

# **ACT ON PROTECTIVE ACTION GUIDELINES AGAINST RADIATION IN THE NATURAL ENVIRONMENT**

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Act No. 10908, Jul. 25, 2011  
Amended by Act No. 11715, Mar. 23, 2013  
Act No. 12664, May 21, 2014  
Act No. 13542, Dec. 1, 2015  
Act No. 14115, Mar. 29, 2016  
Act No. 14476, Dec. 27, 2016

## **Article 1 (Purpose)**

The purpose of this Act is to protect citizen's health and environment, improve the quality of life of citizens, and contribute to public safety by providing for matters regarding safety control of radiation to which citizens may be exposed in their daily lives.

## **Article 2 (Definition)**

The terms used in this Act shall be defined as follows:

1. The term "radiation in the natural environment" means the radiation specified in the following items:
  - (a) Radiation emitted from natural radionuclides contained in source materials, by-products from processing, and processed

products: Provided, That radiation emitted from nuclear materials controlled pursuant to the Nuclear Safety Act shall be excluded herefrom;

(b) Radiation radiated from the sun or universe into the earth's atmosphere (hereinafter referred to as "cosmic rays");

(c) Radiation emitted from rock or soil on the surface of the earth (hereinafter referred to as "terrestrial radiation");

(d) Radiation emitted from a radioactive substance contained in scrap metal collected within the Republic of Korea or in a foreign country and sold or recycled (hereinafter referred to as "recyclable scrap metal");

2. The term "source material" means a material that contains a natural radionuclide, such as Uranium 235, Uranium 238, Thorium 232, and nuclides in radioactive decay series, or Potassium 40, if the activity concentration and quantity of such material exceed the activity concentration and quantity specified and publicly notified by the Nuclear Safety and Security Commission established under Article 3 of the Act on the Establishment and Operation of the Nuclear Safety and Security Commission (hereinafter referred to as the "Nuclear Safety and Security Commission");

3. The term "by-product from processing" means a material that is produced incidentally from a facility that treats a source material or any other material, and that contains a natural radionuclide whose activity concentration exceeds the level specified and publicly notified by the Nuclear Safety and Security Commission;

4. The term "processed product" means a product manufactured by processing a source material or a by-product from processing or by using a source material or a by-product as a raw material.

### **Article 3 (Responsibility of State)**

The State shall prepare measures necessary for safety control of radiation in the natural environment in order to protect citizen's health and environment therefrom.

### **Article 4 (Relationship to Other Acts)**

Except as expressly provided for in any other Act, safety control of radiation in the natural environment shall be governed by provisions of this Act.

### **Article 5 (Formulation of Comprehensive Plan for Protection from Radiation in the Natural Environment)**

(1) In order to protect citizen's health and environment from radiation in the natural environment, the Nuclear Safety and Security Commission shall formulate a five-year comprehensive plan for radiation in the natural environment protection (hereinafter referred to as "comprehensive plan"), consulting with the heads of related central administrative agencies.

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

1. Objectives, and the basic direction, of policies on protection from radiation in the natural environment;

2. Environmental protection from radiation in the natural environment;
3. Current status and prospects of safety control of radiation in the natural environment;
4. Research and development with regard to radiation in the natural environment;
5. Investigation and analysis on source materials, by-products from processing, and processed products;
6. Treatment, disposal, or recycling of by-products from processing;
7. Matters necessary to establish a system for safety control of cosmic rays, terrestrial radiation, etc.;
8. Other matters specified by Presidential Decree as necessary for safety control of radiation in the natural environment.

**Article 6 (Formulation, etc., of Annual Implementation Plans)**

(1) The Nuclear Safety and Security Commission shall formulate an annual implementation plan each year for the relevant comprehensive plan, consulting with the heads of related central administrative agencies, as prescribed by Presidential Decree, and shall notify the heads of related central administrative agencies of the plan.

(2) The head of each related central administrative agency shall execute affairs assigned to him/her according to an annual implementation plan notified pursuant to paragraph (1).

## **Article 7 (Implementation of Projects for Research and Development with Regard to Radiation in the Natural Environment)**

(1) In order to efficiently implement a comprehensive plan, the Nuclear Safety and Security Commission may execute an agreement with an institution or organization specified in any subparagraph of Article 14 (1) of the Basic Research Promotion and Technology Development Support Act to authorize such institution or organization to perform a research and development project with regard to radiation in the natural environment.

