Government Organization Act (Republic of Korea)

By Ministry of Legislation

INTRODUCTION

**Details of Enactment and Amendment**

- **Enactment**: This Act was enacted and put into enforcement on July 17, 1948 as Act No. 1, in order to establish the basic principles for the establishment, organization, and scope of functions of the national administrative agencies for the systematic and efficient performance of national administrative affairs.

- **Amendment**: This Act has come to its present form after going through the amendments over 49 occasions since its enactment. In addition, other main government organizations established under other acts are the Fair Trade Commission, the Financial Supervisory Commission, the Broadcasting Commission, and the Civil Service commission etc.

**Main Contents**

- Central administrative organizations shall be Ministry, Agency, Administration, unless regulated under special clause.

- Heads of central administrative organizations shall be minister for ministry, minister for ministry at the agency-ministerial level, commissioner for administration at the vice-ministerial level. The sub-organization for central administrative organizations can be established and prescribed as vice-minister, deputy-administrator, deputy-minister, director general and director. Working level officials can be prescribed respectively to assist minister, commissioner, vice-minister, deputy-administrator, deputy-minister and director general.

- Agencies are established directly under the President as follows: Office of the President, Presidential Security, National Intelligence Service, and Presidential Commission on Small and Medium Business. The Board of Audit and Inspection is established in accordance to the Constitution and the Board of Audit and Inspection Act.

- Office for Government Policy Coordination, Prime Minister’s Secretariat, Ministry of Planning and Budget, Ministry of Legislation, Government Information Agency, Ministry of Patriots and Veterans Affairs are established directly under the Prime Minister.

Under the Ministry, 16 Offices are established as follows: Offices under the Ministry of Finance and Economy are the National Tax Service, the Customs Service, the Public Procurement Service and the National Statistical Office. An office under the Ministry of Justice is the Public Prosecutor's Office. An office under the Ministry of National Defense is the Military Manpower Administration. An office under the Ministry of Government Administration and Home Affairs is the National Police Agency. An office under the Ministry of Science and Technology is the Meteorological Administration. An office under the Ministry of Culture and Tourism is the Cultural Properties Administration. Offices under the Ministry of Agriculture and Forestry are the Rural Development Administration and the Forestry Administration. Offices under the Ministry of Commerce, Industry and Energy are the Small and Medium Business Administration and the Intellectual Property Office. An office under the Ministry of Health and Welfare is the Food and Drug Administration. An office under the Ministry of Construction and Transportation is the National Railroad Administration. And an office under the Ministry of Maritime Affairs and Fisheries is the National Maritime Police Agency.

**GOVERNMENT ORGANIZATION ACT**

Wholly Amended by Feb. 28, 1998 Act No. 5529

Amended by Jan. 21, 1999 Act No. 5680

Feb. 5, 1999 Act No. 5809

May 24, 1999 Act No. 5982

Jan. 12, 2000 Act No. 6139

Jan. 29, 2001 Act No. 6400

Jan. 19, 2002 Act No. 6622

**CHAPTER I GENERAL PROVISIONS**

■ **Article 1 (Purpose)**

The purpose of this Act is to lay down the basic principles for the establishment, organization, and scope of functions of the national administrative agencies for the systematic and efficient performance of national administrative affairs.

■ **Article 2 (Establishment and Organization of Central Administrative Agencies)**
(1) The establishment and scope of functions of the central administrative agencies shall be determined by Acts.

(2) Except as otherwise provided in this Act or other Acts, the central administrative agencies shall be *Bus* (Ministries), *Cheos* (Ministries at the Agencies-Ministerial level) and *Cheongs* (Administrations at the Vice-Ministerial level).

(3) Except as otherwise provided in this Act or other Acts, the subsidiary organs of the central administrative agencies shall be *Cha-Gwan* (Vice-Minister), *Cha-Jang* (Deputy Administrator), *Sil-Jang* (Deputy Minister), *Guk-Jang* (Director-General of Bureau) or *Bu-Jang* (Director-General of Department) and *Gwa-Jang* (Director): *Provided*, that the subsidiary organs in charge of trade negotiations at the Ministry of Foreign Affairs and Trade shall be *Bonbu-Jang* (Minister or Chief Commissioner), *Sil-Jang*, *Guk-Jang* and *Gwa-Jang*, and the subsidiary organs in charge of Civil Defense Disasters at the Ministry of Government Administration and Home Affairs shall be *Bonbu-Jang* (Chief Commissioner of Civil Defense Headquarters), *Guk-Jang* and *Gwa-Jang*.

(4) Except as provided in Acts, the establishment and division of affairs referred to in paragraph (3) shall be determined by the Presidential Decree: *Provided*, that the establishment and division of affairs of *Gwas* (Divisions) may be determined by the Ordinance of the Prime Minister or the Ministerial Ordinance.

(5) In each Ministry of the central administrative agencies, a *Cha-Gwan-Bo* (Assistant Minister) may be appointed to directly assist the Minister and the Vice-Minister on matters that the Minister instructs, and in each administrative agency, under the Minister, Vice-Minister, Deputy Administrator, Deputy Minister, Director-General of Bureau or Director-General of Department of the central administrative agency, and Chief Commissioners of the Ministry of Foreign Affairs and Trade and the Ministry of Government Administration and Home Affairs, an officer-in-charge may be appointed to assist them in planning policies, establishing various plans, conducting research and surveys, examinations and evaluations, and public information, etc. as determined by the Presidential Decree: *Provided*, That in agencies equivalent to divisions, officers-in-charge may be appointed as determined by the Ordinance of the Prime Minister or the Ministerial Ordinance.

(6) Except as otherwise provided in this Act and other Acts, Deputy Ministers and Chief Commissioners, Director-Generals of Bureaus (including Director-Generals of Outer Bureaus) and Director-Generals of Departments, and Directors shall be appointed as state public officials in general service of Grade I, Grade II or III, Grade III or IV, respectively. Assistant Ministers shall be appointed as state public officials in extraordinary civil service equivalent to Grade I, and officers-in-charge shall be appointed as state public officials in general service equivalent to Grades II through IV or state public officials in extraordinary civil service equivalent to Grades II through IV: *Provided*, that Deputy Ministers and Director-Generals of Bureaus or Director-Generals of Departments may be appointed as state public officials in extraordinary civil service equivalent to the grades of state public officials in general service, where it is deemed necessary in consideration of the nature of their duties. In this case, the number of
Director-Generals of Bureaus and Director-Generals of Departments of state public officials in extraordinary civil service in a central administrative agency shall not exceed one.

