
3. and 4. *Deleted; <by Act No. 5820, Feb. 8, 1999>*
5. Revocation of a license under Article 93.

*[This Article Wholly Amended by Act No. 5453, Dec. 13, 1997]*

#### **Article 104-4 (Protection of Employees)**

A nuclear power-related enterpriser or dosimeter reading service provider shall not lay off his/her employees or disadvantage them on the grounds that they perform any of the following acts:

*<Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

1. An act conducted to comply with a technical operation manual under [Article 21 \(2\) or 33 \(2\)](#), the safety control regulations under [Article 43 \(3\), 57 \(2\), 65 \(5\), or 76 \(2\)](#), and the quality assurance program with respect to dosimeter reading under [Article 90-4 \(3\)](#);
2. Where a nuclear power-related enterpriser or dosimeter reading service provider violates or is feared to violate technical operation manuals, safety control regulations and quality assurance program for the dosimeter reading service under subparagraph 1, informing this to the Minister of Education, Science and Technology or the head of the agency to whom the Minister of Education, Science and Technology delegates or entrusts his/her authority;
3. Giving testimony or producing evidence to comply with any inspection or investigation under [Articles 16](#) (including cases applied *mutatis mutandis* under [Article 36](#)), [23-2](#) (including cases applied *mutatis mutandis* under [Article 36](#)), [45, 59, 67, 73, 78, 90-3, 90-6 and 103](#).

*[This Article Newly Inserted by Act No. 4940, Jan. 5, 1995]*

#### **Article 104-5 (Gathering of Residents' Opinion)**

(1) Any person who intends to obtain a permit or approval under [Article 11 \(1\) or \(3\)](#) or any other person who intends to obtain a permit to construct and operate nuclear wastes disposal facilities or spent nuclear fuel storage facilities under [Article 76 \(1\)](#) (hereafter in this Article referred to as "applicant"), when he/she compiles a written environmental impact analysis by radiation under [Articles 11 \(2\) or \(5\) and 76 \(2\)](#), shall make a draft analysis accessible to the public, hold public hearings and collect opinions of residents (hereinafter referred to as "residents") within the scope prescribed by the Minister of Education, Science and Technology to incorporate such opinions into such draft analysis. In such cases, if there is a demand from residents within the scope prescribed by Presidential Decree for a public hearing, such public hearing shall be held. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(2) When an applicant intends to collect opinions of the residents pursuant to paragraph (1), he/she shall compile, in advance, a draft written environmental impact analysis by radiation, as prescribed by Ordinance of the Ministry of Education, Science and Technology. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*

(3) Methods and procedures for collecting the opinions of residents, and other necessary matters under paragraphs (1) and (2) shall be prescribed by Presidential Decree. *<Amended by Act No. 5820, Feb. 8, 1999>*

(4) An applicant shall bear expenses prescribed by Presidential Decree which is incurred in collecting the opinions of residents under paragraph (1). *<Amended by Act No. 5820, Feb. 8, 1999>*

(5) *Deleted. <by Act No. 5820, Feb. 8, 1999>*

*[This Article Newly Inserted by Act No. 5233, Dec. 30, 1996]*

#### **Article 104-6 (Preservation of Environment)**

(1) An installer or operator of facilities falling under each of the following subparagraphs shall conduct the survey of radiation environment and the environmental impact analysis by radiation and file a report thereon to the Minister of Education, Science and Technology as prescribed by Ordinance of the Ministry of Education, Science and Technology: *<Amended by Act No. 8852, Feb. 29, 2008>*

1. Nuclear power reactor;
2. Nuclear research reactor capable of generating thermal power of not less than 100kW;
3. Nuclear fuel cycling facilities;
4. Intermediate storage facilities for spent nuclear fuel;
5. Radioactive wastes disposal facilities.

(2) The Minister of Education, Science and Technology, when he/she deems it necessary to verify the results of the survey of radiation environment and the environmental impact analysis by radiation under paragraph (1), may inspect the radiation environment. *<Amended by Act No. 8852, Feb. 29, 2008>*

(3) The Minister of Education, Science and Technology may, when he/she recognizes that it is feared to have an adverse impact on the surrounding environment as a result of the report under paragraph (1) and the inspection under paragraph (2), order the installer and operator of the facilities under paragraph (1) to take measures necessary for the preservation of environment. *<Amended by Act No. 8852, Feb. 29, 2008>*

*[This Article Newly Inserted by Act No. 5820, Feb. 8, 1999]*

#### **Article 104-7 (Monitoring of Nationwide Radioactive Environment)**

(1) The Minister of Education, Science and Technology shall nationwide monitor the impact of radiation and radioactivity on environment as prescribed by Presidential Decree to detect any local or overseas radioactive emergency situation at an early stage in order to protect the people's health from radiation and preserving environment. *<Amended by Act No. 8852, Feb. 29, 2008>*