(2) The Government may make contributions for all or some of expenses incurred in performing a research and development project referred to in paragraph (1).

## **Article 8 (Preparation, Distribution, etc., of Safety Manual)**

(1) The Nuclear Safety and Security Commission shall prepare a safety manual required for safety control of radiation in the natural environment and shall distribute it to persons responsible for handling defined in Article 9, manufacturers defined in Article 15, and air carriers defined in Article 18.

(2) The safety manual specified in paragraph (1) shall include the following matters:

1. The method and procedure for treatment, disposal, or recycling of by-products from processing under Article 13 (2);

2. Matters to be observed in handling and managing source materials or by-products from processing under Article 14;
3. Safety standards for processed products under Article 15;
4. Safety measures for persons who are likely to be exposed to cosmic rays and terrestrial radiation.

(3) The Nuclear Safety and Security Commission shall prepare schemes to make efficient use of a safety manual prepared under paragraph (1) for safety control of radiation in the natural environment, including notifying the heads of related central administrative agencies of such manual.

#### **Article 9 (Registration of Persons Responsible for Handling Source Materials or By-Products from Processing)**

(1) Any of the following persons shall register the type and quantity of source materials or by-products from processing and other relevant details with the Nuclear Safety and Security Commission: Provided, That the specific scope of persons and matters subject to registration shall be prescribed by Presidential Decree, taking into consideration the activity concentration, quantity, and other relevant factors of source materials or by-products from processing:

1. A person who intends to mine for, export, import, or sell source materials;
2. A person who intends to export, import, or sell by-products from processing;

3. A person who operates a facility that produces by-products from processing;

4. A person who intends to treat, dispose of, or recycle by-products from processing.

(2) When a person who has registered pursuant to Article (1) (hereinafter referred to as "person responsible for handling") intends to change any registered matter, he/she shall file a report on such change with the Nuclear Safety and Security Commission.

(3) A person who intends to apply for registration pursuant to paragraph (1), shall file a written application for registration with the Nuclear Safety and Security Commission, along with documents specified by Ordinance of the Prime Minister. *<Amended by Act No. 11715, Mar. 23, 2013>*

(4) Detailed matters regarding the procedure and method for the registration and amendment to registration under paragraphs (1) and (2) shall be prescribed by Ordinance of the Prime Minister. *<Amended by Act No. 11715, Mar. 23, 2013>*

#### **Article 10 (Succession to Status of Person Responsible for Handling)**

(1) When a person responsible for handling transfers his/her business, or dies, or when a corporation is merged with another, the transferee or heir, or the corporation surviving after the merger or newly established as a consequence of the merger shall succeed to the status of the person responsible for handling.

(2) A person who acquires all facilities and equipment related to source materials or by-products from processing through an auction under the Civil Execution Act, the realization under the Debtor Rehabilitation and Bankruptcy Act, the sale of seized assets under the National Tax Collection Act, the Customs Act, or the Local Tax Collection Act, or any similar proceedings shall succeed to the status of the person responsible for handling as defined in this Act. *<Amended by Act No. 14476, Dec. 27, 2016>*

(3) A person who succeeds to the status of a person responsible for handling pursuant to paragraph (1) or (2) shall file a report thereon with the Nuclear Safety and Security Commission within one month, as prescribed by Ordinance of the Prime Minister. *<Amended by Act No. 11715, Mar. 23, 2013>*

**Article 11 (Control of Export and Import of Source Materials or By-Products from Processing)**

(1) When a person responsible for handling exports or imports source materials or by-products from processing, he/she shall file a declaration thereof with the Nuclear Safety and Security Commission whenever he/she exports or imports such materials or by-products.

(2) The procedure for declarations of exportation or importation under paragraph (1) shall be prescribed by the Nuclear Safety and Security Commission, consulting with the heads of related central administrative agencies thereon.

**Article 12 (Keeping and Preserving Records of Current Status of Distribution)**



(1) A person responsible for handling shall keep and preserve records of the current status of source materials or by-products from processing, such as acquisition, generation, storage, sale, disposal of such materials or by-products, (hereinafter referred to as "current status of distribution") and shall report thereon to the Nuclear Safety and Security Commission.

