

Act on Physical Protection and Radiological Emergency

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Chapter I General Provisions

Article 1 (Purpose)

The purpose of this Act is to protect life and property of people by establishing a system for physical protection from or prevention of radioactivity disaster for the safe control/operation of nuclear materials and nuclear facilities and establishing and implementing a radiological disaster control system to effectively cope with radiological disasters.

Article 2 (Definition)

(1) Terms used herein are defined as follows:

1. The term “nuclear materials” means the materials that can generate nuclear energy including, but not limited to, uranium and thorium, uranium ore, thorium ore and other substances that comprise raw materials for nuclear fuel materials as prescribed by the Presidential Decree.
2. The term “nuclear facilities” means a nuclear power reactor, nuclear reactor for research, nuclear fuel cycling facilities, storage/processing/disposal facilities of radioactive wastes, utilization facilities of nuclear materials and other facilities related with the use of nuclear energy as prescribed by the Presidential Decree.
3. The term “physical protection” means any and all actions to prevent internal and external threats to nuclear materials and nuclear facilities in advance, detect a threat promptly and take reasonable response actions when such threat arises, and minimize any damages resulting from an accident.
4. The term “illicit trafficking” means receiving, possessing, owning, storing, using, transporting, reconstruction, disposing or distributing nuclear materials without legitimate authority.
5. The term “sabotage” means any of the following actions by which the health, safety and property of people or the environment may be jeopardized through the discharge of radioactive materials or radiation exposure without legitimate authority:
 - a. Actions that destroy or damage nuclear materials or nuclear facilities or trigger a cause thereof; and
 - b. Actions that obstruct or attempt to obstruct normal operation of nuclear facilities.
- 5-2. “Computers and information systems of nuclear reactor facilities” shall mean the electronic control and management systems of the nuclear reactor facilities and the ICT network under Article 2 (1) 1 of the Act on the Promotion of Information and Communications Network Utilization and Information Protection.
- 5-3. “Electronic intrusions” shall mean attacks launched against the computers and information systems of nuclear reactor facilities by such means as hacking, computer

viruses, logics, mail bombs, service refusal or electromagnetic pulses in order to bring about the illegal transfer of radioactive materials under use or storage or to sabotage radioactive materials.

6. The term “threat” means any of the following:
 - a. Sabotage;
 - b. Electronic intrusions
 - c. Use of nuclear materials to hurt the life/body of a person or inflict damages on property or the environment; and
 - d. Acquisition of nuclear materials to force a person, juridical person, public institution, international organization or country to take certain action.
7. The term “radiological emergency” means a situation where urgent response actions are required because of leakage or feared leakage of radioactive materials or radiation.
8. The term “radiological disaster” means a disaster requiring a response at the state level because of the escalation of a radiological emergency into a situation where life and property of people or the environment may be damaged.
9. The term “emergency planning zone” means the following zones among those that have been designated pursuant to Article 20-2 because focused emergency measures must be devised for such purposes as enabling public protection in the event of a radiological emergency or a radiological disaster at nuclear facilities.
 - a. Zones for preventive protection actions: Zones designated for taking preventive actions for protecting the residents when a radiation emergency occurs, including the evacuation of the residents in advance; or
 - b. Zones for planned emergency protective actions: Zones designated for taking emergency protective actions for the residents when radioactivity emergency or disaster occurs at a nuclear energy facility, including relief or evacuation based on the outcome of radioactivity impact assessment or environment monitoring.
10. The term “nuclear licensee” means any of the following persons:
 - a. Person who has obtained a permit to construct a nuclear power reactor and related facilities as provided in Article 10 of the Nuclear Safety Act;
 - b. Person who has obtained a permit to operate a nuclear power reactor and related facilities as provided in Article 20 of the Nuclear Safety Act;
 - c. Person who has obtained a permit to construct/operate nuclear reactors for research or educational purposes and related facilities as provided in Article 30 of the Nuclear Safety Act;
 - d. Operator of a foreign nuclear-powered ship that filed a report of its entry into or departure from a harbor of the Republic of Korea as provided in Article 31 of the Nuclear Safety Act;
 - e. Person who has obtained a permit to conduct the refining or fabrication business of nuclear raw materials or nuclear fuel materials as provided in Article 35 (1) of the Nuclear Safety Act;
 - f. Person who has been designated for spent nuclear fuel processing business as

- provided in Article 35 (2) of the Nuclear Safety Act;
- g. Person determined and publicly notified by the Nuclear Safety and Security Commission under Article 3 of the Act on Establishment and Operation of the Nuclear Safety and Security Commission(hereinafter referred to as “Commission”), among those who have obtained a permit to use or possess nuclear fuel materials as provided in Article 45 of the Nuclear Safety Act;
 - h. Person who has obtained a permit to construct/operate the storage, processing and disposal facilities of radioactive wastes and adjunct facilities thereof as provided in Article 63 of the Nuclear Safety Act; and
 - i. Other persons as prescribed by the Presidential Decree to satisfy the necessity of formulating and executing protection and disaster prevention measures as related to radioactive materials, nuclear materials or nuclear facilities.

(2) Terms used herein other than those set forth in the foregoing Paragraph (1) shall have the same meanings as provided in the Nuclear Safety Act.

Chapter II Physical Protection of Nuclear Materials and Nuclear Facilities

Article 3 (Formulation of Physical Protection Policies)

(1) The government shall devise policies for physical protection (hereinafter referred to as “physical protection policies”) of nuclear materials and nuclear facilities (hereinafter referred to as “nuclear facilities, etc.”).

(2) Physical protection policies shall contain each of the following:

1. Protection against illicit trafficking of nuclear materials;
2. Measures to find and retrieve lost or stolen nuclear materials;
3. Prevention of sabotage of nuclear facilities, etc.;
- 3-2. Prevention of electronic intrusions,
4. Measures as regards a radiological impact caused by sabotage of nuclear facilities, etc. and ;
5. Countermeasures against radiation impacts caused by electronic intrusions.

Article 4 (Establishment of a Physical Protection System)

(1) The government shall assess threats against nuclear facilities, etc. on a regular basis and set up a physical protection system in order to implement physical protection policies. In such case, matters necessary for the assessment of threats against nuclear facilities, etc. and establishment of the physical protection system shall be prescribed

by the Presidential Decree.

(2) The Commission may request the heads of the central administrative agencies concerned to provide cooperation, if deemed necessary in his reasonable discretion, for the establishment of the physical protection system as provided in the foregoing Paragraph (1).

(3) The Commission may request or order to a person of each of the following to take necessary measures as prescribed by the Presidential Decree including procurement of protection-related facilities and equipment and control of management thereof, if deemed necessary in his reasonable discretion, for the establishment of the physical protection system as provided in the foregoing Paragraph (1).

1. Special metropolitan city mayor / metropolitan city mayors / special automotive city mayors / provincial governor / special self provincial governor (hereinafter referred to as “metropolitan city mayor/provincial governor”) who have competent jurisdiction over all or a part of an emergency planning zone;
2. City mayor/county chief/district chief (meaning the head of an autonomous district) who have competent jurisdiction over all or a part of an emergency planning zone;
3. Nuclear licensee, and
4. Heads of public institutions, public groups and social groups as prescribed by the Presidential Decree (hereinafter referred to as “designated institutions”).

(4) The head of an institution and a nuclear licensee, who receives such request or order as provided in the foregoing Paragraphs (2) and (3), shall comply with such request or order unless there exist any special circumstances.

Article 5 (Physical Protection Council of Nuclear Facilities, etc.)

(1) The Physical Protection Council of Nuclear Facilities, etc. (hereinafter referred to as the “Protection Council”) shall be set up under the Commission for the deliberation of major national policies on physical protection of nuclear facilities, etc.

(2) The Chairman of the Protection Council shall be the chairman of the Nuclear Safety and Security Commission, and members of the Protection Council shall consist of one high level government employee or equivalent from Ministry of Strategy and Finance, Ministry of Science, ICT and Future planning, Ministry of National Defense, Ministry of Public Administration and Home Affairs, Ministry of Agriculture, Food and Rural Affairs, Ministry of Trade, Industry and Energy, Ministry of Health and Welfare, Ministry of Environment, Ministry of Land, Transport and Maritime Affairs, Ministry of Oceans and Fisheries, Ministry of Public Safety and Security (In the case of Ministry of National Defense, equivalent ministerial officer shall be relevant), the designation of which shall be made by the head of relevant organization, and employees of the central government agencies or the heads of related entities/organizations as provided under the Presidential Decree.

(3) Matters necessary for the operation of the Protection Council, etc. shall be prescribed by the Presidential Decree.

Article 6 (Functions of the Protection Council)

The Protection Council shall deliberate on each of the following:

1. Major policies related to physical protection;
2. Establishment of a physical protection system;
3. Matters of cooperation among the institutions concerned for implementation of a physical protection system;
4. Evaluation of a physical protection system; and
5. Other matters submitted to a meeting thereof by the chairman thereof as deemed necessary, in his reasonable discretion, in connection with physical protection.