(2) The Minister of Education, Science and Technology may establish and operate central and local radioactivity monitoring stations to systematically carry out the business referred to in paragraph (1). *<Amended by Act No. 8852, Feb. 29, 2008>*

(3) Matters necessary for the establishment and operation of the radioactivity monitoring stations

referred to in paragraph (2) shall be prescribed by Ordinance of the Ministry of Education, Science and Technology. <Amended by Act No. 8852, Feb. 29, 2008>

[This Article Newly Inserted by Act No. 5820, Feb. 8, 1999]

#### **Article 105 (Education and Training)**

(1) A nuclear power-related enterpriser shall conduct education and training for employees engaged in radiation handling and other persons with access to a radiation controlled area concerning the safety of radiation and the prevention of radiation damage which could arise from the utilization of nuclear power, as prescribed by Presidential Decree. <Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999>

(2) Any person who has obtained his/her license under [Article 91](#) shall receive supplementary education and training conducted by the Minister of Education, Science and Technology, as prescribed by Presidential Decree. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

(3) A person prescribed by Presidential Decree, from among nuclear power-related enterprisers and the persons engaged in nuclear power-related research, shall receive education about the nuclear power control, as prescribed by Ordinance of the Ministry of Education, Science and Technology. <Newly Inserted by Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>

#### **Article 106 (Procedures for Importation or Exportation)**

Procedures for the importation or exportation of reactors and related facilities, nuclear materials and radioactive isotopes shall be determined by the Minister of Education, Science and Technology in consultation with the Minister of Knowledge Economy. <Amended by Act No. 3850, May 12, 1986; Act No. 4541, Mar. 6, 1993; Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

#### **Article 107 (Prohibition of Disclosure of Confidential Information)**

Any member of the Commission and Safety Commission or a public official who engages or has engaged in duties prescribed in this Act, shall not disclose confidential information on nuclear energy which he/she has learned in the course of performing his/her duties or shall not use such confidential information for purposes, other than the implementation of this Act. <Amended by Act No. 5233, Dec. 30, 1996>

#### **Article 108 (Allowances for Public Officials Engaging in Nuclear Energy Affairs)**

Public officials engaging in nuclear utilization and safety control incidental thereto may receive a research allowance, danger allowance, duty allowance, or health allowance, as prescribed by Presidential Decree, in addition to salary and other allowances prescribed in the [State Public Officials Act](#). <Amended by Act No. 7806, Dec. 30, 2005>

#### **Article 109 (Compensation)**

A person who has suffered bodily or property damage from radiation in using nuclear energy and conducting safety control incidental thereto shall be entitled to adequate compensation, as prescribed by Presidential Decree.

**Article 110 Deleted.** <by Act No. 3850, May 12, 1986>

## Article 111 (Delegation of Authority)

(1) Part of the authority of the Minister of Education, Science and Technology under this Act which falls under each of the following subparagraphs, may be delegated to institutions established pursuant to the Act under [Article 9](#) (2) or the Nonproliferation and Control Institute and other relevant specialized institutions or administrative agencies, as prescribed by Presidential Decree: <Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>