(2) Details of which a person responsible for handling shall keep a record pursuant to paragraph (1), the period of preserving such records, the timing and method of reporting, and other matters necessary for keeping, preserving, and reporting the record of the current status of distribution shall be prescribed by Ordinance of the Prime Minister.  
<Amended by Act No. 11715, Mar. 23, 2013>

(3) The Nuclear Safety and Security Commission may request the head of a related central administrative agency to submit data and cooperate with him/her as necessary in order to manage the current status of distribution. In such cases, the head of a related central administrative agency shall comply with such request, except in extenuating circumstances.

### **Article 13 (Treatment, Disposal, or Recycling of By-Products from Processing)**

(1) If a person responsible for handling intends to treat, dispose of, or recycle by-products from processing, he/she shall report thereon with the Nuclear Safety and Security Commission, as prescribed by Ordinance of the Prime Minister. <Amended by Act No. 11715, Mar. 23, 2013>

(2) Matters necessary for the treatment, disposal, or recycling of by-

products from processing shall be prescribed by Presidential Decree.

**Article 14 (Matters to Be Observed in Handling and Managing Source Materials or By-Products from Processing)**

(1) A person responsible for handling or a manufacturer specified in Article 15 shall observe the following provisions in handling and managing source materials or by-products from processing in order to protect workers' health and environment:

1. A person responsible for handling shall install facilities for preventing fire and flood or take other necessary measures therefor;
2. A person responsible for handling shall install facilities for preventing source materials or by-products from processing from being scattered into the air or take other necessary measures therefor;
3. A person responsible for handling shall measure and control the activity concentration or level of radiation at a place in which source materials or by-products from processing are handled;
4. A person responsible for handling shall investigate and analyze the level of annual exposure of workers, who handle and manage source materials or by-products from processing, to radiation in the natural environment.

(2) A person responsible for handling or a manufacturer specified in Article 15 shall take safety measures, as prescribed by Presidential Decree, in order to protect workers' health and improve their working

environment according to the investigation and analysis conducted pursuant to paragraph (1) 4.

### **Article 15 (Safety Standards of Processed Products)**

A person who manufactures, exports, or imports processed products (hereinafter referred to as "manufacturer") shall manufacture, export, or import such products in conformity with the following standards (hereinafter referred to as "safety standards"):

1. A manufacturer shall ensure that substances containing natural radionuclides in a processed product are not scattered or leaked into the air;
2. A manufacturer shall ensure that natural radionuclides contained in a processed product are not transferred to a human body by contact with such processed product;
3. The radiation exposure dose emitted from a processed product to people shall not exceed the limit prescribed and publicly notified by the Nuclear Safety and Security Commission;
4. The concentration and volume of radioactivity contained in a processed product shall not exceed the limit prescribed and publicly notified by the Nuclear Safety and Security Commission.

### **Article 16 (Measures against Non-Conforming Processed Products)**

(1) If a manufacturer discovers that a processed product is not in conformity with the safety standards, he/she shall disclose his/her

discovery and shall take measures, such as repair, exchange, recall, and scrapping, as prescribed by Presidential Decree.

(2) If a manufacturer takes any measure referred to in paragraph (1), he/she shall report thereon to the Nuclear Safety and Security Commission, as prescribed by Ordinance of the Prime Minister.  
<Amended by Act No. 11715, Mar. 23, 2013>

### **Article 17 (Order to Dispose of Defective Processed Products)**

(1) If a processed product does not conform to the safety standards, the Nuclear Safety and Security Commission, in accordance with the procedure prescribed by Presidential Decree, may order the relevant manufacturer to disclose relevant facts and take relevant measures pursuant to Article 16 (1).

(2) If a person to whom an order has been issued under paragraph (1) does not comply with the order, the Nuclear Safety and Security Commission may make a vicarious execution under the Administrative Vicarious Execution Act.

### **Article 18 (Safety Control, etc., of Cosmic Rays)**

(1) An air carrier specified by Presidential Decree (hereinafter referred to as "air carrier") shall endeavor to protect health and safety of cockpit crew and cabin crew who are likely to be exposed to cosmic rays.

(2) The scope of cockpit crew and cabin crew specified in paragraph (1) (hereinafter referred to as "crew") shall be prescribed by Presidential Decree, taking into consideration flight routes, cruising altitude, and frequency of flights.

- (3) An air carrier shall investigate and analyze the following facts:
1. The exposure dose of crew to cosmic rays on each flight route;
  2. The annual exposure dose of cosmic rays of crew.