(7) Notwithstanding the provisions of paragraph (6), diplomatic public officials may be appointed as a Deputy Minister, a Director-General of Bureau, a Director, an Assistant Minister and an officer-in-charge of the Ministry of Foreign Affairs and Trade; public prosecutors as a Deputy Minister, a Director-General of Bureau, a Director and an officer-in-charge of the Ministry of Justice; officers in military service as a Deputy Minister, a Director-General of Bureau, a Director, an Assistant Minister, and an officer-in-charge of the Ministry of National Defence, and as a Director-General of Bureau, a Director and an officer-in-charge of the Ministry of Defence and Trade; fire officials as a Director-General of Bureau, a Director and an officer-in-charge of the Ministry of Government Administration and Home Affairs; educational public service officials as a Deputy Minister, a Director-General of Bureau, a Director and an Assistant Minister and an officer-in-charge of the Ministry of Education and Human Resources Development; police officers as a Director-General of Bureau, a Director and an officer-in-charge of the National Police Agency and the National Maritime Police Agency under conditions as prescribed by the Presidential Decree.

(8) If it is deemed that the expertism is especially necessary to perform the duties concerned, public officials on contractual basis may be appointed to any position as prescribed by the Presidential Decree within the scope of 20/100 of the public officials of the respective central administrative agencies notwithstanding the provisions of paragraphs (6) and (7).

(9) Notwithstanding the provisions of paragraph (3), if necessary, the name of Deputy Minister, Director-General of Bureau, Director-General of Department, or Director from among subsidiary organs of the central administrative agencies may be otherwise given under conditions as determined by the Presidential Decree. In this case, the subsidiary organs otherwise named shall be deemed to be a Deputy Minister, a Director-General of Bureau, a Director-General of Department or a Director in the application of this Act.

Article 3 (Establishment of Special Local Administrative Agencies)

(1) Except as otherwise prescribed by Acts, each central administrative agency may, if necessary for the performance of its affairs, have local administrative agencies under its jurisdiction as determined by the Presidential Decree.

(2) A local administrative agency provided in paragraph (1) may consolidate and carry out the administrative affairs under the jurisdiction of the other related central administrative agencies as prescribed by the Presidential Decree, if it is deemed more efficient for their consolidated performance in consideration of the functional relationships and regional special circumstances.

Article 4 (Establishment of Affiliated Organizations)

An administrative agency, if necessary, may establish experiment and research institutions, education and training institutions, cultural institutions, medical institutions, manufacturing
institutions or advisory institutions within the scope of affairs under its jurisdiction as prescribed by the Presidential Decree.

**Article 5 (Establishment of Representative Administrative Organizations)**

An administrative agency may establish representative administrative organizations, such as an administrative committee, if necessary for the independent fulfillment of a part of the duties under its jurisdiction, as prescribed by Acts.

**Article 6 (Delegation or Entrustment of Authority)**

(1) An administrative agency may delegate a part of the affairs under its jurisdiction to its subsidiary organs or to subordinate administrative agencies, or entrust or delegate it to other administrative agencies and local governments or their subordinate agencies as determined by Acts and subordinate statutes. In this case, the delegated or entrusted organs may, if specially necessary, re-delegate or re-entrust a part of the delegated or entrusted affairs to their subsidiary organs or subordinate administrative agencies, as determined by Acts and subordinate statutes.

(2) Subsidiary organs shall carry out the functions delegated to them pursuant to paragraph (1) as administrative agencies within the limit of delegated affairs.

(3) An administrative agency may entrust matters involving surveys, inspections, verifications, and management, etc. that are not directly related to the rights and duties of citizens, to juristic persons, associations which are not a local government, or to their agencies or to individuals as determined by Acts and subordinate statutes.

**Article 7 (Authority and Responsibility of Head of Administrative Agency)**

(1) The head of each administrative agency shall take overall charge of the affairs under his jurisdiction, and shall direct and supervise his subordinate public officials.

(2) A Vice-Minister (in the Ministry of Foreign Affairs and Trade, Chief Commissioner (Minister) in charge of trade negotiation) or a Deputy Administrator shall assist the head of each agency to administer the affairs under his jurisdiction and to direct and supervise his subordinate public officials, and shall act for the head of the agency in case where he is unable to perform his duties due to an accident.

(3) Subsidiary organs of each administrative agency shall assist the head, Vice Minister, or Deputy Administrator thereof to administer the affairs under his jurisdiction and to direct and supervise his subordinate public officials.

(4) In case of paragraphs (1) and (2), with respect to Administrations at the Vice-Ministerial level under the control of the head of a central administrative agency, he may directly supervise the heads of the said Administrations in making important policies.
(5) The head of a Ministry or a Ministry at the Agency may request that the Prime Minister coordinate affairs of other administrative agencies related to affairs under his duties, if it is necessary for efficient execution of his affairs.

■ Article 8 (Prescribed Number of Public Officials)

(1) The kinds and prescribed number of public officials to be allocated to each administrative agency, standards and procedures pertaining to the allocation of public officials, and other necessary matters shall be determined by the Presidential Decree.

(2) In case of paragraph (1), the prescribed number of two or more agencies may be jointly determined, if, in view of the nature of the duties, it is recognized that it is efficient to manage affairs by combining the prescribed numbers of those agencies.

■ Article 9 (Concurrent Budgetary Measures)

When an administrative agency or its subordinate organization is established or the prescribed number of public officials is increased, budgetary measures shall concurrently be taken.