1. Safety examination related to authorization, permit and designation under the former and latter parts of [Articles 11](#) (1), [12-2](#) (1), [21](#) (1), [33](#) (1), and [43](#) (1), the former part of [Article 43](#) (2), the former and latter parts of [Articles 57](#) (1), [65](#) (1), and [76](#) (1);
2. Safety examination related to approval under [Article 11](#) (3) (including cases applied *mutatis mutandis* under [Article 83](#)), the former and latter parts of [Article 15-2](#) (1) (including cases applied *mutatis mutandis* under [Articles 32](#), [36](#), [56](#), [63](#) and [83](#)), the former and latter parts of [Article 31](#) (1) (including cases applied *mutatis mutandis* under [Article 36](#)), the latter part of [Article 43](#) (2), the former and latter parts of [Articles 55](#) (1), [72](#) (1) and [90-2](#) (1), and [Article 104-2](#) (1);
3. Research and development of standards (including technical standards) under subparagraphs 2 and 4 of [Article 12](#) (including cases applied *mutatis mutandis* under [Article 33](#) (3)), subparagraphs 2 and 4 of [Article 22](#) (including cases applied *mutatis mutandis* under [Article 33](#) (3)), subparagraph 3 of [Article 44](#), subparagraph 3 of [Article 58](#), [Articles 62](#) (1) and [64](#) (2), subparagraphs 1 and 3 of [Article 66](#), [Article 71](#) (1), subparagraph 2 of [Article 77](#), [Articles 82](#) (1) and [87](#), and subparagraph 2 of [Article 90-5](#);
4. Inspection, verification and check under [Article 16](#) (1) (including cases applied *mutatis mutandis* under [Article 36](#)), [Article 23-2](#) (1) (including cases applied *utatis mutandis* under [Article 36](#)), [Article 31](#) (5) (including cases applied *mutatis mutandis* under [Article 36](#)), [Article 45](#) (1), [Articles 55](#) (5) and [59](#) (1), the main sentence of [Article 67](#) (1), the main sentence of [Article 73](#) (1), [Articles 78](#) (1) and [90](#) (1), the main sentence of [Article 90-3](#) (1), and [Article 90-6](#) (1);
5. License examination under [Article 94](#);
6. Management of information on internationally controlled materials under [Article 103](#) (6);
7. Deleted; <by Act No. 5820, Feb. 8, 1999>
8. Management of records and reports on exposure to radiation of those engaged in radiation work, which are read by a dosimeter reading service provider under [Articles 90-8](#) and [103](#) (1);
9. Receipt of reports under the proviso to [Article 11](#) (1), the proviso to [Article 15-2](#) (1) (including cases applied *mutatis mutandis* under [Articles 32](#), [36](#), [56](#), [63](#) and [83](#)), the proviso to [Article 21](#) (1), the proviso to [Article 31](#) (1) (including cases applied *mutatis mutandis* under [Article 36](#)), the proviso to [Article 33](#) (1), [Article 35-2](#), the proviso to [Article 43](#) (1), the proviso to [Article 43](#) (2), the proviso to [Article 55](#) (1), [Article 55-2](#) (including cases applied *mutatis mutandis* under [Articles 63](#), [75](#), [83](#) and [90-12](#)), the proviso to [Article 57](#) (1), [Article 64](#) (1), the proviso to [Article 65](#) (1), [Articles 65](#) (2) and [65-2](#) (2), the proviso to [Article 72](#) (1), the proviso to [Article 76](#) (1), [Article 86](#), the proviso to [Article 90-2](#) (1), and [Articles 90-4](#) (2) and [100](#) (1);
10. The provision of supplementary education under [Article 105](#) (2) and the provision of education about the control of the nuclear energy under paragraph (3) of the same Article;

11. Delivery of a license under [Article 95](#) (1), expropriation and transfer of nuclear materials, etc. under [Article 99](#), reporting under [Articles 103](#) (1) and [104-6](#) (1), and export and import-related affairs under [Article 106](#);
  12. Request for furnishing and supplementing documents under [Article 103](#) (1), which are required to carry out the commissioned business under subparagraphs 1 through 9;
  13. Examination of safety in relation to registration under [Articles 65-2](#) (1) and [90-4](#) (1);
  14. Survey of radiation environment under [Article 104-6](#) (2), and the monitoring and evaluation of the impact of radiation and radioactivity on environment under [Article 104-7](#) (1);
  15. The examination of safety in connection with the periodic assessment of safety under [Article 23-3](#) (1);
  16. Other affairs prescribed by Presidential Decree.
- (2) The Minister of Education, Science and Technology may, if it is deemed necessary, subsidize institutions entrusted with authority under paragraph (1). *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*
- (3) Any institution delegated with the authority under paragraph (1) may request any person applying for a permit, designation, approval, registration and education-training under this Act, a nuclear power-related enterpriser and a dosimeter reading service provider (hereafter in this Article referred to as "nuclear power-related enterpriser, etc.") to bear expenses incurred in exercising such delegated authority after obtaining approval from the Minister of Education, Science and Technology. *<Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 8852, Feb. 29, 2008>*
- (4) If the Minister of Education, Science and Technology intends to approve the expenses to be borne by the nuclear power-related enterpriser, etc. under paragraph (3), he/she shall consult with the heads of the relevant ministries and agencies. *<Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*
- (5) The head of the institution entrusted with the authority under paragraph (1) shall determine the guidelines for performing duties for an efficient exercise of entrusted authority, as prescribed by Presidential Decree, and obtain approval from the Minister of Education, Science and Technology. The same shall also apply where he/she intends to modify this. *<Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>*
- (6) Standards for calculating expenses borne by a nuclear power-related enterprisers, etc. pursuant to paragraph (3), ways to collect such expenses and other necessary matters shall be prescribed by Presidential Decree. *<Newly Inserted by Act No. 7806, Dec. 30, 2005>*
- [This Article Wholly Amended by Act No. 4940, Jan. 5, 1995]*

#### **Article 112 (Fees)**

A person who intends to apply for a permit, designation, approval, license, registration, or inspection under this Act, shall pay fees, as prescribed by Ordinance of the Ministry of Education, Science and Technology: *Provided*, That the Minister of Education, Science and Technology may exempt the payments of such fees for the State, local governments, schools established under the [Elementary and Secondary Education Act](#), the

[Higher Education Act](#) and other Acts and subordinate statutes and other institutions prescribed by Presidential Decree to which the Government pays contributions under this Act or other Acts.

<Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>

#### **Article 113 (Enforcement Decree)**

Matters necessary for the enforcement of this Act shall be prescribed by Presidential Decree.

## **CHAPTER XIII PENAL PROVISIONS**

#### **Article 114 (Penal Provisions)**

(1) Any person who destroys a nuclear reactor and damages human life, body or property, or disturbs public safety, shall be punished by a death sentence, life imprisonment or imprisonment with prison labor for a limited term of not less than three years.

(2) A person who commits a crime under paragraph (1) in time of war, natural disaster, or a state of emergency equivalent thereto shall be punished by a death sentence or life imprisonment.

(3) A criminal attempt of the crimes under paragraphs (1) and (2) shall be punished.

(4) A person who prepares, conspires or agitates with intent to commit a crime under paragraph (1) or (2) shall be punished by an imprisonment with prison labor for a limited term of not less than three years.

#### **Article 115 (Penal Provisions)**

(1) A person who inappropriately manipulates radioactive materials, etc., a nuclear reactor and related facilities, nuclear fuel cycling facilities or radiation generating devices and causes danger to human life or body, shall be punished by imprisonment with or without prison labor for a term of not less than one year but not more than ten years.

(2) A person who causes another's death by committing a crime under paragraph (1) shall be punished by imprisonment with prison labor for a limited term of not less than three years.

#### **Article 116 (Penal Provisions)**

A person who violates [Article 107](#) shall be punished by imprisonment with or without prison labor for a term of not more than ten years.

#### **Article 117 (Penal Provisions)**

A person falling under any of the following subparagraphs shall be punished by imprisonment with prison labor for not more than three years, or by a fine not exceeding 30 million won, or by both:

<Amended by Act No. 3850, May 12, 1986; Act No. 4940, Jan. 5, 1995; Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001>

1. A person who commits an act, such as use, possession, operation of enterprise, etc. under each relevant Article without a permit, registration or designation, in violation of the former part of [Article 11](#) (1), [21](#) (1), [33](#) (1), [43](#) (1), [43](#) (2), [57](#) (1) or [65](#) (1), [Article 65-2](#) (1), the former part of [Article 76](#) (1), or [Article 90-4](#) (1);

2. A person who violates an order issued under [Article 30](#) (including cases applied *mutatis mutandis*



under [Article 36](#)), [54](#), [62](#) (2), [82](#) (2) or [98](#) (2);

3. A person who continues his/her business or affairs, in violation of an order to suspend such business or affairs under the main sentence of [Article 17](#) (1) and the main sentence of [Article 24](#) (1), [Article 35](#), the main sentence of [Article 46](#) (1), [Article 60](#), the main sentence of [Article 68](#) (1), or [Article 79](#) (1) or [90-7](#) (1).

#### **Article 118 (Penal Provisions)**

A person falling under any of the following subparagraphs shall be punished by imprisonment with prison labor for not more than one year, or by a fine not exceeding ten million won or by both:

<Amended by Act No. 3850, May 12, 1986; Act No. 4940, Jan. 5, 1995; Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 7806, Dec. 30, 2005>

1. A person who alters permitted matters without obtaining permission for such alteration or designated matters without obtaining a permit for such alteration, in violation of the latter part of [Article 11](#) (1), [21](#) (1), [33](#) (1), [43](#) (1) and (2), [57](#) (1), [65](#) (1), or [76](#) (1);
2. A person who fails to obtain approval, in violation of [Article 11](#) (4) (including cases applied *mutatis mutandis* under [Article 83](#)), the former part of [Article 15-2](#) (1) (including cases applied *mutatis mutandis* under [Articles 32, 36, 56, 63 and 83](#)), [31](#) (1) (including cases applied *mutatis mutandis* under [Article 36](#)), [55](#) (1), [72](#) (1), [90-2](#) (1) or [111](#) (5);
3. A person who fails to undergo an inspection on matters to be inspected, in violation of [Article 16](#) (1) (including cases applied *mutatis mutandis* under [Article 36](#)), [23-2](#) (1) (including cases applied *mutatis mutandis* under [Article 36](#)), [45](#) (1), [59](#) (1), [67](#) (1), [78](#) (1), [90](#) (1), [90-3](#) (1) or [90-6](#) (1) or who refuses, interferes with or evades an inspection under [Article 103](#) (2) and (4), or makes a false statement;
4. A person who enters or resides in a restricted area, in violation of the restriction order issued under [Article 96](#) (2), or violates paragraph (5) of the same Article;
5. A person who violates an order issued under [Article 34](#) (3), [64](#) (3), [71](#) (2) or [103](#) (1) and (3);
6. A person who violates [Article 84](#) (1) and (2) or [90-3](#) (2), the main sentence of [Article 91](#) (1), [Article 99-2](#), [101](#) or [102](#);
7. A person who fails to report or makes a false report, in violation of [Article 89](#) (2), [98](#) (1), [103](#) (1) or [104-6](#) (1);
8. Deleted. <by Act No. 5820, Feb. 8, 1999>