(4) An air carrier shall take measures for protecting health and safety of crew according to outcomes of the investigation and analysis of each subparagraph of paragraph (3), as prescribed by Presidential Decree.

(5) The head of a central administrative agency responsible for supervising air carriers shall prescribe and publicly notify detailed matters necessary for safety control of cosmic rays, including the procedure and method for the investigation and analysis of each subparagraph of paragraph (3) and the procedure and method for taking safety measures pursuant to paragraph (4). In such cases, the head of the central administrative agency shall consult with the Nuclear Safety and Security Commission thereon in advance.

### **Article 19 (Installation, etc., of Monitors in Airports and Ports)**

(1) The Nuclear Safety and Security Commission shall install and operate monitors of radiation and radioactivity (hereinafter referred to as "monitors"), consulting with the heads of central administrative agencies, for safety control of radiation in the natural environment falling under items (a) and (d) of subparagraph 1 of Article 2.

(2) An air traffic business entity defined in subparagraph 35 of Article 2 of the Aviation Business Act (hereinafter referred to as "air traffic business entity"), or a person who operates harbor facilities defined in subparagraph 5 of Article 2 of the Harbor Act (hereinafter referred to as "harbor facility operator") shall cooperate with the Nuclear Safety and

Security Commission in installing monitors pursuant to paragraph (1).  
<Amended by Act No. 14115, Mar. 29, 2016>

(3) The Nuclear Safety and Security Commission may entrust the operation of monitors installed pursuant to paragraph (1) to an air traffic business entity, or harbor facility operator. <Amended by Act No. 14115, Mar. 29, 2016>

(4) The scope of airports, ports, and harbors in which monitors shall be installed pursuant to paragraph (1), matters necessary for the installation and operation of monitors, and matters necessary for entrustment under paragraph (3), including persons eligible for entrustment and the scope of entrustment, shall be prescribed by Presidential Decree.

#### **Article 20 (Installation of Monitors by Persons Handling Recyclable Scrap Metal)**

(1) A person who sells or recycles recyclable scrap metal (hereinafter referred to as "person handling recyclable scrap metal") shall install and operate monitors for safety control of radiation in the natural environment falling under subparagraph 1 (d) of Article 2.

(2) The scope of persons handling recyclable scrap metal who shall install and operate monitors pursuant to paragraph (1) and matters necessary for the installation and operation of monitors shall be prescribed by Presidential Decree.

#### **Article 20-2 (Operation, Management, etc. of Monitors)**

(1) To maintain the reliability and accuracy of results from a monitor,

any air traffic business entity or harbor facility operator entrusted with operation of a monitor pursuant to Article 19 (3) or any person handling recyclable scrap metal who installed a monitor pursuant to Article 20 (1) (hereinafter referred to as "monitor operator") shall comply with the criteria for operating and managing monitors, prescribed by Ordinance of the Prime Minister. <Amended by Act No. 14115, Mar. 29, 2016>

(2) The Nuclear Safety and Security Commission may order any business entity not complying with the criteria for operating and managing monitors in accordance with paragraph (1) to take measures to operate and manage monitors in accordance with the criteria, as prescribed by Ordinance of the Prime Minister.

## **Article 21 (Detection and Analysis of Suspected Substances)**

(1) When a monitor operator detects any substance with activity concentration exceeding or suspected of exceeding the level specified and publicly notified by the Nuclear Safety and Security Commission (hereinafter referred to as "suspected substance"), he/she shall report to the Nuclear Safety and Security Commission the following: Provided, That the foregoing shall not apply where a suspected substance is detected from a source substance or a by-product from processing declared pursuant to Article 11 or from a nuclear substance or radioactive isotope that underwent the process for exportation or importation under Article 107 of the Nuclear Safety Act: <Amended by Act No. 11715, Mar. 23, 2013; Act No. 13542, Dec. 1, 2015>

1. Date, time, and place of detecting suspected substance;
2. Owner of the suspected substance;

3. Radiation level and radionuclide of the suspected substance;
4. Place of isolated storage of the suspected substance;
5. Matters regarding import or export of the suspected substance including any exporting country, exporting enterprise, etc. or matters regarding domestic distributors (this applies only to persons handling recyclable scrap metal);
6. Other matters prescribed by Ordinance of the Prime Minister.