Article 7 (Local Protection Council)

(1) Metropolitan city/provincial protection councils shall be set up under the command of a metropolitan city mayor/provincial governor, and the city/county/district protection councils under the command of a city mayor/county chief/district chief in a local government where nuclear facilities, etc. as prescribed by the Presidential Decree are located, for the purpose of deliberating on matters related with physical protection of nuclear facilities, etc. under its jurisdiction.

(2) A metropolitan city mayor/provincial governor shall serve as the chairman of the metropolitan city/provincial protection council and a city mayor/county chief/district chief shall serve as the chairman of the city/county/district protection council.

(3) The local protection councils (meaning the metropolitan city/provincial protection councils and city/county/district protection councils; hereinafter the same shall apply) shall deliberate on each of the following:

1. Major policies related to physical protection of the relevant area;
2. Establishment of a physical protection system in the relevant area;
3. Matters of cooperation among the institutions concerned for the implementation of a physical protection system for the relevant area;
4. Evaluation of a physical protection system in the relevant area; and
5. Other matters submitted to a meeting thereof by the chairman thereof as deemed necessary in his reasonable discretion, in connection with physical protection of the relevant area.

(4) Matters necessary for the operation/composition, etc. of a local protection council shall be prescribed by the Presidential Decree.

Article 8 (Classification of Nuclear Materials Subject to Physical Protection, etc.)

(1) Nuclear materials subject to physical protection shall be classified into Grade

I, Grade II and Grade III, as set forth under the Presidential Decree considering their potential hazard levels.

(2) Each of the following requirements in regard to physical protection of nuclear facilities, etc. in connection therewith shall be prescribed by the Presidential Decree:

1. Protection requirements regarding illicit trafficking; and
2. Protection requirements regarding sabotage.
3. Requirements for protection against electronic intrusions.

Article 9 (Responsibilities of Nuclear Licensee regarding Physical Protection)

(1) A nuclear licensee shall obtain the approval of the Commission in respect to each of the following, as prescribed by the Presidential Decree, and the same shall apply in cases where he intends to make any change therein. Provided, however, that in cases where he intends to change any minor matters as prescribed by the Ordinance of the Prime minister, he shall file a report thereof to the Commission:

1. Physical protection facilities/equipment and operation system thereof for such matters as set forth in each subparagraph of Article 3 (2) hereof;
2. Regulations for physical protection of nuclear facilities, etc. (hereinafter referred to as “physical protection Regulations”); and
3. Planned measures against illicit trafficking of nuclear materials and threats to nuclear facilities, etc. (hereinafter referred to as “protection emergency plan”).
4. Security regulations on the protection of computers and information systems of nuclear reactor facilities against electronic intrusions (“information system security regulations” hereinafter).

(2) Detailed standards including guidelines for the formulation of those set forth in each subparagraph of the foregoing Paragraph (1) shall be prescribed by the Ordinance of the Prime minister.

Article 9-2 (Education on physical protection)

(1) The employees of a nuclear reactor facility and the employees of organizations or agencies related to physical protection as determined and announced by the Commission shall receive education on physical protection conducted by the Commission as provided under the Presidential Decree (including security education for computers and information systems of nuclear reactor facilities).

(2) The Commission may designate education agencies that will be responsible for education under Paragraph (1).

(3) Matters required for conducting the physical protection education under Paragraph (1) shall be set forth under the Presidential Decree.

Article 9-3 (Training on physical protection)

- (1) Nuclear energy facility operators shall develop and implement training on physical protection after obtaining approval from the Commission as set forth in the Ordinance of the Prime minister.
- (2) Nuclear energy facility operators shall report the outcome to the Commission after implementing physical protection training under Paragraph (1). In such case, the Commission may evaluate the physical protection training conducted pursuant to Paragraph (1).
- (3) The Commission may order nuclear energy facility operators to take the necessary actions, including the revision of their physical protection regulations, when deemed necessary based on the outcome of its evaluation pursuant to the latter part of Paragraph (2). In such case, nuclear energy facility operators shall report to the Commission their plan to follow the order and the outcome of their actions.

Article 10 (Request for Support from Military Units, etc.)

- (1) When a nuclear licensee deems that there exists an actual or feared threat to nuclear materials, he may request the head of a military unit, police station or other administrative agencies of competent jurisdiction to provide support in protecting nuclear energy facilities, etc., or recovering nuclear materials that are lost or stolen.
- (2) The head of a military unit, police station or other administrative agencies who is requested to provide support according to the foregoing Paragraph (1) shall comply with such request unless there exist special circumstances.

Article 11 (Report, etc.)

In those cases where there exists a threat to nuclear facility, etc. or where a nuclear licensee requests the head of a military unit, police station or other administrative agencies of competent jurisdiction to provided support according to Article 10 (1) hereof, the nuclear licensee shall make a report thereof to the Commission as prescribed by the Ordinance of the Commission, and give notice thereof to a city mayor/county chief/district chief of competent jurisdiction.

Article 12 (Inspection, etc.)

- (1) As regards physical inspection of nuclear facilities, etc, a nuclear licensee shall undergo inspection by the as prescribed by the Presidential Decree.
- (2) If the results of an inspection as provided in the foregoing Paragraph (1) fall under any of the following, the Commission may order the nuclear licensee to make rectification thereof:
 1. When there has been any violation of the protection requirements as provided

in Article 8 (2) hereof;

2. When facilities/equipment for physical protection or the operation system thereof as provided in Article 9 (1) 1 hereof fail to meet any standards prescribed by the Ordinance of the Commission;
3. When there has been any violation of physical protection regulations;
4. When measures taken under a protection emergency plan are not adequate;
- 4-2. When the information system security regulations are violated;
5. When the regulations on physical protection, emergency protection plans, and information system security regulations need to be complemented;
6. When one fails to receive education under Article 9-2;
7. When one fails to implement a physical protection training as planned under Paragraph (1), Article 9-3 or one fails to revise the plan to follow the order set forth in Paragraph (3) of the same Article.

Article 13 (Protection regarding International Transportation of Nuclear Materials)

Any person, who has not received assurances from the country concerned that nuclear materials being internationally transported will be protected according to the requirements of the Convention on the Physical Protection of Nuclear Materials and Nuclear Energy Facilities, shall not export or import nuclear materials to or from such country.

Article 13-2 (International cooperation, etc.)

(1) When the Foreign Minister is informed of the performance or preparation of a crime under Article 47, he shall advise the relevant international organizations or states of such information pursuant to the International Convention on the Suppression of Nuclear Terrorism, Convention on the Physical Protection of Nuclear Materials and Nuclear Energy Facilities, or other international conventions or bilateral agreements when he believes the information has grounds and the degree of crime is objectively crucial.

(2) Notwithstanding Paragraph (1), the Foreign Minister may refrain from giving such notification under Paragraph (1) when he believes that such would violate other statutes or may harm the safety of the Republic of Korea or other states.

Article 14 (Preparation and Maintenance of Records)

A nuclear licensee shall record matters pertaining to physical protection of nuclear facilities, etc. as prescribed by the Ordinance of the Commission and maintain such records at each place of business.

Article 15 (Confidentiality, etc.)

Any members of the Protection Council (including local protection councils), government employees or related personnel, who are engaging in or have engaged in such affairs as provided in Articles 3 through 14 hereof, shall not divulge any confidential information regarding physical protection that they acquire in the course of performing such affairs, nor use such information for any purpose other than the enforcement of this Act.

Article 16 (Scope of Application)

Provisions in this chapter shall apply to domestic nuclear facilities, etc. that are used for peaceful purposes and nuclear materials being transported internationally from or to the Republic of Korea.

Chapter III Radiological Emergency Management Measures

▣ Section 1 Radioactive Disaster Management and Response System

Article 17 (Types of Radiological Emergencies)

- (1) Radiological emergencies of nuclear facilities, etc. are classified as: an alert, site area emergency and general emergency, according to the degree and situation of an accident.
- (2) The standards for the types of radiological emergencies as provided in the foregoing Paragraph (1), response procedures by type of emergencies and other necessary matters shall be prescribed by the Presidential Decree.

Article 18 (Formulation of a National Radiological Emergency Plan, etc.)

- (1) The Commission shall formulate a plan (hereinafter referred to as “National Radiological Emergency Plan”) related with affairs regarding radiological emergencies and radiological disasters (hereinafter referred to as “radiological disasters, etc.”) and submit such plan to the Prime Minister as prescribed by the Presidential Decree, and the Prime Minister shall finalize such plan based on deliberation by the Central Safety Committee as provided in Article 9 of the Framework Act on Management of Disaster and Safety and instruct the heads of the central administrative agencies concerned of such finalized plan.
- (2) The Commission shall instruct a metropolitan city mayor/provincial governor and

city mayor/county chief/district chief, who have competent jurisdiction over all or a part of an emergency planning zone, of the National Radiological Emergency Plan finalized according to the foregoing Paragraph (1).

(3) The Commission and the heads of the central administrative agencies concerned shall instruct the heads of designated institutions of matters delegated to them among the provisions of the National Radiological Emergency Plan.

Article 19 (Formulation of a Local Radiological Emergency Plan, etc.)