■ Article 10 (Government Delegates)

The Minister of the Office for Government Policy Coordination, Ministers of the Ministries at the Agency, Vice Ministers, Administrators (in some cases, named Commissioners), Deputy Administrators (in some cases, named Deputy Commissioners), Deputy Ministers, Director-Generals of Bureaus or Director-Generals of Departments and Assistant Ministers of Ministries, Ministries at the Agency and Administrations at the Vice-Ministerial level, and Chief Commissioners (Minister) of the Ministry of Foreign Affairs and Trade and the Ministry of Government Administration and Home Affairs shall be Government Delegates.

CHAPTER II PRESIDENT

■ Article 11 (President's Supervisory Powers on Administration)

(1) The President as the head of the Government shall direct and supervise the heads of all central administrative agencies in accordance with Acts and subordinate statutes.

(2) The President may suspend or cancel any order or disposition by the Prime Minister or by the heads of the central administrative agencies if it is deemed to be unlawful or unjust.

■ Article 12 (State Council)

(1) The President as the Chairperson of the State Council shall convene and preside over the meetings of the State Council.

(2) Where the Chairperson is unable to perform his official duties due to an accident, the Prime Minister as the Vice-Chairperson shall act as Chairperson, and in the event of an accident
involving both the Chairperson and the Vice-Chairperson, the members of the State Council shall act as Chairperson in the order of the Deputy Prime Minister held additionally by the Minister of Finance and Economy, the Deputy Prime Minister held additionally by the Minister of Education and Human Resources Development and the order referred to in Article 26 (1).

(3) Any member of the State Council shall be appointed in political civil service, and may submit bills to the Chairperson and request that a meeting of the State Council be held.

(4) Matters necessary for the operation of the State Council shall be determined by the Presidential Decree.

■ Article 13 (Right to Attend State Council Meetings and Present Bills)

(1) The Minister of the Office for Government Policy Coordination, the Minister of Legislation, the Minister of the Government Information Agency, the Minister of the Ministry of Patriots and Veterans Affairs, other public officials as prescribed by Acts, and Chairpersons of Presidential Commission on Small and Medium Business referred to in Article 18, may attend the State Council and take the floor if necessary.

(2) Those public officials referred to in paragraph (1) may, with respect to their official duties, recommend that the Prime Minister present their proposed bills to the State Council.

■ Article 14 (Office of the President)

(1) The Office of the President shall be established to assist the President in performing his official duties.

(2) A Chief Secretary shall be assigned to the Office of the President and he shall be appointed in political civil service.

■ Article 15 (Presidential Security)

(1) The Presidential Security shall be established to escort the President.

(2) The organization and scope of functions of and other necessary matters for the Presidential Security shall be determined by an Act.

■ Article 16 (National Intelligence Service)

(1) The National Intelligence Service shall be established under the President to handle the duties pertaining to information, protection of public peace and criminal investigation related to national security.

(2) The organization and scope of functions of the National Intelligence Service and other necessary matters shall be prescribed by any other Act.
Article 17 Deleted.

Article 18 (Presidential Commission on Small and Medium Business)

(1) The Presidential Commission on Small and Medium Business shall be established under the President in order to foster small and medium businesses.

(2) The necessary matters concerning the organization and operation of the Presidential Commission on Small and Medium Business shall be prescribed by the Presidential Decree.

CHAPTER III PRIME MINISTER

Article 19 (Prime Minister’s Supervisory Powers on Administration)

(1) The Prime Minister shall direct and supervise the heads of central administrative agencies in accordance of the orders of the President.

(2) The Prime Minister may suspend or cancel any order or disposition by the heads of the central administrative agencies upon approval by the President, if it is deemed to be unlawful or unjust.

Article 19-2 (Deputy Prime Minister)

(1) Two Deputy Prime Ministers shall be established in order to have them deal with the affairs specially delegated by the Prime Minister.

(2) The Deputy Prime Ministers shall be appointed as the Members of State Council.

(3) The Deputy Prime Ministers shall be held additionally by the Minister of Finance and Economy and the Minister of Education and Human Resources Development, respectively.

(4) The Minister of Finance and Economy shall perform overall control and co-ordination among the related Ministries on the economic policies under the order of the Prime Minister.

(5) The Minister of Education and Human Resources Development shall perform overall control and co-ordination among the related Ministries on the policies for human resources development under the order of the Prime Minister.

Article 20 (Office for Government Policy Coordination)

(1) The Office for Government Policy Coordination shall be established under the Prime Minister to assist him with respect to the administrative direction and supervision, policy coordination, review and evaluation, and regulation reform of each central administrative agency.

(2) A Minister shall be assigned to the Office for Government Policy Coordination and he shall be appointed in political civil service.
Article 21 (Office of Prime Minister)

(1) The Office of the Prime Minister shall be established to assist the Prime Minister in performing his official duties.

(2) A Chief Secretary shall be assigned to the Prime Minister's Secretariat, and he shall be appointed in political civil service.

Article 22 (Execution of Prime Minister's Official Duties on His Behalf)

Where the Prime Minister is unable to perform his official duties due to an accident, the Deputy Prime Minister held additionally by the Minister of Finance and Economy and the Deputy Prime Minister held additionally by the Minister of Education and Human Resources Development, in that order, shall perform the official duties of the Prime Minister, and if all of the Prime Minister and the Deputy Prime Ministers are unable to perform their duties due to an accident, the member of the State Council designated by the President if designated, or any member in the order referred to in Article 26 (1) if not designated, shall perform the official duties of the Prime Minister.

Article 23 (Ministry of Planning and Budget)

(1) The Ministry of Planning and Budget shall be established under the Prime Minister to take charge of the duties on the budget policies, the management of compilation of budget and execution thereof and financial and administrative reforms.

(2) A Minister and a Vice-Minister shall be assigned to the Ministry of Planning and Budget, and the Minister shall be appointed as a member of the State Council and the Vice-Minister shall be appointed in political civil service.

Article 24 (Ministry of Legislation)

(1) The Ministry of Legislation shall be established under the Prime Minister to take charge of the review of draft Acts and subordinate statutes, draft treaties to be laid before the State Council, draft Ordinances of the Prime Minister and draft Ministerial Ordinances and other affairs on legislation.