(2) Upon receipt of a report pursuant to paragraph (1), the Nuclear Safety and Security Commission shall investigate and analyze the following matters, as prescribed by Ordinance of the Prime Minister:  
<Amended by Act No. 11715, Mar. 23, 2013>

1. The concentration and type of radioactivity contained in the suspected substance;
2. The purpose of use and usage of the suspected substance;
3. Matters necessary for measures to be taken pursuant to Article 22 (1).

(3) Upon receipt of a report from a monitor operator that suspected substance is detected in a monitor installed in an airport or a port, the Nuclear Safety and Security Commission may request a relevant central government agency to provide any resources necessary for confirming matters specified in paragraph (1) 5; and the head of the relevant central government agency, in receipt of such request, shall comply therewith except in extenuating circumstances. <Newly Inserted by Act No.



## **Article 22 (Measures against Suspected Substances)**

(1) In any of the following cases, the Nuclear Safety and Security Commission may order the relevant person responsible for handling, manufacturer, or person handling recyclable scrap metal to repair, return, or collect such substance or to take other necessary measures or may take such measures on its own:

1. If a source material or by-product from processing not declared for exportation or importation pursuant to Article 11 is detected by a monitor;
2. If it is discovered, as a result of the investigation and analysis conducted pursuant to Article 21 (2), that a processed product containing a suspected substance does not conform to the safety standards;
3. If a suspected substance contained in recyclable scrap metal is detected by a monitor.

(2) If a person to whom an order has been issued under paragraph (1) fails to comply with the order, the Nuclear Safety and Security Commission may take necessary measures pursuant to the Administrative Vicarious Execution Act.

## **Article 23 (Inspection and Analysis of Actual Conditions of Safety Control of Radiation in the Natural Environment)**

(1) In order to monitor the actual conditions of safety control of

radiation in the natural environment, the Nuclear Safety and Security Commission shall formulate and implement a plan for inspection of the following matters every year, as prescribed by Presidential Decree: *<Amended by Act No. 13542, Dec. 1, 2015>*

1. The current status of distribution of source materials and by-products from processing and the current status of manufacturing, exportation, and importation of processed products;
2. The activity concentration and the degree of environmental pollution around the facilities operated by a person responsible for handling or manufacturer;
3. The current status of operation and management of monitors installed and operated by the monitor operator;
4. Other matters necessary for safety control of radiation in the natural environment.

(2) When the Nuclear Safety and Security Commission intends to investigate matters specified in paragraph (1), it shall notify persons to be inspected, such as the person responsible for handling, the manufacturer, or the monitor operator, of the inspection plan including the date and time of, reasons for, and details of inspection, by not later than seven days before the scheduled date of inspection. *<Amended by Act No. 13542, Dec. 1, 2015>*

(3) A public official who conducts an inspection pursuant to paragraph (1) or a person to whom business affairs are entrusted under Article 28 shall produce a certificate indicating his/her authority and a document stating the date and time of inspection, the inspector's name, the

duration and purposes of entry, and other relevant facts to people involved.

(4) When the Nuclear Safety and Security Commission formulates a comprehensive plan or an annual implementation plan under Article 6, it shall factor in outcomes of the inspection and analysis of actual conditions of radiation in the natural environment.

#### **Article 24 (Reporting and Inspection)**

(1) When the Nuclear Safety and Security Commission deems necessary to enforce this Act, it may order a person responsible for handling, manufacturer, or a monitor operator to submit a report or data as necessary. *<Amended by Act No. 13542, Dec. 1, 2015>*

(2) When the Nuclear Safety and Security Commission deems necessary to enforce this Act, it may authorize its public officials to enter a business establishment, factory, or other place to inspect account books, documents, facilities, and other articles as necessary or to ask questions to people involved and may authorize them to collect samples in a minimum quantity required for testing.

(3) When an inspection is conducted pursuant to paragraph (2), the person subject to inspection shall be notified of an inspection plan, including the date, time, purposes, and details of the inspection by not later than seven days before the inspection: Provided, That the foregoing shall not apply in an emergency or where it is anticipated impossible to achieve purposes of inspection if the inspection plan is informed of.

(4) A public official who conducts an inspection pursuant to paragraph

(2) shall carry with him/her a certificate indicating his/her authority and shall produce it to people involved.