(1) A metropolitan city mayor/provincial governor and city mayor/county chief/district chief, who have competent jurisdiction over all or a part of an emergency planning zone, shall coordinate plans related to the control of radiological disasters, etc. at designated institutions in the area of their competent jurisdiction in accordance with the National Radiological Emergency Plan instructed as provided in Article 18 (2) hereof, and formulate metropolitan city/provincial radiological emergency plans and city/county/district radiological emergency plans (hereinafter referred to as “local radiological emergency plans”), respectively.

(2) A metropolitan city mayor/provincial governor and city mayor/county chief/district chief, who has formulated local radiological emergency plans, shall submit such plans to the Commission and give notice thereof to the heads of designated institutions in the area of their competent jurisdiction.

(3) The Commission may request the head of the local government concerned to rectify or supplement the local radiological emergency plan submitted as provided in the foregoing Paragraph (2) if it is deemed in his reasonable discretion, that such plan is not adequate to respond to and control radiological disasters, etc.

Article 20 (Radiological Emergency Plan of a Nuclear Licensee)

(1) In order to prepare for a possible radiological disaster, etc. at nuclear facilities, etc., a nuclear licensee shall formulate a radiological emergency plan (hereinafter referred to as “radiological emergency plan”) as prescribed by the Presidential Decree, and obtain approval thereof from the Commission prior to commencement of the use of nuclear facilities, etc., and the same shall apply when he intends to make any change thereto. Provided, that in cases where he intends to change any minor matters as determined by the Commission, he shall file a report thereof to the Commission.

(2) In those cases where a nuclear licensee intends to formulate or change a radiological emergency plan as provided in the foregoing Paragraph (1), he shall give prior notice thereof to the metropolitan city mayor/provincial governor, city mayor/county chief/district chief and heads of designated institutions who have competent jurisdiction over all or a part of an emergency planning zone. In such case, the relevant metropolitan city mayor/provincial governor, city mayor/county

chief/district chief and heads of designated institutions may submit an opinion on the radiological emergency plan of the nuclear licensee to the Commission. Provided, that this shall not apply in cases where he intends to change any minor matters as determined by the Commission.

(3) In case of receiving a report pursuant to the proviso to paragraph (1), the Nuclear Safety and Security Commission shall review the content and receive the report if it conforms to the Act.

(4) Detailed standards for the formulation of a radiological emergency plan shall be prescribed by the Ordinance of the Prime Minister.

Article 20-2 (Designation, etc., of radiation emergency plan zones)

(1) The Commission shall publish areas that will provide a base for the designation of radiation emergency plan zones by type of nuclear energy facilities (“base areas”). In case nuclear energy facilities fall under power generation nuclear reactors or related facilities, they shall comply with the following standards:

1. Preventive protection action zones: Zones within a radius of 3 ~ 5 kilometers from the area where a power generation nuclear reactor or the related facilities are installed
2. Zones for planned emergency protective actions: Zones within a radius of 20 ~ 30 kilometers from the area where a power generation nuclear reactor or the related facilities are installed

(2) Nuclear energy facility operators shall designate zones for planned emergency protective actions considering the following in consultation with the competent mayor or provincial governor responsible based on the area published by the Commission:

1. Inherent characteristics of the area, including population distribution, road networks, and topographic features, and;
2. Effectiveness of emergency actions for the protection of the residents, etc., when a radiation emergency or a radioactivity disaster occurs at the relevant nuclear energy facilities.

(3) Nuclear licensee shall obtain approval from the Commission when planning to designate zones for radiation emergency plans. This shall also apply when they plan to modify or renounce them.

(4) Nuclear licensee shall reflect -- on their radiation emergency plans under Article 20 -- the zones for radiation emergency plans as designated pursuant to Paragraph (2).

(5) The Presidential Decree shall set forth the regulations required for the publication by the Commission under Paragraph (1) and the consultation procedures pursuant to Paragraph (2).

Article 21 (Obligations of a Nuclear Licensee, etc.)

(1) A nuclear licensee shall take each of the following measures to prevent radiological

disasters, etc., control the spread thereof and cope with such. Provided, that the provisions of the following Subparagraphs 2 and 6 shall not apply to any small-scale nuclear licensee as prescribed by the Presidential Decree:

1. In the event of a radiological emergency, submission of a report thereof to the Commission and the metropolitan city mayor/provincial governor and city mayor/county chief/district chief of competent jurisdiction in accordance with procedures set out in the relevant radiological emergency plan;
 2. Installation/operation of an organization to prepare for potential radiological disasters, etc;
 3. Disclosure of information related to radiological disasters, etc. that have taken place;
 4. Emergency actions to prevent the spread of a radiological accident, and radiological protection measures necessary to reduce radiation exposure of emergency action staff, etc.;
 5. In the event of any request from the head of a local emergency management center as provided in Article 27 hereof and the head a designated institution, provision of such support as dispatch of radiological emergency staff, provision of technical advisory services and making available radiation measuring apparatus, etc.;
 6. Procurement of manpower and organization dedicated to prepare for potential radiological disasters, etc.; and
 7. Other matters prescribed by the Presidential Decree as measures deemed necessary to cope with radiological disasters, etc.
- (2) Necessary matters as regards technical standards, etc. for the implementation of matters set out in each subparagraph of the foregoing Paragraph (1) shall be prescribed by the Ordinance of the Prime minister.

Article 22 (Report of Radiological Accidents, etc.)

- (1) Any person, who detects a fire/accident of a vehicle/ship, etc. transporting radioactive materials or finds any radioactive materials or suspected radioactive materials at a place other than nuclear facilities, shall promptly make a report thereof to the Commission, local government, fire station, police station, or a nearby military unit.
- (2) The head of an institution other than the Commission who receives such report as provided in the foregoing Paragraph (1) shall promptly make a report thereof to the Commission.
- (3) If a report as provided in the foregoing Paragraph (1) or the foregoing Paragraph (2) is made, a report or notice as prescribed in Article 19 of the Framework Act on Management of Disaster and Safety shall be deemed completed, respectively.

Article 22-2 (Emergency Measures)

- (1) Where the Commission recognizes that emergency measures are required to protect the lives and health of people or the environment from a radiation accident, diffusion of radioactive contamination, or the risk thereof, it may take necessary measures for the removal of radioactive contamination sources, prevention of diffusion of radioactive contamination, or other purposes.
- (2) The Commission may issue a request or order to central administrative agencies, designated institutions or relevant corporations or individuals for necessary cooperation with emergency measures under paragraph (1).
- (3) Those so requested or ordered by the Commission pursuant to paragraph (2) shall comply therewith, unless extenuating circumstances exist.
- (4) Those who take emergency measures under paragraph (1) shall carry a certificate indicating such authority and produce it to the individuals involved.
- (5) The Commission shall limit the duties of those who take emergency measures under paragraph (1) to the required scope, so as not to unnecessarily restrict other persons' rights or interrupt them in their legitimate duties.

Article 23 (Declaration and Report of a Radiological Disaster)

- (1) In those cases where any of the following radiological disasters takes place, the Commission shall promptly declare that a radiological disaster has occurred:
 1. When the measured and assessed radiation exposure quantity is in excess of the standard prescribed by the Presidential Decree;
 2. When the measured ambient exposure rate or contamination level is in excess of the standard as prescribed by the Presidential Decree; and
 3. When the Commission acknowledges, in his reasonable discretion, that it is necessary to declare a radiological disaster.
- (2) If the Commission declares a radiological disaster as provided in the foregoing Paragraph (1), he shall promptly report each of the following to the President through the Prime Minister:
 1. Overview of the situation of a radiological disaster;
 2. The area where an urgent response action for a radiological disaster must be executed; and
 3. Details of the urgent response action regarding a radiological disaster.

Article 24 (Notification of the Occurrence of a Radiological Disaster)

- (1) If the Commission receives a report as provided in Article 21 (1) 1 hereof or declares a radiological disaster as provided in Article 23 (1) hereof, he shall promptly give notice thereof to the institutions concerned in accordance with the National Radiological Emergency Plan.

(2) If the Commission declares a radiological disaster, he shall cause the metropolitan city mayor/provincial governor and city mayor/county chief/district chief of competent jurisdiction to immediately inform the residents in the area subject to or feared to be subject to a radiological impact of such radiological disaster so that they can take the necessary responsive measures, as prescribed by the Presidential Decree.

Article 25 (Installation of the National Emergency Management Committee)

(1) The Commission shall set up the National Radiological Emergency Management Committee (hereinafter referred to as “National Management Committee”) under his authority in order to take urgent actions in relation to radiological emergency management.

(2) The head of the central headquarters (“central headquarters head” hereinafter) shall be the chair of the Nuclear Safety and Security Commission and the members of the central headquarters shall consist of the Vice Minister of Strategy and Finance, the Vice Minister of Education, the Vice Minister of Science, ICT and Future planning, the Vice Minister of Foreign Affairs, the Vice Minister of National Defense, the Vice Minister of Government Administration and Home Affairs, the Vice Minister of Agriculture, Food and Rural Affairs, the Vice Minister of Trade, Industry and Energy, the Vice Minister of Health and Welfare, the Vice Minister of Environment, the Vice Minister of Ministry of Land, Infrastructure and Transport, the Vice Minister of Oceans and Fisheries, the Vice Minister of Public Safety and Security, the Vice Minister of Government Policy Coordination, the Minister of Food and Drug Safety, the Commissioner General of the Korean National Police Agency, the Administrator of the Korea Meteorological Administration, the division heads responsible for fire prevention or the coastal guard-related administrative service of the Ministry of Public Safety and Security, government employees of the central government agencies, and the heads of related entities and organizations as provided under the Presidential Decree.