(2) A Minister and a Vice-Minister shall be assigned to the Ministry of Legislation and the Minister shall be appointed in political civil service, and the Vice-Minister shall be appointed as a state public official in extraordinary civil service.

Article 24-2 (Government Information Agency)

(1) The Government Information Agency shall be established under the Prime Minister to take charge of the duties on the domestic and foreign public information of State affairs, the coordination of functions of public information thereof within the Government, the convergence of public opinions thereon, and the Government announcement.
(2) A Minister and a Vice-Minister shall be assigned to the Government Information Agency, and the Minister shall be appointed in political civil service and the Vice-Minister shall be appointed as a state public official in extraordinary civil service.

**Article 25 (Ministry of Patriots and Veterans Affairs)**

(1) The Ministry of Patriots and Veterans Affairs shall be established under the Prime Minister to take charge of the affairs on merit reward for persons of distinguished service to the State and their bereaved family members, compensation and protection of veterans, and military personal insurance.

(2) A Minister and a Vice-Minister shall be assigned to the Ministry of Patriots and Veterans Affairs, and the Minister shall be appointed in political civil service and the Vice-Minister shall be appointed as a state public official in extraordinary civil service.

**CHAPTER IV EXECUTIVE MINISTRIES**

**Article 26 (Executive Ministries)**

(1) The President shall exercise general control over the following executive Ministries:

- Ministry of Finance and Economy;
- Ministry of Education and Human Resources Development;
- Ministry of Unification;
- Ministry of Foreign Affairs and Trade;
- Ministry of Justice;
- Ministry of National Defense;
- Ministry of Government Administration and Home Affairs;
- Ministry of Science and Technology;
- Ministry of Culture and Tourism;
- Ministry of Agriculture and Forestry;
- Ministry of Commerce, Industry and Energy;
- Ministry of Information and Communication;
- Ministry of Health and Welfare;
Ministry of Environment;

Ministry of Labor;

Ministry of Gender Equality;

Ministry of Construction and Transportation; and

Ministry of Maritime Affairs and Fisheries.

(2) There shall be one Minister and one Vice-Minister in each Ministry. The Ministers shall be appointed as members of the State Council, and the Vice-Ministers shall be appointed in political civil service.

(3) Each Minister shall direct and supervise the heads of local administrative agencies with respect to affairs under his jurisdiction.

Article 27 (Ministry of Finance and Economy)

(1) The Minister of Finance and Economy shall take charge of the affairs on the establishment, overall control and coordination of economic policies, money, finance, national treasury, government account, internal tax system, customs, foreign exchange, economic cooperation, and state property.

(2) An Assistant Minister shall be assigned to the Ministry of Finance and Economy.

(3) One state public official in general service of Grade I may be assigned to the Ministry of Finance and Economy to assist the Minister in conducting the affairs of international finance and economic cooperation.

(4) Deleted.

(5) The National Tax Service shall be established under the Minister of Finance and Economy to take charge of the affairs on the imposition, reduction or exemption, and collection of internal taxes.

(6) A Commissioner and a Deputy Commissioner shall be assigned to the National Tax Service, and the Commissioner shall be appointed in political civil service and the Deputy Commissioner shall be appointed as a state public official in extraordinary civil service.

(7) The Customs Service shall be established under the Minister of Finance and Economy to take charge of the affairs on the imposition, reduction or exemption, and collection of customs, the clearance of imports and exports, and the control of goods smuggling.
(8) A Commissioner and a Deputy Commissioner shall be assigned to the Customs Service, and the Commissioner shall be appointed in political civil service, and the Deputy Commissioner shall be appointed as a state public official in extraordinary civil service.

(9) The Public Procurement Service shall be established under the Minister of Finance and Economy to take charge of the affairs on purchase, supply, and management of goods (excluding military supplies) ordered by the Government, and affairs related to important facility construction contracts made by the Government.

(10) An Administrator and a Deputy Administrator shall be assigned to the Public Procurement Service, and the Administrator shall be appointed in political civil service, and the Deputy Administrator shall be appointed as a state public official in extraordinary civil service.

(11) The National Statistical Office shall be established under the Minister of Finance and Economy to take charge of the affairs on establishing statistical standards, taking censuses, and all statistics.

(12) An Administrator shall be assigned to the National Statistical Office, and he shall be appointed as a state public official in extraordinary civil service.

■ Article 28 (Ministry of Education and Human Resources Development)

(1) The Minister of Education and Human Resources Development shall take charge of the affairs on the establishment, overall control, and coordination of human resources development policies, and on school education, lifelong education, and sciences.

(2) An Assistant Minister shall be assigned to the Ministry of Education and Human Resources Development.

■ Article 29 (Ministry of Unification)

The Minister of Unification shall take charge of the policy-making on unification and the inter-Korea dialogue, the inter-Korea exchange and cooperation, the education on unification, and other affairs on unification.

■ Article 30 (Ministry of Foreign Affairs and Trade)

(1) The Minister of Foreign Affairs and Trade shall take charge of affairs on diplomacy, trade negotiations with foreign countries, and general management and coordination of trade negotiations, treaties and other international agreements, protection of and support for Korean nationals abroad, research on international situations, and emigration.

(2) A Minister (Chief Commissioner) in charge of trade negotiations shall be assigned to the Ministry of Foreign Affairs and Trade, and he shall be appointed in political civil service.

(3) An Assistant Minister shall be assigned to the Ministry of Foreign Affairs and Trade.
(4) A Chief of Protocol shall be assigned to the Ministry of Foreign Affairs and Trade, and he shall be appointed as a diplomatic public official.

**Article 31 (Ministry of Justice)**

(1) The Minister of Justice shall take charge of prosecutions, penal administrations, protection of human rights, immigration control, and other legal affairs.

(2) The Public Prosecutor’s Office shall be established under the Minister of Justice for the purpose of administering the affairs of public prosecutors.

(3) The organization, the scope of functions, and other necessary matters for the Public Prosecutor's Office shall be determined by an Act.

**Article 32 (Ministry of National Defense)**

(1) The Minister of National Defense shall take charge of military administration, military command, and other military affairs relating to national defense.

(2) An Assistant Minister shall be assigned to the Ministry of National Defense.