(5) The head of a central administrative agency responsible for supervising air carriers may order an air carrier to submit a report or data pursuant to paragraph (1). Paragraphs (2) through (4) shall apply mutatis mutandis to such cases.

### **Article 25 (Management, etc., of Information about Radiation in the Natural Environment)**

(1) In order to systematically manage information about safety control of radiation in the natural environment, such as the current status of distribution of source materials or by-products from processing, the current status of manufacturing or exportation and importation of processed products, and the current status of safety control of cosmic rays, the Nuclear Safety and Security Commission shall establish and operate a comprehensive information system for radiation in the natural environment.

(2) In order to efficiently manage and operate the comprehensive information system for radiation in the natural environment referred to in paragraph (1), the Nuclear Safety and Security Commission may demand the head of a related central administrative agency to provide data as necessary, and the head of a related central administrative agency shall comply with such demand, except in extenuating circumstances.

### **Article 26 (Development of Educational Programs)**

In order to raise the understanding of radiation in the natural

environment and increase the effect of safety control of radiation in the natural environment, the Nuclear Safety and Security Commission may develop and operate educational programs for persons who are likely to be exposed to radiation in the natural environment.

#### **Article 26-2 (Training for Personnel Operating Monitors)**

(1) The monitor operator shall have the personnel operating the monitor complete the training provided by the Nuclear Safety and Security Commission, regarding the operation of monitors, measures taken on suspected substance, etc.

(2) Details of and methods for the training described in paragraph (1) shall be prescribed by Presidential Decree.

#### **Article 27 (Designation, Operation, etc., of Institutions Specializing in Radiation in the Natural Environment)**

(1) The Nuclear Safety and Security Commission may designate an institution that has expertise in performing research and investigation regarding safety control of radiation in the natural environment, such as investigation and analysis of activity concentration of natural radionuclides, at the request of a person responsible for handling, manufacturer, or a person handling recyclable scrap metal, as an institution specializing in radiation in the natural environment (hereinafter referred to as "specialized institution").

(2) A person who intends to be designated as a specialized institution under paragraph (1) shall retain facilities, equipment, and human resources in conformity with the standards prescribed by Presidential Decree.

(3) A person who intends to be designated as a specialized institution under paragraph (1) shall prepare a written application and supplementary document specified by Ordinance of the Prime Minister and shall submit them to the Nuclear Safety and Security Commission. *<Amended by Act No. 11715, Mar. 23, 2013>*

(4) If a person responsible for handling or other person specified in any provision of Articles 9 through 15 requests a specialized institution under paragraph (1) to measure activity concentration in order to ensure the eligibility for registration and the reliability of outcomes of measurement, the specialized institution may assist such person.

(5) The Nuclear Safety and Security Commission may fully or partially contribute to, or subsidize, a specialized institution designated under paragraph (1) for expenses incurred in carrying out business affairs as a specialized institution. *<Amended by Act No. 12664, May 21, 2014>*

## **Article 28 (Entrusting Business Affairs)**

(1) The Nuclear Safety and Security Commission may entrust part of its business affairs under this Act to a specialized institution, as prescribed by Presidential Decree.

(2) Executive officers and employees of a specialized institution engaged in business affairs entrusted by the Nuclear Safety and Security Commission pursuant to paragraph (1) shall be deemed public officials when any provision of Articles 127 and 129 through 132 of the Criminal Act applies to any of them.

(3) A specialized institution to whom business affairs are entrusted

pursuant to paragraph (1) may require a person responsible for handling to reimburse expenses incurred in carrying out entrusted business affairs, such as expenses for investigating and analyzing activity concentration of natural radionuclides contained in a source material or by-product from processing, with approval from the Nuclear Safety and Security Commission.

(4) The guidelines for calculating expenses to be borne by a person responsible for handling pursuant to paragraph (3) shall be prescribed by Presidential Decree, taking into consideration input of human resources and equipment mobilized.

(5) The Nuclear Safety and Security Commission may provide necessary assistance to a specialized institution to which business affairs are entrusted pursuant to paragraph (1) so that it can carry out relevant business affairs smoothly.

### **Article 29 (Penalty Provisions)**

Any of the following persons shall be punished by a fine not exceeding 30 million won:

1. A person who handles a source material or by-product from processing without filing for registration of a person responsible for handling in violation of Article 9 or with such registration completed by fraud or other improper means;
2. A person handling recyclable scrap metal who has not installed a monitor in violation of Article 20 (1).