(3) The National Management Committee shall have one (1) secretary, who shall be designated by the head of the National Management Committee among employees of the Commission.

(4) Matters necessary for the operation, etc. of the National Management Committee shall be prescribed by the Presidential Decree.

Article 26 (Authority of the Head of National Management Committee)

The head of the National Management Committee shall have each of the following authority to effectively cope with radiological disasters:

1. Command over the head of the off-site emergency management center as provided in Article 28 hereof;

2. Command over the heads of the radiological emergency technical advisory center and the radiological emergency medical service center as provided in Article 32 hereof;
3. Authority as the head of the National Management Committee as provided in Article 15 of the Framework Act on Management of Disaster and Safety; and
4. Other authorities as prescribed by the Presidential Decree to cope with radiological disasters.

Article 27 (Installation of Local Emergency Management Centers)

- (1) The metropolitan city mayor/provincial governor and city mayor/county chief/district chief, who have competent jurisdiction over all or part of an emergency planning zone, shall respectively set up a metropolitan city/provincial emergency management center and city/county/district emergency management center (hereinafter referred to as “local management center”) when a report of a radiological emergency as provided in Article 21 (1) 1 hereof or a notice of a radiological disaster as provided in Article 24 (1) hereof is received.
- (2) A metropolitan city mayor/provincial governor or a city mayor/county chief/district chief shall respectively serve as the head of the local management center (hereinafter referred to as “head of a local management center”) as provided in the foregoing Paragraph (1).
- (3) Matters necessary for the composition/operation of the local management center shall be prescribed by the Presidential Decree.

Article 28 (Installation of Off-Site Emergency Management Center)

- (1) The Commission shall set up an off-site emergency management center (hereinafter referred to as “off-site management center”) in an area adjacent to the place, where a nuclear power reactor and other nuclear facilities as prescribed by the Presidential Decree are located, for the purpose of rapid command and control of radiological disasters, etc. and collection and notification of disaster information.
- (2) An employee of the Commission as designated by the Commission shall serve as the head of an off-site management center, and employees or officers of central administrative agencies, local governments and designated institutions (hereinafter referred to as “related officers”) as prescribed by the Presidential Decree shall be dispatched to such off-site management center.
- (3) A joint public information center shall be set up and operated at the off-site management center in order to provide accurate and unified information on radiological disasters, etc. Provided, that a joint public information center shall be set up and operated at the city/county/district emergency management center until operation of the off-site management center is commenced.
- (4) Matters necessary for the composition/operation and so forth of the off-site

management center as provided in the foregoing Paragraph (1) and the joint public information center as provided in the foregoing Paragraph (3) shall be prescribed by the Presidential Decree.

Article 29 (Authority of the Head of the Off-Site Management Center)

(1) The head of an off-site management center shall have each of the following authority as regards coping with radiological disasters, etc.:

1. Command over the head of the city/county/district emergency management center in connection with radiological disasters, etc. as provided in Article 27 hereof;
2. Assignment of duties to related officers dispatched by central administrative agencies, local governments and designated institutions as provided in Article 28 (2) hereof;
3. Decisions on urgent public protective actions including sheltering, evacuation, restrictions on the ingestion of food and water, and distribution of iodine prophylaxis;
4. Decisions on the control of the carry-out of food, beverages, and agricultural, livestock and fishery products from an area in which a radiological disaster, etc. has taken place or control of consumption thereof, and so forth;
5. Decisions on operation as provided in Article 40 through 42 of the Framework Act on Management of Disaster and Safety;
6. Decisions on operation of helicopter as provided in Article 51 (4) of the Framework Act on Management of Disaster and Safety; and
7. Radiation protection actions necessary for emergency rescue activities by the urgent rescue control center at the site of a radiological disaster as provided in Article 52 of the Framework Act on Management of Disaster and Safety.

(2) Related officers, who are dispatched to an off-site management center to engage in emergency management activities as provided in Article 28 (2) hereof, shall comply with the directions provided by the head of the off-site management center as provided in the foregoing Paragraph (1). Provided, that any person, who engages in urgent rescue activities at the site of a radiological disaster, shall comply with the directions from the commander or head of the city/county/district urgent rescue center as prescribed in Article 52 (1) of the Framework Act on Management of Disaster and Safety.

(3) Technical standards as regards the measures set forth in Subparagraphs 3, 4 and 7 of the foregoing Paragraph (1) and details of the Off-site command shall be prescribed by the Ordinance of the Prime minister

Article 30 (Off-Site Emergency Management Center Advisory Committee)

(1) In those cases where the head of an off-site management center intends to make a decision in respect to such matters as set out in Subparagraphs 3, 4 and 5 of Article 29 (1) hereof, he shall base such decision on the opinions of the off-site emergency management center advisory committee (hereinafter referred to

as the “advisory committee”) comprising related officers from the relevant central administrative agencies, local governments and designated institutions. In such case, the head of the local management center shall implement such decision.

(2) Matters necessary for the composition/operation and so forth of the advisory committee shall be prescribed by the Presidential Decree.

Article 31 (Reprimands, etc.)

(1) The head of an off-site management center may provide a list of related officers, who failed to comply with the directions provided in the main clause of Article 29 (2) hereof or were negligent in performing their assigned duties, to the heads of the institutions to which such officers belong.

(2) The heads of the institutions who receive such notice as provided in the foregoing Paragraph (1) shall take appropriate measures including reprimanding those related officers.

Article 32 (Technical Support for Radiological Emergency Management, etc.)

(1) The Radiological Emergency Technical Advisory Center (hereinafter referred to as the “technical advisory center”) shall be organized under the command of the president of the Korea Institute of Nuclear Safety under the Korea Institute of Nuclear Safety Act in order to provide technical support necessary to cope with a radiological disaster when such a disaster takes place.

(2) The Radiological Emergency Medical Service Center (hereinafter referred to as “medical service center”) shall be set up under the command of the president of the Korea Institute of Radiological and Medical Sciences as provided in Article 13 (2) of the Act on Promotion of Utilization of Radiation and Radioisotopes in order to take medical actions for those who have been or are feared to be injured by radiation due to a radiological disaster.

(3) The head of the Korea Institute of Nuclear Safety referred to in paragraph (1) shall set up and operate an information system necessary for radiological impact assessments, etc. in preparation for radioactivity disasters, etc.

(4) The matters necessary for the composition and operation of the technical support division and medical support division, the establishment and operation of the information system pursuant to paragraph (1), etc. shall be prescribed by Ordinance of the Prime Minister.

Article 33 (Cancellation of a State of Radiological Disaster)

(1) The head of the National Management Committee may cancel a state of radiological disaster based on advice from the head of the technical advisory center, when such radiological disaster has been resolved.

(2) In those cases where the state of radiological disaster is cancelled in accordance with the foregoing Paragraph (1), the heads of the National Management Committee and local management center shall disband the National Management Committee and local management center.

Article 34 (Relations to Basic Civil Defense Plan, etc.)

(1) National Radiological Emergency Plans, metropolitan city/provincial radiological emergency plans or city/county/district radiological emergency plans hereunder shall be respectively deemed the plans to deal with radiological disasters among the basic plans under Article 11 of the Framework Act on Civil Defense, metropolitan city/provincial plans under Article 13 thereof or city/county/district plans under Article 14 thereof.

(2) National Radiological Emergency Plans, metropolitan city/provincial radiological emergency plans or city/county/district radiological emergency plans hereunder shall be respectively deemed the plans to deal with radiological disasters among the national disaster management plans under Article 22 of the Framework Act on Management of Disaster and Safety, metropolitan city/provincial disaster management plans under Article 24 thereof or city/county/district disaster management plans under Article 25 thereof.

(3) The National Management Committee hereunder shall be regarded as the national disaster safety management committee under Article 14 of the Framework Act on Management of Disaster and Safety, and the local management center hereunder as the local disaster safety management committee under Article 16 thereof.

▣ **Section 2 Staying Alert against Radioactive Disasters**

Article 35 (Radiological Disaster Response Facilities, etc.)

(1) A nuclear licensee shall secure facilities and equipment that fall under each of the following. Provided, that the provisions of the following Subparagraphs 4 and 5 shall not apply to a small-scale nuclear licensee as prescribed by the Presidential Decree:

1. Radiation or radioactivity monitoring facilities;
2. Radiation protection equipment;
3. Radioactivity decontamination facilities and equipment;
4. Facilities to monitor and assess the amount of radioactive materials released;
5. Emergency response facilities including the main control room, technical support center, operations support center and emergency operations facility;
6. Facilities for emergency communication with related institutions and alarms; and
7. Other facilities determined by the Commission as deemed necessary in his reasonable discretion, to cope with radiological disasters.