(3) The Military Manpower Administration shall be established under the Minister of National Defense to deal with affairs on enlistment, mobilization, and other affairs of the military service administration.

(4) An Administrator and a Deputy Administrator shall be assigned to the Military Manpower Administration, and the Administrator shall be appointed in political civil service, and the Deputy Administrator shall be appointed as a state public official in extraordinary civil service.

**Article 33 (Ministry of Government Administration and Home Affairs)**

(1) The Minister of Government Administration and Home Affairs shall take charge of the affairs such as the general affairs for the State Council, promulgation of Acts and subordinate statutes and treaties, personnel management and welfare of public officials, rewards and decorations, management of the government organization and its prescribed number, administrative efficiency, maintenance of government buildings, local government system, operational support for local governments, finances and taxation of local governments, conciliation of disputes between local governments, elections, referenda, civil defense, disaster management, and fire fighting.

(2) The state administrative affairs which do not fall under the jurisdiction of other central administrative agencies shall be conducted by the Minister of Government Administration and Home Affairs.

(3) An Assistant Minister shall be assigned to the Ministry of Government Administration and Home Affairs.
(4) The National Police Agency shall be established under the Minister of Government Administration and Home Affairs to take charge of the affairs on public peace and order.

(5) The organization and scope of functions of the National Police Agency and other necessary matters shall be prescribed by an Act.

■ Article 34 (Ministry of Science and Technology)

(1) The Minister of Science and Technology shall take charge of the establishment of basic policies for the promotion of science and technology, technology cooperation, atomic energy and other affairs on the promotion of science and technology.

(2) The Meteorological Administration shall be established under the Minister of Science and Technology to take charge of the affairs on atmospheric phenomena.

(3) An Administrator shall be assigned to the Meteorological Administration, and he shall be appointed as a state public official in extraordinary civil service.

■ Article 35 (Ministry of Culture and Tourism)

(1) The Minister of Culture and Tourism shall take charge of affairs on culture, arts, media, advertisement, publishing, publications, sports, youth, and tourism.

(2) An Assistant Minister shall assigned to the Ministry of Culture and Tourism.

(3) The Cultural Properties Administration shall be established under the Minister of Culture and Tourism to take charge of the affairs on cultural properties.

(4) An Administrator shall be assigned to the Cultural Properties Administration, and he shall be appointed as a state public official in extraordinary civil service.

■ Article 36 (Ministry of Agriculture and Forestry)

(1) The Minister of Agriculture and Forestry shall take charge of the affairs relating to agriculture, foods, farmland, irrigation, livestock, and the distribution of agricultural products.

(2) An Assistant Minister shall be assigned to the Ministry of Agriculture and Forestry.

(3) The Rural Development Administration shall be established under the Minister of Agriculture and Forestry to deal with affairs concerning the rural development.

(4) An Administrator and a Deputy Administrator shall be assigned to the Rural Development Administration, and the Administrator shall be appointed in political civil service, and the Deputy Administrator shall be appointed as a state public official in extraordinary civil service.
(5) The Forestry Administration shall be established under the Minister of Agriculture and Forestry to deal with affairs concerning forestry.

(6) An Administrator and a Deputy Administrator shall be assigned to the Forestry Administration, and the Administrator shall be appointed in political civil service, and the Deputy Administrator shall be appointed as a state public official in extraordinary civil service.

■ Article 37 (Ministry of Commerce, Industry and Energy)

(1) The Minister of Commerce, Industry and Energy shall take charge of the affairs on commerce, trade, trade promotion, industry, energy, and underground resources.

(2) An Assistant Minister shall be assigned to the Ministry of Commerce, Industry and Energy.

(3) The Small and Medium Business Administration shall be established under the Minister of Commerce, Industry and Energy to take charge of the affairs on the small and medium businesses.

(4) An Administrator and a Deputy Administrator shall be assigned to the Small and Medium Business Administration, and the Administrator shall be appointed in political civil service and the Deputy Administrator shall be appointed as a state public official in extraordinary civil service.

(5) The Intellectual Property Office shall be established under the Minister of Commerce, Industry and Energy to take charge of the affairs on patents, utility models, designs, trademarks, and the affairs related to examination and adjudication thereon.

(6) An Administrator and a Deputy Administrator shall be assigned to the Intellectual Property Office, and the Administrator shall be appointed in political civil service and the Deputy Administrator shall be appointed as a state public official in extraordinary civil service.

■ Article 38 (Ministry of Information and Communication)

The Minister of Information and Communication shall take charge of the affairs concerning information and communications, radio waves control, postal service, postal money order, and postal transfer.

■ Article 39 (Ministry of Health and Welfare)

(1) The Minister of Health and Welfare shall take charge of the affairs on health and sanitation, prevention of epidemics, administration of medical and pharmaceutical matters, protection of minimum living standards, self-sustainment assistance, women's welfare, children, elders, disabled persons and social security.

(2) The Food and Drug Administration shall be established under the Minister of Health and Welfare to take charge of the affairs on the safety of foods and drugs.
(3) An Administrator and a Deputy Administrator shall be assigned to the Food and Drug Administration, and the Administrator shall be appointed in political civil service and the Deputy Administrator shall be appointed as a state public official in extraordinary civil service.

■ Article 40 (Ministry of Environment)

The Minister of Environment shall take charge of the affairs concerning the preservation of the natural and living environment and the prevention of environmental pollution.

■ Article 41 (Ministry of Labor)

The Minister of Labor shall take charge of the affairs concerning standards of working conditions, employment stabilization, vocational training, countermeasures against unemployment, employment insurance, industrial accident compensation insurance, laborers’ welfare, mediation of labor-management relations, and other labor affairs.

■ Article 42 (Ministry of Gender Equality)

The Minister of Gender Equality shall take charge of the affairs concerning the elevation of female status, such as the planning and integration of female policies, the prohibition of, and relief from, sex discrimination, etc.

■ Article 43 (Ministry of Construction and Transportation)

(1) The Minister of Construction and Transportation shall take charge of the affairs concerning the establishment and adjustment of comprehensive plans for development of national territory, the conservation, utilization and development of national territory and water resources, the construction of cities, roads and houses, coasts, rivers and reclamation, land transportation, and air services.