### **Article 30 (Joint Penalty Provision)**

If the representative of a legal entity or an agent, employee of, or other persons employed by, the legal entity or an individual violates Article 29 in conducting a business affair of the legal entity or individual, not only shall such offender be punished accordingly, but the legal entity or individual also shall be punished by the fine prescribed in the relevant provisions: Provided, That the foregoing shall not apply to where the legal entity or individual has not been negligent in giving considerable attention to and supervision over the relevant business affair to prevent such violation.

### **Article 31 (Administrative Fine)**

(1) Any person who fails to comply, in violation of Article 17 (1), with an order issued by the Nuclear Safety and Security Commission to disclose relevant facts or take relevant measures shall be punished by an administrative fine not exceeding 25 million won.

(2) Any of the following persons shall be punished by an administrative fine not exceeding 20 million won:

1. A person who fails to comply, in violation of Article 13 (2), with the method and procedure for the treatment, disposal, or recycling of a by-product from processing;
2. A person responsible for handling or manufacturer who does not take safety measures in violation of Article 14 (2);
3. A person who manufactures, exports, or imports a processed product that does not conform to the safety standards in violation of Article 15;



4. A person who fails to submit a report or data pursuant to Article 24 (1) without any justifiable cause or who makes a false representation in such report or data;
5. A person who refuses, interferes with, or evades an inspection or collection conducted under Article 24 (2) without any justifiable cause.

(3) Any of the following persons shall be punished by an administrative fine not exceeding ten million won: <Amended by Act No. 13542, Dec. 1, 2015>

1. A person who changes registered matters without filing a report thereon in violation of Article 9 (2);
2. A person who fails to file a declaration of exportation or importation in violation of Article 11 (1) or who makes a false representation in such declaration;
3. A person who fails to keep or preserve records or does not submit a report of such records under Article 12 (1) without any justifiable cause or who makes a false representation in such records or report;
4. A person who fails to file a report on the treatment, disposal, or recycling of a by-product from processing in violation of Article 13 (1) or who makes a false representation in such report;
5. A person who fails to fulfill the obligations in handling or managing a source material or by-product from processing in violation of

Article 14 (1);

6. A person who fails to submit a report pursuant to Article 16 (2) without any justifiable cause or who makes a false representation in such report;

7. An air carrier who fails to take safety measures in violation of Article 18 (4);

7-2. A person who fails to comply with the order pursuant to Article 20-2 (2);

8. A person who fails to submit a report pursuant to Article 21 (1) without any justifiable cause or who makes a false representation in such report;

9. A person who fails to take measures to repair, return, or collect a material or product in violation of Article 22 (1) according to an order issued by the Nuclear Safety and Security Commission;

10. A person who refuses, interferes with, or evades an inspection conducted under Article 23 without any justifiable cause.

(4) Any of the following persons shall be punished by an administrative fine for not exceeding three million won: *<Amended by Act No. 13542, Dec. 1, 2015>*

1. A person who fails to file a report on succession to status in violation of Article 10 (3);

2. An air carrier who fails to investigate or analyze matters specified

in each subparagraph of Article 18 (3) in violation of any of the aforesaid provisions;

3. A person who fails to have the personnel operating the monitor complete the training, in violation of Article 26-2 (1).

(5) An administrative fines under the provisions of paragraphs (1) through (4) shall be imposed and collected by the Nuclear Safety and Security Commission, as prescribed by Presidential Decree: Provided, That administrative fines under paragraphs (3) 7 and (4) 2 shall be imposed and collected by the head of a central administrative agency responsible for supervising air carriers, as prescribed by Presidential Decree.

## ADDENDA

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

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

### **Article 2 (Transitional Measure)**

A person who falls under any subparagraph of Article 9 (1) at the time this Act enters into force shall file for the registration required under the aforesaid provisions within six months after this Act enters into force.

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

**Article 1 (Enforcement Date)**

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

**Articles 2 through 5 Omitted.**

ADDENDUM <Act No. 12664, May 21, 2014>

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

ADDENDUM <Act No. 13542, Dec. 1, 2015>

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

ADDENDA <Act No. 14115, Mar. 29, 2016>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 26 Omitted.**

ADDENDA <Act No. 14476, Dec. 27, 2016>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 5 Omitted.**