(2) As regards the standards for facilities and equipment as provided in the foregoing Paragraph (1), necessary matters shall be determined by the Ordinance of the Prime minister.

Article 36 (Radiological Emergency Training)

(1) Employees of a nuclear licensee, radiological emergency staff designated by metropolitan city mayor/provincial governor and city mayor/county chief/district chief who have competent jurisdiction over all or a part of an emergency planning zone, radiological emergency medical staff designated by the heads of primary and secondary radiological emergency medical institutions as provided in Article 39 (2) hereof and the employees of groups or institutions determined and publicly notified by the Commission shall undergo radiological emergency training conducted by the Commission as prescribed by the Presidential Decree.

(2) The Commission may designate an educational institution to take charge of such training as provided in the foregoing Paragraph (1).

(3) Matters necessary for the designation of radiological emergency staff and radiological emergency medical staff as provided in the foregoing Paragraph (1) shall be prescribed by the Presidential Decree.

Article 37 (Radiological Emergency Exercise)

(1) The Commission shall conduct a radiological emergency exercise involving the central administrative agencies concerned every five years as prescribed by the Presidential Decree.

(2) The metropolitan city mayor/provincial governor and city mayor/county chief/district chief, who have competent jurisdiction over all or a part of an emergency planning zone, shall conduct a radiological emergency exercise as prescribed by the Presidential Decree.

(3) A nuclear licensee shall formulate a radiological emergency exercise plan as prescribed by the Ordinance of the Prime minister and execute such plan with the approval of the Commission.

(4) The metropolitan city mayor/provincial governor and city mayor/county chief/district chief, who have competent jurisdiction over all or a part of an emergency planning zone, and a nuclear licensee shall report to the Commission the results of a radiological emergency exercises conducted as provided in the foregoing Paragraph (2) and Paragraph (3), respectively. In regard to such radiological emergency exercises conducted as provided in the foregoing Paragraphs (2) and (3), the Commission may evaluate the result of such exercises.

(5) The Commission may request or order the relevant metropolitan city mayor provincial governor, city mayor/county chief/district chief, heads of designated institutions and nuclear licensees to take necessary measures including complementation of a

radiological emergency plan, if deemed necessary in his reasonable discretion, based on the results of a radiological emergency exercise under the foregoing Paragraph (1) and evaluation as provided in the latter part of the foregoing Paragraph (4). In such case, the metropolitan city mayor/provincial governor, etc. who receive such request or order shall comply with the request or order and report the results thereof to the Commission.

Article 38 (Inspection)

(1) The Commission may inspect such matters as set forth in Article 21 and Articles 35 through 37 hereof with respect to a nuclear licensee:

(2) If the results of an inspection conducted in accordance with the foregoing Paragraph (1) fall under any of the following, the Commission may order the nuclear licensee concerned to make rectification thereof:

1. When those matters set forth in each subparagraph of Article 21 (1) hereof fail to meet the standards as provided in Article 21 (2) hereof;
2. When the facilities and equipment set forth in each subparagraph of Article 35 (1) hereof fail to meet the standards as provided in Article 35 (2) hereof;
3. If any employee of a nuclear licensee fails to receive training on radiological disasters as provided in Article 36 (1) hereof; and
4. Such radiological emergency exercise as provided in Article 37 (3) hereof is not conducted in accordance with an approved plan.

Article 39 (Establishment of a National Radiological Emergency Medical System)

(1) The government shall set up a national radiological emergency medical system in order to enhance medical capabilities regarding radiological emergencies such as providing emergency medical services to patients exposed to radiation.

(2) The national radiological emergency medical system as provided in the foregoing Paragraph (1) shall consist of the national radiological emergency medical service center (hereinafter referred to as “emergency medical center”) set up at the Korea Institute of Radiological and Medical Sciences as provided in Article 13-2 of the Act on Promotion of Utilization of Radiation and Radioisotopes and the primary and secondary radiological emergency medical institutions designated by the Commission by area on a nationwide basis.

(3) In respect of the functions/operation and designation standards of the emergency medical center and radiological emergency medical institutions under the foregoing Paragraph (2), support therefor and so forth, necessary matters shall be prescribed by the Presidential Decree.

Article 40 (International Cooperation, etc.)

In the event of a radiological disaster, the Commission shall notify the International

Atomic Energy Agency and related countries of the details of such radiological disaster and request emergency assistance, if necessary, under the Convention on Early Notification of a Nuclear Accident, Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, other international conventions and bilateral agreements.

■ Section 3 Follow-Up Measures, etc.

Article 41 (Mid- to Long-Term Radiological Impact Assessment and Damage Restoration Plan, etc.)

(1) In dissolving a local management center according to Article 33 (2) hereof, the head of the local management center shall assess a mid- to long-term radiological impact on the area where a radiological disaster has occurred and formulate a restoration plan based on consultation with the head of the technical advisory center.

(2) In formulating a restoration plan as provided in the foregoing Paragraph (1), the head of a local management center shall engage in consultation with the head of the National Management Committee.

Article 42 (Implementation of Post-Radiological Disaster Measures, etc.)

(1) If the state of radiological disaster is cancelled as provided in Article 33 hereof, a metropolitan city mayor/provincial governor, city mayor/county chief/district chief, head of a designated institution, nuclear licensee or the head of an institution in charge of coping with a radiological disaster shall formulate and implement posterior measures as prescribed by the Presidential Decree.

(2) Such posterior measures as provided in the foregoing Paragraph (1) shall include each of the following:

1. Investigation of radioactive material concentration or radiation dose in the area where a radiological disaster has occurred and other necessary areas;
2. Medical checkup of residents, etc., medical counseling in consideration of their psychological impact and other necessary medical services;
3. PR regarding the impact caused by radioactive materials and ways to overcome damage; and
4. Other matters as prescribed by the Ordinance of the Prime minister including those measures for the prevention of the spread of a radiological disaster and restoration from damage.

Article 43 (Disaster Investigation, etc.)

(1) In the event of a radiological disaster, the Commission may organize an investigative committee and conduct an investigation of such disaster jointly with the local government

and nuclear licensee concerned.

(2) Those matters necessary for composition, operation and so forth of the investigation committee as provided in the foregoing Paragraph (1) shall be determined by the Presidential Decree.

Chapter IV Supplementary Provisions

Article 44 (Report, Inspection, etc.)

(1) The Commission may order to each of the following to file a report on their duties or to submit documents or complement submitted documents, or may provide guidance and supervision in regard of their duties, if deemed necessary in his reasonable discretion, for the enforcement hereof.

1. Metropolitan city mayor/provincial governor, city mayor/county chief/district chief;
2. Head of a designated institution;
3. Nuclear licensee;
4. Heads of the emergency medical center and radiological emergency medical institution as provided in Article 39 (2) hereof;
5. Head of an institution which performs affairs in connection with a physical protection or radioactivity disaster, and
6. Persons that handle nuclear materials among the internationally controlled materials as provided in Article 15 of the Nuclear Safety Act.

(2) When it falls under any case of the following, the Commission may cause employees of the Commission to inspect the place of business, documents, facilities and other necessary objects or make inquiries to the persons concerned, and collect a minimum amount of sample for such inspection, if deemed necessary in his reasonable discretion, for the prevention of a radiological disaster or if necessary to conduct inspections hereunder.

1. When it is necessary for the verification of such report or document as provided in the foregoing Paragraph (1);
2. When it is necessary for performance of the physical protection system or radioactivity disaster and
3. When it is necessary for the conduct inspections hereunder.

(3) In cases where there exists any violation of this Act, Convention on Physical Protection of Nuclear Material and Nuclear Facilities, Convention on Early Notification of a Nuclear Accident, Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, other international conventions or bilateral agreements based on the results of such inspection and inquiry as provided in the foregoing Paragraph (2), the Commission may order the rectification thereof.

(4) Any person who performs such inspection and inquiry as provided in the

foregoing Paragraph (2) shall carry an identification card displaying such authority and present such card to the persons concerned.

Article 45 (Entrustment of Duties)

(1) As prescribed by the Presidential Decree, the Commission may entrust to the Korea Atomic Energy Research Institute as provided in the Act on Establishment, Operation and Promotion of Government-sponsored Research Institutes in the Field of Science and Technology, Korea Institute of Radiological and Medical Sciences as provided in Article 13 (2) of the Act on Promotion of Utilization of Radiation and Radioisotopes, Korea Institute of Nuclear Safety as provided in the Korea Institute of Nuclear Safety Act, Korea Institute of Nuclear Non-Proliferation and Control as provided in the Nuclear Safety Act or other related professional institutions to perform each of the following functions, among the duties provided herein:

1. Assessment of threats against nuclear facilities, etc. according to Article 4 (1) hereof;
2. Deliberation related with approval according to Article 9 (1), Article 20 (1) and Article 37 (3) hereof;
3. Education under Article 9-2 (1) and Article 36 (1)
4. Assessment of training under Article 9-3 (2) and Article 37 (4)
5. Inspection under Article 12 (1) and Article 38 (1) hereof; and

(2) The Commission may collect the costs required to perform the duties provided under paragraph 1 from those who are reviewed, inspected, educated or assessed pursuant to the Items of paragraph 1 as provided under the Presidential Decree.