#### **Article 119 (Penal Provisions)**

A person falling under any of the following subparagraphs shall be punished by a fine not exceeding three million won: <Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001>

1. A person who violates an order issued under [Article 16](#) (2) (including cases applied *mutatis mutandis* under [Article 36](#)), [23-2](#) (3) (including cases applied *mutatis mutandis* under [Article 36](#)), [23-3](#) (2), [31](#) (6) (including cases applied *mutatis mutandis* under [Article 36](#)), [45](#) (2), [55](#) (6), [59](#) (2), [67](#) (2), [78](#) (2), [90](#) (2) or [104-6](#) (3);
2. A person who violates [Article 23-3](#) (1), [29](#) (1) through (4) (including cases applied *mutatis mutandis* under [Article 36](#)), [53](#) (1), [95](#) (3) or [104-4](#);



3. A person who alters any approved matters without obtaining approval for such alteration, in violation of the latter part of [Article 15-2](#) (1) (including cases applied *mutatis mutandis* under [Articles 32, 36, 56, 63 and 83](#)) or the latter part of [Article 31](#) (1) (including cases applied *mutatis mutandis* under [Article 36](#));
4. A person who violates the conditions for permission or designation under [Article 104](#) (1).

[This Article Wholly Amended by Act No. 4940, Jan. 5, 1995]

**Article 120 Deleted.** <by Act No. 4940, Jan. 5, 1995>

#### **Article 120-2 (Fines for Negligence)**

(1) A person falling under any of the following subparagraphs shall be punished by a fine for negligence not exceeding three million won: <Amended by Act No. 5233, Dec. 30, 1996; Act No. 5820, Feb. 8, 1999; Act No. 6354, Jan. 16, 2001; Act No. 7806, Dec. 30, 2005>

1. A person who fails to file a report or files a false report, in violation of the proviso to [Article 11](#) (1), the proviso to [Article 15-2](#) (1) (including cases applied *mutatis mutandis* under [Articles 32, 36, 56, 63, and 83](#)), the proviso to [Article 21](#) (1), the proviso to [Article 31](#) (1) (including cases applied *mutatis mutandis* under [Articles 36](#)), the proviso to [Article 33](#) (1), [Article 34](#) (1), [Article 35-2](#), the proviso to [Article 43](#) (1), the proviso to [Article 43](#) (2), the proviso to [Article 55](#) (1), [Article 55-2](#) (including cases applied *mutatis mutandis* under [Articles 63, 75, 83 and 90-12](#)), the proviso to [Article 57](#) (1), [Article 64](#) (1), the proviso to [Article 65](#) (1), [Article 65](#) (2), [Article 65-2](#) (2), the proviso to [Article 72](#) (1), the proviso to [Article 76](#) (1), [Article 86](#) (1) and (2), the proviso to [Article 90-2](#) (1), [Article 90-4](#) (2), or [Article 100](#) (1);
2. A person who violates [Article 53](#) (2), [62](#) (1) and (3), [64](#) (2), [71](#) (1) and (3), [73](#) (1) and (2), [82](#) (1) and (3), [84](#) (3) and (4), [87, 88, 89](#) (1), [97](#) or [105](#) (1);
3. A person who fails to make records or makes false records, in violation of [Article 18](#) (including cases applied *mutatis mutandis* under [Article 36](#)), [25](#) (including cases applied *mutatis mutandis* under [Article 36](#)), [47, 61, 64](#) (4), [69, 80](#), or [90-8](#);
4. A person who violates an order issued under [Article 90-6](#) (2);
5. A person who alters any approved matters without obtaining approval for such alteration, in violation of the latter part of [Article 31](#) (1) (including cases applied *mutatis mutandis* under [Article 36](#)), the latter part of [Article 55](#) (1), the latter part of [Article 72](#) (1), the latter part of [Article 90-2](#) (1), or the latter part of [Article 111](#) (5).

(2) A person who falls under any of the following subparagraphs shall be punished by a fine for negligence not exceeding one million won: <Newly Inserted by Act No. 7806, Dec. 30, 2005>

1. A person who fails to make the report or makes a false report, in violation of [Article 9-2](#) (6);
2. A person who fails to submit materials without any justifiable grounds, in violation of [Article 9-3](#) (3);
3. A person who fails to receive education, in violation of [Article 105](#) (3).