(2) An Assistant Minister shall be assigned to the Ministry of Construction and Transportation.

(3) The National Railroad Administration shall be established under the Minister of Construction and Transportation to deal with affairs concerning national railroad service.

(4) An Administrator and a Deputy Administrator shall be assigned to the National Railroad Administration, and the Administrator shall be appointed in political civil service and the Deputy Administrator shall be appointed as a state public official in extraordinary civil service.

■ Article 44 (Ministry of Maritime Affairs and Fisheries)

(1) The Minister of Maritime Affairs and Fisheries shall take charge of the affairs on fisheries, marine shipping, harbours, preservation of marine environment, marine surveys, development of marine resources, research and development of marine science and technology, and marine accidents inquiry.
(2) An Assistant Minister shall be assigned to the Ministry of Maritime Affairs and Fisheries.

(3) The National Maritime Police Agency shall be established under the Minister of Maritime Affairs and Fisheries to take charge of policing at sea and the control of marine pollution.

(4) A Commissioner and a Vice-Commissioner shall be assigned to the National Maritime Police Agency, and they shall be appointed as police officers.

ADDENDA

■ Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That Article 5 (18) of the Addenda shall enter into force on June 14, 1998 and paragraphs (29) through (31) of the same Article shall enter into force on July 1, 1998, respectively.

■ Article 2 (Term of Validity)

Article 7 (1) of the Addenda shall remain in force until Acts provided for in the said paragraph of the said Article of the Addenda are amended.

■ Article 3 (Transitional Measures on Matters under Jurisdiction and Public Officials, etc. pursuant to Closure and New Establishment of Organization)

(1) The functions of central administrative agencies recorded in the left column of the following list at the time of entry into force of this Act shall be succeeded to by the heads of central administrative agencies recorded in the right column of the same list.

| Functions falling under Article 27 (1) from among those under the jurisdiction of the Minister of Finance and Economy | Minister of Finance and Economy |
| Functions falling under Article 17 (1) from among those under the jurisdiction of the Minister of Finance and Economy | Planning and Budget Commission |
| Functions falling under Article 27 (3) from among those under the jurisdiction of the Minister of Finance and Economy | Administrator of the Office of National Budget |
| Functions under the jurisdiction of the Minister for National Unification | Minister of National Unification |
| Functions under the jurisdiction of the Minister of Government Administration | Minister of Government Administration and Home Affairs |
| Functions under the jurisdiction of the Minister of Science and Technology | Minister of Science and Technology |
| Functions on broadcast administration, publishing, publications, and public information abroad from among those under the jurisdiction of the Minister of Information | Minister of Culture and Tourism |
| Functions under the jurisdiction of the Minister of Foreign Affairs | Minister of Foreign Affairs and Trade |
| Functions under the jurisdiction of the Minister of Home Affairs | Minister of Government Administration and Home Affairs |
| Functions under the jurisdiction of the Minister of Culture and Sports | Minister of Culture and Tourism |
| Functions falling under Article 37 (1) from among those under the jurisdiction of the Minister of Trade, Industry and Energy | Minister of Commerce, Industry and Energy |
| Functions on trade negotiations referred to Article 29 (1) from among those under the jurisdiction of the Minister of Trade, Commerce and Energy | Minister of Foreign Affairs and Trade |
| Functions falling under Article 39 (2) from among those under the jurisdiction of the Minister of Health and Welfare | Administrator of the Korea Food and Drug Administration |

(2) The public officials under the jurisdiction of central administrative agencies (excluding those in political civil service) recorded in the left column of the following list at the time of entry into force of this Act shall be deemed public officials under the jurisdiction of administrative agencies recorded in the right column of the same list, and the public officials under the jurisdiction of administrative agencies to be abolished under this Act, who have not been recorded on the left column in the following list (excluding those in political civil service), shall be deemed public officials under the jurisdiction of administrative agencies as determined by the Presidential Decree.

| Ministry of Finance and Economy | Ministry of Finance and Economy, Ministry of Foreign Affairs and Trade, Planning and Budget Commission, or Office of National Budget on conditions as the Presidential Decree may determine |
| Ministry for National Unification | Ministry of National Unification |
| Ministry of Government Administration | Ministry of Government Administration and Home Affairs or Office for Government Coordination, on conditions as the Presidential Decree may determine |
(3) The Ordinances of the Prime Minister or Ministerial Ordinances related to the functions recorded in the left column of the list described in paragraph (1) at the time of entry into force of this Act shall be deemed Ordinances of the Prime Minister or Ministerial Ordinances by the Prime Minister or the Ministers to which agencies recorded in the right column of the same list belong.

- **Article 4** Deleted.

- **Article 5** Omitted.

**Article 6 (Transitional Measures Pursuant to Amendment of Other Acts)**

In applying the Narcotics Act, the Psychotropic Drugs Control Act and the Cannabis Control Act from the date of entry into force of this Act until the date of entry into force of the amendments to Article 5 (29) through (31) of the Addenda, the central administrative agencies concerned and the heads of central administrative agencies shall be deemed the central administrative agencies concerned and the heads of central administrative agencies under the amendments to Article 5 (29) through (31): Provided, That the term "Minister of Health and Social Affairs" in Articles 23 (3), 26 (3), 29 (3), 44 (3) and 57-2 (1) of the Narcotics Act shall be deemed to read "Commissioner of the Korea Food and Drug Administration", and the term "Minister of Health and Social Affairs"
in Articles 14 (3), 23 (2), 25 (3) and 37 (1) of the Psychotropic Drugs Control Act shall be deemed to read "Commissioner of the Korea Food and Drug Administration".