(3) Deleted.

(4) The officers and employees of an institution or a professional institution concerned performing the duties entrusted by the Commission in accordance with the foregoing Paragraph (1) shall be regarded government employees in respect to application of penalties under the Criminal Act and other laws.

Article 46 (Assistance for Local Governments, etc.)

(1) The Commission may render necessary assistance in regard to the measures implemented by a local government for the prevention of any radiological disaster as provided in Articles 36 and 37 hereof and operation of a radiological emergency medical institution as provided in Article 39 (2) hereof.

(2) A metropolitan city mayor/provincial governor and city mayor/county chief/district chief, who have competent jurisdiction over an area where a nuclear power plant, disposal facilities, etc. are located, may apply a part of the subsidy granted under Article 13 of the Act on Assistance to Electric Power Plants-Neighboring Areas to purchase/manage the facilities, equipment, etc. necessary for training or exercise as

provided in Article 36 (1) and Article 37 (2) hereof, as prescribed by the Presidential Decree.

Chapter V Penal Provisions

Article 47 (Penal Provisions)

(1) Any person, who has jeopardized the life/body of a person or property/environment by receiving, possessing, owning, storing, manufacture or use, transporting, reconstruction, disposing or dispersing radioactive materials, nuclear materials, nuclear explosion devices, radioactive material-dispersing devices, or radiation-discharging devices without legitimate authority, shall be punished by imprisonment for life or for not less than one (1) year.

(2) Punishment of any person, who has committed such crime as provided in Articles 329, 333, 347, 350 and 355 (1) of the Criminal Act in regard to radioactive materials, nuclear materials, nuclear explosion devices, radioactive material-dispersing devices, or radiation-discharging devices”, shall be assessed up to an additional half of the punishment provided in said articles thereof.

(3) Any person, who has engaged in an act of sabotage and electronic intrusions, shall be punished by imprisonment for not less than one (1) year and not more than ten (10) years.

(4) Those who have forced individuals, corporations, public entities, international organizations, or states to commit acts without authority or who have committed any of the following to obstruct their exercise of authority shall be punished based on the following categorization:

1. Those who have used radioactive materials, nuclear materials, nuclear explosion devices, radioactive material-dispersing devices, or radiation-discharging devices shall be sentenced to imprisonment with labor for two or more years, and;
2. Those who have committed acts of leaking radioactive materials by using or damaging nuclear energy facilities or facilities related to radioactive materials (meaning facilities or means for producing, storing, processing, disposing of, or transporting radioactive materials) shall be sentenced to life imprisonment or jail term of three or more years.

(5) Those who have threatened others by saying that they would commit a crime under Paragraph (1), (3) or (4) to harm the general public shall be sentenced to imprisonment of up to 7 years or fine of not more than 10 million won.

(6) Those who have organized an organization or a group for committing crimes under Paragraph (1) or Paragraphs (3) through (5), who have joined such organization or group, or who have performed activities as their member shall be punished based on the following categorization:

1. The ringleader shall be sentenced to capital punishment, life imprisonment, or

jail term of 10 or more years.

2. The cadre members shall be sentenced to life imprisonment or jail term of seven or more years.

3. The other members shall be sentenced to imprisonment for two or more years.

(7) Those who have possessed or manufactured radioactive materials, nuclear materials, nuclear explosion devices, radioactive material-dispersing devices, or radiation-discharging devices under Paragraph (1) or Paragraphs (3) through (5) shall be sentenced to up to 10 years' imprisonment.

(8) Any person, who has inflicted an injury upon another person by committing such crimes as provided in the foregoing Paragraph (1), (3) or (4) shall be punished by imprisonment for life or for not less than three (3) years. Any person, who has caused another person's death by committing such crimes as provided in the foregoing Paragraph (1) or (3), shall be punished by death or imprisonment for life or for not less than five (5) years.

(9) Any person, who has attempted a crime as provided in the foregoing Paragraphs (1) through (4), shall be punished.

(10) Any person, who has prepared or conspired with the intent of committing a crime as set forth in the foregoing Paragraphs (1) through (3), shall be punished by imprisonment for not more than five (5) years. Provided, that if such person voluntarily surrenders, such punishment shall be mitigated or exempted.

Article 48 (Penal Provisions)

Any person, who falls under any of the following, shall be punished by imprisonment for not more than ten (10) years:

1. Any person who has exported or imported nuclear materials in violation of Article 13 hereof; and
2. Any person who has divulged confidential information or used such information for any purpose other than the designated purpose thereof in violation of Article 15 hereof.

Article 49 (Penal Provisions)

Any person, who falls under any of the following, shall be punished by imprisonment for not more than three (3) years or a fine of not more than thirty million (30,000,000) won:

1. Any person who has failed to obtain approval, or approval of change, in violation of the main clause of Article 9 (1), main clause of Article 20 (1) or Article 37 (3) hereof;
2. Any person who has failed to file a report or made a false report in violation of Article 11, Article 21 (1) 1, former part of Article 37 (4), latter part of Article 37 (5) or Article 44 (1) hereof; and

3. Any person who has not undergone inspection in violation of Article 12 (1) hereof or who has refused, obstructed or avoided inspection as provided in Article 38 (1) or Article 44 (2) hereof or made a false statement.

Article 50 (Penal Provisions)

Any person, who falls under any of the following, shall be punished by imprisonment of not more than one (1) year or a fine of not more than ten million (10,000,000) won:

1. Nuclear licensee who has violated an order as provided in Article 4 (3), Article 12 (2), former part of Article 37 (5), Article 38 (2), Article 44 (1) or Article 44 (3) hereof; and
2. Nuclear licensee who has failed to take emergency measures or radiological protection measures in violation of Article 21 (1) 4 hereof.

Article 51 (Joint Penal Provisions)

If the representative of a juridical person, or the agent, employee or any other worker of a juridical person or an individual commits such violation as prescribed in Article 49 or 50 hereof in connection with the affairs of said juridical person or individual, not only such violator shall be punished accordingly, but the juridical person or individual shall be punished by a fine under the relevant Article. Provided, That this shall not apply where the juristic person or the individual has not neglected to pay due attention and supervision concerning the relevant business in order to prevent such violation.

Article 52 (Fine for Negligence)

(1) Any person, who falls under any of the following, shall be punished by a fine for negligence of not more than ten million (10,000,000) won:

1. Any person who has failed to file a report or filed a false report in violation of the provisos of Article 9 (1) or Article 20 (1) hereof;
2. Any person who has failed to make records or made false records in violation of Article 14 hereof;
3. Any person who has formulated or changed a radiological emergency plan without giving notice thereof to the relevant metropolitan city mayor/provincial governor, city mayor/county chief/district chief and heads of designated institutions in violation of the former part of Article 20 (2) hereof; and
4. Nuclear licensee who has not secured a dedicated organization/manpower for radiological emergency management or radiological disaster response facilities and equipment in violation of Article 21 (1) 6 or Article 35 (1) hereof.

(2) The fine for negligence as provided in the foregoing Paragraph (1) shall be

imposed and collected by the Commission, metropolitan city mayor/provincial governor or city mayor/county chief/district chief as prescribed by the Presidential Decree.

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.

Article 2 (Transitional Measures Concerning Previous Measures, etc.)

Any export or import of nuclear materials approved or permitted under the Atomic Energy Act or other related laws at the time this Act enters into force shall be deemed approved or permitted under this Act.

Article 3 (Transitional Measures Concerning Physical Protection Regulations)

The protection regulations, among the measurement control and physical protection regulations of the installer of a nuclear power reactor approved under Article 15-2 of the existing Atomic Energy Act (including those cases to which said Article apply mutatis mutandis according to Articles 32, 36, 56, 63 and 83 thereof) at the time this Act enters into force, shall be deemed the physical protection regulations under Article 9 (1) 2 of this Act until an approval of change thereof is obtained under this Act within three (3) months from the enforcement of this Act.

Article 4 (Transitional Measures Concerning Nuclear Licensee's Radiological Emergency Plan)

A radiological emergency plan submitted in accordance with Article 21 of the Atomic Energy Act at the time this Act enters into force shall be deemed a radiological emergency plan as provided in Article 20 (1) of this Act until an approval of change thereof is obtained under this Act within three (3) months from the enforcement of this Act.

Article 5 (Amendment of Other Laws)

(1) The Atomic Energy Act shall be amended as follows:

The title of Article 15-2, "Measurement Control and Physical Protection Regulations" shall be changed to "Regulation on Control and Accountancy" "measurement control and protection regulations (hereinafter referred to as "measurement control and protection regulations")" as provided in the main clause of Paragraph (1) of the same Article to "measurement control regulations", and "measurement control and protection regulations" and "to ensure proper measurement control and protection" as provided in Paragraph (2) of the same Article to "measurement control regulations" and "for measurement control", respectively.