(3) Fines for negligence under paragraphs (1) and (2) shall be imposed and collected by the Minister of Education, Science and Technology, as prescribed by Presidential Decree. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

(4) A person who is dissatisfied with the disposition of fines for negligence under paragraph (3) may

raise an objection to the Minister of Education, Science and Technology, within 30 days after he/she received a notice of such disposition. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008>

(5) If a person subject to the disposition of fines for negligence under paragraph (3) raises an objection under paragraph (4), the Minister of Education, Science and Technology shall notify, without delay, the competent court thereof, which shall, upon receiving the notification, bring the case of fines for negligence to a trial under the

[Non-Contentious Case Litigation Procedure Act](#). <Amended by Act No. 5820, Feb. 8, 1999; Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>

(6) If neither an objection is raised nor fines for negligence paid within the period under paragraph (4), it shall be collected in the same manner as delinquent national taxes are collected.

*[This Article Wholly Amended by Act No. 4940, Jan. 5, 1995]*

#### **Article 121 (Joint Penal Provisions)**

(1) Where a representative of a juristic person, an agent, employee or other servant of a juristic person or individual commits a violation under [Articles 114](#) through [116](#) in connection with the business of the juristic person or individual, in addition to the punishment of such violator, the juristic person or individual shall be punished by a fine not exceeding 100 million won: *Provided*, That this shall not apply where such juristic person or individual has not been negligent in giving due attention and supervision to prevent such violation.

(2) Where a representative of a juristic person, an agent, employee or other servant of a juristic person or individual commits a violation under [Articles 117](#) through [119](#) in connection with the business of the juristic person or individual, in addition to the punishment of such violator, the juristic person or individual shall be punished by a fine not exceeding 100 million won: *Provided*, That this shall not apply where such juristic person or individual has not been negligent in giving due attention and supervision to prevent such violation.

*[This Article Wholly Amended by Act No. Mar. 17, 2010]*

#### **Article 122 (Legal Fiction of Public Official in Application of Penal Provisions)**

Executives and employees of an institution or relevant specialized organization which performs duties entrusted by the Minister of Education, Science and Technology under [Article 111](#) shall be deemed public officials in applying the penal provisions under the

[Criminal Act](#) and other Acts. <Amended by Act No. 5820, Feb. 8, 1999; Act No. 7806, Dec. 30, 2005; Act No. 8852, Feb. 29, 2008>

### **ADDENDA**

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

This Act shall enter into force within six months from the date of its promulgation, and the enforcement date shall be prescribed by Presidential Decree.

*[It shall enter into force on September 30, 1982 under Presidential Decree No. 10927 promulgated on September 30, 1982.]*

#### **Article 2 (Transitional Measures concerning Former Dispositions, etc.)**

Administrative dispositions, procedures or other acts taken or conducted in accordance with former provisions before this Act enter into force shall be deemed to have been taken or conducted under this Act.

### **Article 3 (Transitional Measures concerning Former Permit for Import or Export of Radioactive Isotopes)**

A person who has obtained a permit for the business of import or export of radioactive isotopes in accordance with the former provisions before this Act enters into force shall be deemed effective until June 30, 1982.

### **Article 4 (Transitional Measures concerning Joint Penal Provisions)**

In applying penal provisions to the crimes committed before this Act enters into force, the former provisions shall apply thereto.

### **Article 5 (Transitional Measures concerning Former Radiation Handling Supervisor, etc.)**

A radiation handling supervisor or senior reactor operator who has obtained a license in accordance with the former provisions before this Act enter into force may be appointed to the post of a senior nuclear fuel materials handling operator until December 31, 1983 under this Act, notwithstanding Article 50 (1) (including cases applied *mutatis mutandis* in Article 63).

### **Article 6 Omitted.**

#### **ADDENDA <Act No. 3850, May 12, 1986>**

(1) (Enforcement Date) This Act shall enter into force six months after the date of its promulgation.

(2) (Transitional Measures concerning Regulations on Measurement Control) A nuclear power-related enterpriser who is using internationally controlled materials as at the time this Act enters into force and intends to use such materials even after this Act enters into force shall establish the regulations within six months after Presidential Decree under this Act enters into force and obtain approval from the Minister of Science and Technology.

(3) (Transitional Measures concerning Members of Commission) The standing members of the Commission subject to the former provisions as at the time this Act enters into force may remain in office until December 31, 1986.

(4) Omitted.

#### **ADDENDA <Act No. 4541, Mar. 6, 1993>**

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

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

### **Articles 2 through 5 Omitted.**

#### **ADDENDA <Act No. 4940, Jan. 5, 1995>**

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

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

## **Article 2 (Transitional Measures concerning Members of Atomic Energy Commission Appointed under Former Provisions)**

Members of the Atomic Energy Commission excluding the ex officio members who are appointed under the former provisions as at the time this Act enters into force shall be deemed to have been appointed or commissioned under the amended provisions of [Article 5](#) of this Act, and the term of such members excluding the ex officio members shall be their remaining term.