Article 7 (Relation with Other Acts and Subordinate Statutes Pursuant to Closure and New Establishment of Organizations)

(1) Where the terms "Ministry of Finance and Economy", "Minister of Finance and Economy", "Minister for Economic Planning Board" or "Minister of Finance" in the Budget and Accounts Act, the Corporate Budget and Accounts Act, the Act on Special Cases concerning Budget and Accounts, the Act on the Budgeting and Management of Subsidies, the Framework Act on Fund Management, the Framework Act on the Management of Government-Invested Institutions, the Engineering Technology Promotion Act, the Special Act for Science and Technology Innovation, the Korea Broadcasting System Act, the National Parks Act, the Local Education Subsidy Act, the Act on Special Cases concerning the Operation of Postal Services, and the Act on the Special Accounts for Environment Improvement are cited at the time of entry into force of this Act, they shall be deemed to have been cited as "Planning and Budget Commission" or "Chairman of the Planning and Budget" as determined by the Presidential Decree for the affairs listed in Article 17 (1), "Office of National Budget" or "Commissioner of the Office of National Budget" as determined by the Presidential Decree for affairs listed in Article 27 (3), "Ministry of Finance and Economy" or "Minister of Finance and Economy" as determined by the Presidential Decree for the affairs listed in Article 27 (1), "Planning and Budget Commission or Office of National Budget", "Chairman of the Planning and Budget Commission or Commissioner of the Office of National Budget", "Planning and Budget Commission and Office of National Budget", "Chairman of the Planning and Budget Commission and the Commissioner of the Office of National Budget", "Ministry of Finance and Economy and Office of National Budget", or "Minister of Finance and Economy and Commissioner of the Office of National Budget" as determined by the Presidential Decree for affairs listed in Articles 17 (1) and 27 (1) and (3).

(2) Where the concerned central administrative agencies, heads of central administrative agencies or public officials under their jurisdiction, or Ordinances of the Prime Minister or Ministerial Ordinances of central administrative agencies are cited in other Acts and subordinate statutes in relation to the functions recorded in the left column of the list under Article 3 (1) of the Addenda at the time of entry into force of this Act, they shall be deemed to have been cited as central administrative agencies, heads of central administrative agencies or public officials under their jurisdiction, Ordinances of the Prime Minister or Ministerial Ordinances recorded in the right column of the same list.

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

ADDENDA <Act No. 5809, Feb. 5, 1999>

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

Articles 2 through 6 Omitted.

ADDENDA

Article 1 (Enforcement Date)
This Act shall enter into force on the date of its promulgation: Provided, That the provisions of Article 3 (71) of the Addenda shall enter into force on July 1, 1999, and matters concerning the amendment of Article 90 (4) 5 as referred to in Article 3 (72) of the Addenda shall enter into force on August 6, 1999.

**Article 2 (Transitional Measures on Affairs under Jurisdiction and Public Officials, etc. Pursuant to Closure and New Establishment of Organizations)**

(1) At the time when this Act enters into force, the Minister of Planning and Budget, the Minister of the Government Information Agency, the Commissioner of the Korea Food and Drug Administration, and the Administrator of the Cultural Properties Administration shall succeed to the affairs under the jurisdiction of the Planning and Budget Commission and the Administrator of the Office of National Budget, the affairs falling under the amended provisions of Article 24-2 (1) from among those under the jurisdiction of the Minister of Culture and Tourism and the Director of the Office of Public Information, the affairs falling under the amended provisions of Article 39 (2) from among those under the jurisdiction of the Minister of Health and Welfare, and the affairs falling under the amended provisions of Article 35 (3) from among those under the jurisdiction of the Minister of Culture and Tourism and the Director of the Office of Cultural Properties, respectively.

(2) At the time when this Act enters into force, the public officials belonging to administrative agencies entered in the left column of the following list (excluding those in political civil service belonging to the Planning and Budget Commission and the Office of National Budget), shall be deemed to be public officials belonging to administrative agencies entered in the right column thereof.

<table>
<thead>
<tr>
<th>Planning and Budget Commission, and Office of National Budget</th>
<th>Ministry of Planning and Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office of Public Information</td>
<td>Office of the Prime Minister or Government Information Agency, pursuant to the Presidential Decree</td>
</tr>
<tr>
<td>Ministry of Finance and Economy</td>
<td>Ministry of Finance and Economy, Ministry of Commerce, Industry and Energy, or Financial Supervisory Commission, pursuant to the Presidential Decree</td>
</tr>
<tr>
<td>Ministry of Unification</td>
<td>Ministry of Unification or Advisory Council on Democratic and Peaceful Unification, pursuant to the Presidential Decree</td>
</tr>
<tr>
<td>Ministry of Government Administration and Home Affairs</td>
<td>Ministry of Government Administration and Home Affairs or Civil Service Commission, pursuant to the Presidential Decree</td>
</tr>
<tr>
<td>Ministry of Culture and Tourism</td>
<td>Ministry of Culture and Tourism or Government Information Agency, pursuant to the Presidential Decree</td>
</tr>
</tbody>
</table>
Office of Cultural Properties
Ministry of Health and Welfare

Cultural Properties Administration Ministry
of Health and Welfare or Korea Food and
Drug Administration, pursuant to the
Presidential Decree

(3) At the time when this Act enters into force, the Ordinance of the Ministry of Finance and Economy concerning the affairs under the jurisdiction of the Administrator of the Office of National Budget which the Minister of Planning and Budget succeeds to and the Ordinance of the Ministry of Culture and Tourism concerning the affairs which the Minister of the Government Information Agency succeeds to from among those under the jurisdiction of the Minister of Culture and Tourism under paragraph (1) above, shall be deemed to be the Ordinance of the Prime Minister, and the Ordinance of the Ministry of Agriculture and Forestry pursuant to the Protection and Hunting of Wild Birds and Animals Act amended under Article 3 (28) of the Addenda shall be deemed to be the Ordinance of the Ministry of Environment.

Article 3 Omitted.

Article 4 (Transitional Measures Pursuant to Amendment of Other Acts)
(1) Until the enactment of the Presidential Decree pursuant to the provisions of Article 27 (2) of the Banking Act amended under Article 3 (41) of the Addenda, the scope of bank business shall be governed by previous provisions.
(2) Until the enactment of the Presidential Decree pursuant to the provisions of Article 10 (3) of the Insurance Business Act amended under Article 3 (48) of the Addenda, the scope of insurance businesses the concurrent conduct of which is permitted, shall be governed by previous provisions.
(3) In applying the Protection of Cultural Properties Act from the enforcement date of this Act till the day preceding the enforcement date of the amended provisions of Article 3 (71) of the Addenda, the Ministry of Culture and Tourism and the Minister of Culture and Tourism shall be deemed to be the Cultural Properties Administration and the Administrator of the Cultural Properties Administration respectively.