“With respect to measurement control and protection” as provided in Article 16 (1) thereof shall be changed to “with respect to measurement control”, and “when he violates the measurement control and protection regulations” as provided in Paragraph (2) 2 of the same Article to “when he violates the measurement control regulations.”
“..., a radiation emergency plan and other documents prescribed by the Ordinance of the Prime minister” as provided in Article 21 (2) thereof shall be changed to “and the documents prescribed by the Ordinance of the Prime minister.”

“Matters, etc. concerning measurement control and protection” as provided in Article 23-2 (1) thereof shall be changed to “matters concerning measurement control”, and “when he has violated the measurement control and protection regulations” as provided in Paragraph (3) 2 of the same Article to “when he has violated the measurement control regulations.”

“Matters, etc. concerning measurement control and protection” as provided in Article 45 (1) thereof shall be changed to “matters concerning measurement control”, and “when he has violated the measurement control and protection regulations” as provided in Paragraph (2) 2 of the same Article to “when he has violated the measurement control regulations.”

“Matters, etc. concerning measurement control and protection” as provided in Article 59 (1) thereof shall be changed to “matters concerning measurement control”, and “when he has violated the measurement control and protection regulations” as provided in Paragraph (2) 2 of the same Article to “when he has violated the measurement control regulations.”

“Matters, etc. concerning measurement control and protection” as provided in Article 78 (1) thereof shall be changed to “matters concerning measurement control”, and “when he has violated the measurement control and protection regulations” as provided in Paragraph (2) 2 of the same Article to “when he has violated the measurement control regulations.”

(2) The Nuclear Liability Act shall be amended as follows:

“In related laws including the Disaster Management Act” as provided in Subparagraph 2 (b) of Article 2 thereof shall be changed to “in related laws including the Disaster Management Act or the Act for Physical Protection and Radiological Emergency.” “

ADDENDA <Act No. 7806, Dec. 30, 2005>
(Atomic Energy Act)

Article 1 (Enforcement Date)

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

Article 2 through Article 4 Omitted.

Article 5 (Amendments to Other Acts)

The Act on Physical Protection and Radiological Emergency shall be partially amended as follows:

“Other related professional institutions” in Article 45 (1) other than the subparagraphs thereof shall be amended as “Korea Institute of Nuclear Nonproliferation and Control prescribed in the Atomic Energy Act and other related specialized institutions.”

ADDENDA <Act No. 8077, Dec. 26, 2006>

(Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes, etc.)

Article 1 (Enforcement Date)

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

Article 2 through Article 5 Omitted.

Article 6 (Amendments to Other Acts)

The Act on Physical Protection and Radiological Emergency shall be partially amended as follows:

“Korea Atomic Energy Research Institute prescribed in the Korea Atomic Energy Research Institute Act” in Article 45 (1) other than the subparagraphs thereof shall be amended as “Korea Atomic Energy Research Institute prescribed in the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes, etc.”

Article 7 Omitted.

ADDENDA <Act No. 8078, Dec. 26, 2006>

(Radiation and Radioisotope Use Promotion Act)

Article 1 (Enforcement Date)

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

Article 2 through Article 4 Omitted.

Article 5 (Amendments to Other Acts)

The Act on Physical Protection and Radiological Emergency shall be partially amended as follows:

“Affiliated hospital of the Korea Atomic Energy Research Institute prescribed in the provisions of Article 14 of the Korea Atomic Energy Research Institute Act” in Article 32 (2) and Article 39 (2) shall be amended as “Korea Institute of Radiological and Medical Sciences prescribed in the provisions of Article 13-2 of the Radiation and Radioisotope Use Promotion Act.”

“Korea Institute of Nuclear Safety prescribed in the Korea Institute of Nuclear Safety Act” in Article 45 (1) other than the subparagraphs of shall be amended as “Korea Institute of Radiological and Medical Sciences prescribed in Article 13-2 of the Radiation and Radioisotope Use Promotion Act and Korea Institute of Nuclear Safety prescribed in the Korea Institute of Nuclear Safety Act.”

ADDENDA <Act No. 8420, May 11, 2007>
(Framework Act on Civil Defense)

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation. <Proviso Omitted.>

Article 2 through Article 4 Omitted.

Article 5 (Amendments to Other Acts)

① The Act on Physical Protection and Radiological Emergency shall be partially amended as follows:

“Article 10 of the Framework Act on Civil Defense” in Article 34 (1) shall be amended as “Article 11 of the Framework Act on Civil Defense.”

② and ③ Omitted.

Article 6 Omitted

ADDENDA <Act No. 8852, Feb. 29, 2008>
(Government Organization Act)

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That . . . <Omitted.> . . . , among the Acts amended in accordance with Article 5 of the

Addenda, the amendments to the Acts, which were promulgated before this Act enters into force, but the enforcement dates of which have yet to arrive, shall enter into force on the enforcement dates of the respective Acts.

Article 2 through Article 5 Omitted.

Article 6 (Amendments to Other Acts)

① through <140> Omitted.

<141> The Act on Physical Protection and Radiological Emergency shall be partially amended as follows:

“Minister of Science and Technology” in Article 2 (1) subparagraph 10 Item G, Article 4 (2) and (3), Article (1) and (2), the main sentence of and proviso to the parts other than the subparagraphs of Article 9 (1), Article 11, the parts other than the subparagraphs of Article 12 (1) and (2), Article 18 (1) through (3), Article 19 (2) and (3), the main sentence of and proviso to Article 20 (1), Article 20 (2), Article 21 (1) 1, Article 22 (1) and (2), the parts other than the subparagraphs of Article 23 (1), Article 23 (1) 3, the parts other than the subparagraphs of Article 23 (2), Article 24 (1) and (2), Article 25 (1) and (2), Article 28 (1), Article 35 (1) 7, Article 36 (1) and (2), Article 37 (1), preceding and following paragraphs of Article 37 (3) and (4), preceding and following paragraphs of Article 37 (5), the parts other than the subparagraphs of Article 38 (1) and (2), Article 39 (2), Article 40, Article 43 (1), Article 44 (1) through (3), the parts other than the subparagraphs of Article 45 (1), Article 45 (2) through (4), Article 46 (1) and Article 54 (2) shall be amended as “Minister of Education, Science and Technology.”

“Ordinance of the Ministry of Science and Technology” in the proviso to the parts other than the subparagraphs of Article 9 (1), Article 9 (2), Article 11, Article 12 (2) 2, Article 14, Article 20 (3), Article 21 (2), Article 29 (3), Article 32 (3), Article 35 (2), Article 37 (3) and Article 42 (2) 4 shall be amended as “Ordinance of the Ministry of Education, Science and Technology.”

“Ministry of Science and Technology” in Article 25 (3) shall be amended as “Ministry of Education, Science and Technology.”

“Vice Minister of Finance and Economy, Vice Minister of National Defense, Vice Minister of Interior, Vice Minister of Agriculture, Vice Minister of Commerce Industry and Energy, Vice Minister of Information and Communication, Vice Minister of Health and Welfare, Vice Minister of Environment, Vice Minister of Construction and Transportation, Vice Minister of Oceans and Fisheries, and Vice Minister of Planning and Budget,” in Article 5 (2) shall be amended as “Vice Minister of Economy and Finance, Vice Minister of National Defense, Vice Minister of the Interior and Safety, Vice Minister for Food, Agriculture, Forestry and Fisheries, Vice Minister of Knowledge Economy, Vice Minister for Health, Welfare and Family Affairs, Vice Minister of Environment, and Vice Minister of Land, Transport and

Maritime Affairs.”

“Vice Minister of Finance and Economy, Vice Minister of National Defense, Vice Minister of Interior, Vice Minister of Agriculture, Vice Minister of Commerce Industry and Energy, Vice Minister of Information and Communication, Vice Minister of Health and Welfare, Vice Minister of Environment, Vice Minister of Construction and Transportation, Vice Minister of Oceans and Fisheries, and Vice Minister of Planning and Budget” in Article 25 (2) shall be amended as “Vice Minister of Economy and Finance, Vice Minister of National Defense, Vice Minister of the Interior and Safety, Vice Minister for Food, Agriculture, Forestry and Fisheries, Vice Minister of Knowledge Economy, Vice Minister for Health, Welfare and Family Affairs, Vice Minister of Environment, and Vice Minister of Land, Transport and Maritime Affairs.”

“Minister of Science and Technology among the public officials affiliated with the Ministry of Science and Technology” in Article 28 (2) shall be amended as “Minister of Education, Science and Technology among the public officials affiliated with the Ministry of Education, Science and Technology.”

<142> through <760> Omitted.

Article 7 Omitted.

ADDENDA <Act No. 9932, Jan. 18, 2010>
(Government Organization Act)

Article 1 (Enforcement Date)

This Act shall enter into force 2 months after the date of its promulgation. <Proviso Omitted.>

Article 2 and Article 3 Omitted.

Article 4 (Amendments to Other Acts)

① through <86> Omitted.

<87> The Act on Physical Protection and Radiological Emergency shall be partially amended as follows:

“Vice Minister for Health, Welfare and Family Affairs” in Article 5 (2) and Article 25 (2) shall be amended as “Vice Minister for Health and Welfare.”