## **Article 3 (Transitional Measures concerning Nuclear Fuel Cycling and Disposal Enterprises)**

A nuclear fuel cycling enterprise under [Article 43](#), and a disposal enterprise under [Article 76](#) which are carried out by the Korean Atomic Energy Research Institute established under the Korean Atomic Energy Research Institute Act as at the time this Act enters into force, shall be deemed to have been permitted under this Act.

## **Article 4 (Transitional Measures concerning Property Acquired with Radioactive Wastes Control Fund)**

Any property acquired by the Fund as financial resources, in the course of carrying out a radioactive wastes control project under the former provisions as at the time this Act enters into force shall be deemed to have been acquired with the contribution under this Act.

## **Article 5 (Transitional Measures concerning Penal Provisions)**

The application of penal provisions to any acts committed before this Act enters into force shall be governed by the former provisions.

## **Article 6 (Transitional Measures concerning Dosimeter Reading Service, etc.)**

A person who has obtained approval from the Minister of Science and Technology for the performance of dosimeter reading on exposure to radiation as at the time this Act enters into force shall be deemed to have obtained an approval for self-reading or a permit for the dosimeter reading service under the amended provisions of [Article 90-4](#) (1) and (2).

## **Article 7 Omitted.**

## **Article 8 (Relation to other Acts)**

Where other Acts cite the [Atomic Energy Act](#) or provisions thereof as at the time this Act enters into force, if this Act contains any provisions corresponding thereto, this Act or the corresponding provisions of this Act shall be deemed cited.

## **ADDENDA <Act No. 5233, Dec. 30, 1996>**

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

This Act shall enter into force six months after the date of its promulgation: *Provided*, That [Articles 9-3, 9-4, 10-3 through 10-5, 76 through 83, 84-2 through 84-5, 85, 85-3](#) and the amended provisions of Article 2 of the Addenda shall enter into force on January 1, 1997.

### **Article 2 (Transitional Measures concerning Repeal of Radioactive Wastes Control Fund)**

The settlement of accounts of the Radioactive Waste Control Fund to be repealed as this Act enters into force shall be governed by the former provisions applicable, and the amount of balance

outstanding after the settlement of accounts made in accordance with the decision of the Operational Committee of the Radioactive Wastes Control Fund which was established under Article 11 of the Framework Act on Fund Management shall be transferred to the Korea Electric Power Corporation under the Korea Electric Power Corporation Act.

#### **Article 3 (Transitional Measures concerning Use of Qualified Equipment)**

Parts and components installed in nuclear reactors and related facilities subject to performance verification under [Article 42-2](#) of the former provisions as at the time this Act enters into force shall be deemed to have passed the performance verification under the amended provisions of [Article 42-2](#).

#### **Article 4 (Transitional Measures concerning Person who Actually Provided Service)**

A person who actually provided the kind of services equivalent to those under the amended provisions of any of subparagraphs of Article 75-2 prior to this Act entering into force shall register his/her business with the Minister of Science and Technology within six months after this Act enters into force under the amended provisions of [Article 75-2](#).

#### **Article 5 (Transitional Measures concerning Written Environmental Impact Analysis by Radiation)**

A written environmental impact analysis by radiation which was prepared and submitted to the Minister of Science and Technology by an installer of nuclear power reactor or a disposal enterpriser under former provisions as at the time this Act enters into force shall be deemed to have been prepared and submitted under this Act, notwithstanding the amended provisions of [Article 104-5](#).

#### **Article 6 (Transitional Measures concerning Penal Provisions)**

Application of penal provisions to acts committed before this Act enters into force shall be governed by the former provisions.

#### **Article 7 Omitted.**

#### **Article 8 (Relation to other Acts)**

Where other Acts cite the Atomic Energy Act or provisions thereof as at the time this Act enters into force, if this Act contains any provisions corresponding thereto, this Act or the corresponding provisions of this Act shall be deemed to be cited.

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

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

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

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

### **ADDENDA <Act No. 5820, Feb. 8, 1999>**

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

This Act shall enter into force six months after the date of its promulgation: *Provided*, That the amended provisions of [Article 73](#) (2) shall enter into force nine months after the date of its promulgation.

#### **Article 2 (Transitional Measures concerning Approval for Design of Radiation Devices)**

Any person who manufactures radiation devices and special radioactive materials as at the time this Act enters into force shall obtain approval from the Minister of Science and Technology within three months from the enforcement date of this Act in accordance with the amended provisions of [Article 72](#) or [90-2](#).

#### **Article 3 (Transitional Measures concerning Inspection of Radiation Devices)**

Any radiation devices installed in utilization facilities as at the time this Act enters into force shall be deemed to undergo an inspection by the Minister of Science and Technology under the amended provisions of [Article 73](#).