Article 5 (Transitional Measures Pursuant to Amendment of Restriction of Special Taxation Act)
(1) The reduction of or exemption from taxes pursuant to the Restriction of Special Taxation Act amended under Article 3 (69) of the Addenda shall apply from the initial application for the reduction of or exemption from taxes made after this Act enters into force: Provided, That an application for the reduction of or exemption from taxes which is made in accordance with the Foreign Investment Promotion Act before this Act enters into force and on which a decision of the reduction of or exemption from taxes is not given till this Act enters into force, shall be deemed to be that which is made in accordance with the Restriction of Special Taxation Act amended under Article 3 (69) of the Addenda on the enforcement date of this Act.
(2) A decision of the reduction of or exemption from taxes made in accordance with the Foreign Investment Promotion Act before this Act enters into force, shall be deemed to be that made in accordance with the Restriction of Special Taxation Act amended under Article 3 (69) of the Addenda.
(3) In the reduction of or exemption from taxes pursuant to Chapter V of the Restriction of Special Taxation Act amended under Article 3 (69) of the Addenda, free export zones established under the Act on the Establishment of Free Export Zones at the time when this Act enters into force, shall be deemed to be foreign investment zones.

(4) If Articles 9 through 12 and 26 of the Foreign Investment Promotion Act are cited in other Acts and subordinate statutes at the time when this Act enters into force, it shall be deemed that Articles 121-2 through 121-6 of the Restriction of Special Taxation Act amended under Article 3 (69) of the Addenda are cited therein.

Article 6 (Relation with Other Acts and Subordinate Statutes Pursuant to Closure and New Establishment of Organizations)

If "Planning and Budget Commission or Office of National Budget", "Chairman of the Planning and Budget Commission or Administrator of the Office of National Budget", "public official belonging to the Planning and Budget Commission or the Office of National Budget", "Office of Public Information or Ministry of Culture and Tourism (in connection with the foreign public information)", "Director of the Office of Public Information or Minister of Culture and Tourism (in connection with the foreign public information)", "public official belonging to the Office of Public Information or the Ministry of Culture and Tourism (in connection with the foreign public information)", "Ministry of Culture and Tourism (in connection with cultural properties) or Office of Cultural Properties", "Minister of Culture and Tourism (in connection with cultural properties) or Director of the Office of Cultural Properties", or "public official belonging to the Ministry of Culture and Tourism (in connection with cultural properties) or the Office of Cultural Properties" is cited in other Acts and subordinate statutes at the time when this Act enters into force, it shall be deemed that "Ministry of Planning and Budget", "Minister of Planning and Budget", "public official belonging to the Ministry of Planning and Budget", "Government Information Agency", "Minister of the Government Information Agency", "public official belonging to the Government Information Agency", "Cultural Properties Administration", "Administrator of the Cultural Properties Administration", or "public official belonging to the Cultural Properties Administration" is cited respectively.

ADDENDA

Article 1 (Enforcement Date)

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

Articles 2 through 13 Omitted.

ADDENDA

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That Article 3 (20) of the Addenda shall enter into force on March 1, 2002.

Article 2 (Transitional Measures on Competent Affairs and Public Officials, etc. following Abolition and Establishment of Systems)
(1) The competent affairs of the Minister of Education at the time of enforcement of this Act shall be succeeded by the Minister of Education and Human Resources Development, and from among the competent affairs of the Presidential Commission on Women's Affairs and of the Minister of Health and Welfare, the affairs on the protection of victims of family violences or sexual violences and the prohibition of prostitution, etc., and the support for living stability to the prostitutes for Japanese military under Japanese rules under Article 3 (75) through (78) of the Addenda shall be succeeded by the Minister of Gender Equality; and the public officials belonging to the Ministry of Education shall be regarded as those belonging to the Ministry of Education and Human Resources Development, and the public officials belonging to the Presidential Commission on Women's Affairs as those belonging to the Ministry of Gender Equality.

(2) The Ordinance of the Ministry of Education pertaining to the competent affairs of the Minister of Education to be succeeded by the Minister of Education and Human Resources Development under paragraph (1) at the time of enforcement of this Act shall be regarded as the Ordinance of the Ministry of Education and Human Resources Development, and the Ordinance of the Ministry of Health and Welfare pertaining to the competent affairs of the Minister of Health and Welfare to be succeeded by the Minister of Gender Equality as the Ordinance of the Ministry of Gender Equality.

Article 3 Omitted.

Article 4 (Relations with Other Acts and Subordinate Statutes following Abolition and Establishment of Systems)
Quotations of the "Ministry of Education" by other Acts and subordinate statutes at the time of enforcement of this Act shall be regarded as quotations of the "Ministry of Education and Human Resources Development", quotations of the "Minister of Education" as quotations of the "Minister of Education and Human Resources Development", quotations of the "public officials belonging to the Ministry of Education" as quotations of the "public officials belonging to the Ministry of Education and Human Resources Development", quotations of the "Ordinance of the Ministry of Education" as quotations of the "Ordinance of the Ministry of Education and Human Resources Development", quotations of the "Presidential Commission on Women's Affairs" as quotations of the "Ministry of Gender Equality", quotations of the "Chairperson of the Presidential Commission on Women's Affairs" as quotations of the "Minister of Gender Equality", quotations of the "public officials belonging to the Presidential Commission on Women's Affairs" as quotations of the "public officials belonging to the Ministry of Gender Equality", and quotations of the "Ordinance of the Ministry of Health and Welfare" pertaining to the competent affairs of the Ministry of Health and Welfare to be succeeded by the Minister of Gender Equality as quotations of the "Ordinance of the Ministry of Gender Equality", respectively.

ADDENDA

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

Articles 2 and 3 Omitted.