<88> through <137> Omitted.

Article 5 Omitted.

ADDENDUM <Act No. 10074, Mar. 17, 2010>

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 5 (2) and Article 25 (2) shall enter into force on March 19, 2010.

ADDENDUM <Act No. 10910, Jul. 25, 2011>

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

ADDENDA <Act No. 11715, Mar. 23, 2013>

(Act on the Establishment and Operation of the Nuclear Safety and Security Commission)

Article 1 (Enforcement Date)

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

Article 2 and Article 3 Omitted.

Article 4 (Amendments to Other Acts)

① Omitted.

② The Act on Physical Protection and Radiological Emergency shall be partially amended as follows:

“Vice Minister of Economy and Finance, Vice Minister of Education, Science and Technology, Vice Minister of National Defense, Vice Minister of the Interior and Safety, Ministry for Food, Agriculture, Forestry and Fisheries, Vice Minister of Knowledge Economy, Vice Minister of Health and Welfare, Vice Minister of Environment, Vice Minister of Land, Transport and Maritime Affairs” in Article 5 (2) shall be amended as “One person nominated by the institution in question among the general public officials belonging to the Senior Executive Service of the Ministry of Economy and Finance, Ministry of Science, ICT and Future Planning, Ministry of National Defense, Ministry of Security and Public Administration, Ministry of Agriculture, Food and Rural Affairs, Ministry of Trade, Industry and Energy, Ministry of Health and Welfare, Ministry of Environment, or Ministry of Land, Infrastructure and Transport, Ministry of Oceans and Fisheries or public officials who hold positions equivalent thereto [incl. ministerial-grade officers in the case of the Ministry of National Defense].”

“Prescribed by the Nuclear Safety and Security Commission” in the provisos to Article 20 (1) and (2) shall be amended as “prescribed by Ordinance of the Prime Minister.”

“Vice Minister of Education, Science and Technology” in Article 25 (2) shall be amended as “Vice Minister of Science, ICT and Future Planning and Vice Minister of Education,” “Vice Minister of Foreign Affairs and Trade” as “Vice Minister of Foreign Affairs,” “Vice Minister of the Interior and Safety” as “Vice Minister of Security and Public Administration,” “Ministry for Food, Agriculture, Forestry and Fisheries” as “Vice Minister of Agriculture, Food and Rural Affairs,” “Vice Minister of Knowledge Economy” as “Vice Minister of Trade, Industry and Energy,” and “Vice Minister of Land, Transport and Maritime Affairs” as “Vice Minister of Land, Infrastructure and Transport and Vice Minister of Oceans and Fisheries.”

“Rules of the Nuclear Safety and Security Commission” in the proviso to Article 9 (1), Article 9 (2), Article 11, Article 12 (2) 2, Article 14, Article 20 (3), Article 21 (2), Article 29 (3), Article 32 (3), Article 35 (2), Article 37 (3), and Article 42 (2) 4 shall be amended as “Ordinance of the Prime Minister.”

③ Omitted.

Article 5 Omitted.

ADDENDA <Act No. 11994, Aug. 6, 2013>

(Framework Act on the Management of Disasters and Safety)

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation.
<Proviso Omitted.>

Article 2 (Amendments to Other Acts)

① and ② Omitted.

③ The Act on Physical Protection and Radiological Emergency shall be partially amended as follows:

“Article 18 of the Framework Act on the Management of Disasters and Safety” in Article 22 (3) shall be amended as “Article 19 of the Framework Act on the Management of Disasters and Safety.”

④ through ⑦ Omitted.

ADDENDA (Act No. 12665, May. 21, 2014)

Article 1 (Enforcement Date)

This Act shall enter into force on the day when three months have passed after its promulgation. Note, however, that the amended provisions under Item 9 of Article 2 (1) or Article 20-2 shall enter into force six months after the promulgation. The

amended provisions under Article 48 shall enter into force on the day of the promulgation. Portions concerning the “International Convention on the Suppression of Nuclear Terrorism” and “Convention on the Physical Protection of Nuclear Materials and Nuclear Energy Facilities” among the amended provisions under Article 13, Article 13-2 (1), or Article 44 (3) shall enter into force on the day the International Convention on the Suppression of Nuclear Terrorism and the Convention on the Physical Protection of Nuclear Materials and Nuclear Energy Facilities become effective in the Republic of Korea.

Article 2 (Transitional measure concerning the designation of zones for radiation emergency plans)

Zones designated for radiation emergency plans under the previous provisions at the time the amended provisions under Article 2 (1) 9. or Article 20-2 have entered into force shall be treated as those designated under Article 20-2. Provided, however, that zones for radiation emergency plans shall be designated pursuant to this Act within six months of its enforcement.

ADDENDA <Act No. 12844, Nov. 19, 2014>
(Government Organization Act)

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That among the Acts amended in accordance with Article 6 of the Addenda, the amendments to the Acts, which were promulgated before this Act enters into force, but the enforcement dates of which have yet to arrive, shall enter into force on the enforcement dates of the respective Acts.

Article 2 through Article 5 Omitted.

Article 6 (Amendments to Other Acts)

① through <251> Omitted.

<252> The Act on Physical Protection and Radiological Emergency shall be partially amended as follows:

“Ministry of Security and Public Administration” in Article 5 (2) shall be amended as “Ministry of Government Administration and Home Affairs” and “Ministry of Oceans and Fisheries” as “Ministry of Oceans and Fisheries and Ministry of Public Safety and Security.”

“Vice Minister of Science, ICT and Future Planning, Vice Minister of Education, Vice Minister of Foreign Affairs, Vice Minister of National Defense, and Vice

Minister of Security and Public Administration” in Article 25 (2) shall be amended as “Vice Minister of Education, Vice Minister of Science, ICT and Future Planning, Vice Minister of Foreign Affairs, Vice Minister of National Defense, and Vice Minister of Government Administration and Home Affairs,” and “Vice Minister of Oceans and Fisheries” as “Vice Minister of Oceans and Fisheries and Vice Minister of Public Safety and Security.”

<253> through <258> Omitted.

Article 7 Omitted.

ADDENDUM <Act No. 13077, Jan. 20, 2015>

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

ADDENDUM <Act No. 13388, Jun. 22, 2015>

This Act shall enter into force on 1 January 2016.

ADDENDUM <Act No. 13544, Dec. 1, 2015>

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

ADDENDA <Act No. 14609, Mar. 21, 2017>

(Military Personnel Management Act)

Article 1 (Enforcement Date)

This Act shall enter into force on three months after the date of its promulgation.
<Proviso Omitted.>

Article 2 (Amendments to Other Acts)

① through ⑰ Omitted.

⑱ The Act on Physical Protection and Radiological Emergency shall be partially amended as follows:

ADDENDA <Act No. 14839, Jul. 26, 2017>

(Government Organization Act)

Article 1 (Enforcement Date)

① This Act shall enter into force on the date of its promulgation: Provided, That

among the Acts amended in accordance with Article 5 of the Addenda, the amendments to the Acts, which were promulgated before this Act enters into force, but the enforcement dates of which have yet to arrive, shall enter into force on the enforcement dates of the respective Acts.

Article 2 through Article 4 Omitted.

Article 5 (Amendments to Other Acts)

① through <301> Omitted.

<302> The Act on Physical Protection and Radiological Emergency shall be partially amended as follows:

“Ministry of Science, ICT and Future Planning, Ministry of National Defense, Ministry of Government Administration and Home Affairs” in Article 5 (2) shall be amended “Ministry of Science and ICT and Ministry of National Defense, Ministry of the Interior and Safety,” and “Ministry of Oceans and Fisheries, Ministry of Public Safety and Security” as “Ministry of Oceans and Fisheries.”

“Vice Minister of Science, ICT and Future Planning, Vice Minister of Foreign Affairs, Vice Minister of National Defense, Vice Minister of Government Administration and Home Affairs” in Article 25 (2) shall be amended as “Vice Minister of Science and ICT, Vice Minister of Foreign Affairs, Vice Minister of National Defense, Vice Minister of the Interior and Safety” and “Vice Minister of Public Safety and Security, Vice Minister of the Office for Government Policy Coordination, the Minister of Food and Drug Safety, the Commissioner General of the Korean National Police Agency, the Administrator of the Korea Meteorological Administration, the head of the office of the Ministry of Public Safety and Security in charge of firefighting service, and the head of the office of the Ministry of Public Safety and Security in charge of coast guard services” as “Vice Minister of the Office for Government Policy Coordination, the Minister of Food and Drug Safety, the Commissioner General of the Korean National Police Agency, the Administrator of the National Fire Agency, the Administrator of the Korea Meteorological Administration, the Commissioner of the Korea Coast Guard, the head of the office of the Ministry of the Interior and Safety in charge of disaster and safety management service.”

<303> through <382> Omitted.

Article 6 Omitted.

ADDENDA <Act No. 15280, Dec. 19, 2017>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 32 (3) and (4) shall enter into force six months after the date of its promulgation.

Article 2 (Application Concerning the Processing of Reports)

The amended provisions of Article 20 (3) shall start being applied to the first report filed after this Act enters into force.