#### **Article 4 (Transitional Measures concerning Registration of Dosimeter Reading Service Provider)**

Any person who obtains approval for his/her self-reader of dosimeter or a permit for his/her dosimeter reading service as at the time this Act enters into force shall be deemed to register his/her business as a dosimeter reading service provider under the amended provisions of [Article 90-4](#) (1).

#### **Article 5 (Transitional Measures concerning Penal Provisions)**

The application of the penal provisions to any act performed before this Act enters into force shall be governed by the former provisions.

#### **Article 6 Omitted.**

#### **ADDENDA <Act No. 6354, Jan. 16, 2001>**

- (1) (Enforcement Date) This Act shall enter into force six months after the date of its promulgation.
- (2) (Transitional Measures concerning Permit for Use of Nuclear Fuel Materials) Any person who is granted a permit for using or possessing nuclear fuel materials under the former provisions as at the time that this Act enters into force shall be deemed granted such permit under this Act and he/she is required to meet standards for permit under amended provisions of [Article 58](#) within three months after this Act enters into force.
- (3) (Transitional Measures concerning Permit for Producing Radioactive Isotopes, etc.) Any person who produces radioactive isotopes, etc. as at the time that this Act enters into force shall obtain a permit therefor from the Minister of Science and Technology in accordance with the amended provisions of [Article 65](#) (1) within three months after this Act enters into force.
- (4) (Transitional Measures concerning Registration of Business Agent) Any person who registers himself as a business agent under the former provisions as at the time that this Act enters into force shall be deemed registered as a business agent under the amended provisions of [Article 65-2](#) and he/she is required to meet the registration standards as prescribed in [Article 66](#) (2) within three months after this Act enters into force.
- (5) (Transitional Measures concerning Penal Provisions) The application of the penal provisions to any act performed before this Act enters into force shall be governed by the former provisions.

#### **ADDENDA <Act No. 6472, May 24, 2001>**

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

This Act shall enter into force on July 17, 2001.

**Articles 2 through 4** *Omitted.*

**ADDENDA <Act No. 6873, May 15, 2003>**

**Article 1 (Enforcement Date)**

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

**Articles 2 through 5** *Omitted.*

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

**Article 1 (Enforcement Date)**

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

**Articles 2 through 6** *Omitted.*

**ADDENDA <Act No. 7806, Dec. 30, 2005>**

**Article 1 (Enforcement Date)**

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

**Article 2 (Preparations for Establishment of Nonproliferation and Control Institute)**

- (1) The Minister of Science and Technology shall commission not more than five incorporators in charge of the business affairs concerning the establishment of the Nonproliferation and Control Institute within 30 days from the date on which this Act is promulgated.
- (2) The incorporators shall prepare the articles of association of the Nonproliferation and Control Institute and obtain authorization therefor from the Minister of Science and Technology.
- (3) The president of the Nonproliferation and Control Institute shall be appointed by the Minister of Science and Technology as at the time it is established.
- (4) The incorporators shall transfer, without delay, their business affairs to the president of the Nonproliferation and Control Institute after jointly effecting the registration of the establishment of the Nonproliferation and Control Institute when the authorization referred to in paragraph (2) is obtained.
- (5) The incorporators shall be deemed decommissioned when the transfer of the business affairs is completed pursuant to paragraph (4).

**Article 3 (Succession of Rights and Obligations)**

- (1) The Nonproliferation and Control Institute shall succeed to the property, right and duty on which the board of directors of the Korea Institute of Nuclear Safety (hereinafter referred to as the "Nuclear Safety Institute") provided for in the Korea Institute of Nuclear Safety Act resolves to transfer or turn over them to the Nonproliferation and Control Institute as at the time the Nonproliferation and Control Institute effects the registration of its establishment from among the property, rights and duties of the Nuclear Safety Institute.
- (2) The value of the property transferred to the Nonproliferation and Control Institute pursuant to paragraph (1) shall be the book value of the Nonproliferation and Control Institute on the date preceding the date on which the registry of the Nonproliferation and Control Institute is effected.



#### **Article 4 (Status of Staffs)**

When the Nonproliferation and Control Institute is established, the employees who fall under the scope that is determined by the incorporators, from among the staffs of the Nuclear Safety Institute as at the time the Nonproliferation and Control Institute is established shall be deemed appointed as the employees of the Nonproliferation and Control Institute.

#### **Article 5 Omitted.**

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

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

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

##### **Articles 2 through 7 Omitted.**

#### **ADDENDA <Act No. 8974, Mar. 21, 2008>**

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

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

##### **Articles 2 through 14 Omitted.**

#### **ADDENDA <Act No. 9016, Mar. 28, 2008>**

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

This Act shall enter into force on January 1, 2009. (Proviso Omitted.)

##### **Articles 2 through 8 Omitted.**

#### **ADDENDUM <Act No. 10086, Mar. 17, 2010>**

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