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ACT ON THE SAFETY CONTROL OF HAZARDOUS SUBSTANCES

[Enforcement Date 04. Jul, 2023.] [Act No.19161, 03. Jan, 2023., Partial Amendment]

소방청 (위험물안전과), 044-205-7488

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose) The purpose of this Act is to prevent harm caused by hazardous substances and secure the public safety by prescribing matters concerning the storage, handling and transport of hazardous substances and the safety controls related thereto.

Article 2 (Definitions) (1) The terms used in this Act are defined as follows:

- 1. The term "hazardous substance" means a substance with such properties as flammability or ignitability, which is prescribed by Presidential Decree;
- 2. The term "designated quantity" means a quantity which serves as the lowest level permitted for constructing a factory, etc. defined in subparagraph 6 and is determined by Presidential Decree in consideration of harm and danger caused by each hazardous substance;
- 3. The term "factory" means a place for which permission has been obtained as prescribed in Article 6 (1) (including where permission is exempted under paragraph (3) of that Article and where permission is deemed to have been obtained by consultation under Article 7 (2); hereafter in subparagraphs 4 and 5 the same shall apply) for the handling of hazardous substances of not less than a designated quantity for the purpose of manufacturing hazardous substances;
- 4. The term "storing place" means a place for which permission has been obtained as prescribed in Article 6
 (1) for storing hazardous substances of not less than a designated quantity and which is prescribed by Presidential Decree;
- 5. The term "handling place" means a place for which permission has been obtained as prescribed in Article 6 (1) for handling hazardous substances of not less than a designated quantity for purposes other than for manufacturing and which is prescribed by Presidential Decree;
- 6. The term "factory, etc." means a factory, storing place, and handling place defined in subparagraphs 3 through 5.
- (2) Except as provided in paragraph (1), the definitions of the terms used in this Act are as prescribed by the Framework Act on Firefighting Services, the Act on Fire Prevention and Safety Control, the Act on Installation and Management of Firefighting Systems, and the Firefighting System Installation Business Act. <Amended on Dec. 30, 2014; Mar. 21, 2017; Nov. 30, 2021>

Article 3 (Exemption from Application) This Act shall not apply to the storage, handling and transport of hazardous substances by airplane, ship (referring to a ship defined in Article 1-2 (1) of the Ship Act), railroad or track. <Amended on Aug. 3, 2007>

Article 3-2 (Responsibilities of the State) (1) In order to prevent accidents involving hazardous substances, the State shall formulate and implement policies containing the following:

- 1. Analyzing the current status of distribution of hazardous substances;
- 2. Analyzing the types of accidents involving hazardous substances;
- 3. Developing safety-related technologies for the prevention of accidents;
- 4. Developing professional manpower for the prevention of accidents;
- 5. Other matters necessary to prevent accidents.
- (2) The State shall provide administrative and financial support required by local governments to promote policies for preventing, preparing against, and responding to accidents involving hazardous substances. [This Article Newly Inserted on Jan. 27, 2016]
- Article 4 (Storage and Handling of Hazardous Substances below Designated Quantity) Technical standards for the storage or handling of hazardous substances below the designated quantity shall be prescribed by municipal ordinance of the Special Metropolitan City, a Metropolitan City, a Special Self-Governing City, a Do and a Special Self-Governing Province (hereinafter referred to as "City/Do"). <Amended on Dec. 30, 2014>
- **Article 5 (Restrictions on Storage and Handling of Hazardous Substances)** (1) Hazardous substances of not less than a designated quantity shall neither be stored in a place which is not a storing place, nor handled in a place which is not a factory, etc.
 - (2) Notwithstanding paragraph (1), hazardous substances of not less than a designated quantity falling under any of the following may be handled in a place which is not a factory, etc. In such cases, standards for storage or handling in the place where they are stored or handled temporarily and standards relating to location, structure and equipment of the place where they are stored or handled temporarily shall be prescribed by municipal ordinance of the City/Do: <Amended on Jan. 27, 2016>
 - 1. Where hazardous substances of not less than a designated quantity are stored or handled temporarily for a period not exceeding 90 days with the approval of the head of a competent fire station, as prescribed by municipal ordinances of a City/Do;
 - 2. Where a military unit temporarily stores or handles hazardous substances of not less than a designated quantity for military purposes.
 - (3) With regard to the storage or handling of hazardous substances in a factory, etc., the following principal and detailed standards shall be applicable: <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Jan. 27, 2016; Jul. 26, 2017>
 - 1. Principal standards: Standards prescribed by Ordinance of the Ministry of the Interior and Safety as having a significant influence on the prevention of harm and danger, such as fires, as well as emergency measures therefor, or having a high probability of directly causing a fire when they are violated;
 - 2. Detailed standards: Standards prescribed by Ordinance of the Ministry of the Interior and Safety as having a relatively less influence on the prevention of harm and danger, such as fires, as well as emergency measures therefor than principal standards, or likely to indirectly cause a fire when they are violated, and

- standards relating to indicators necessary for the safety control of hazardous substances and the keeping of documents, equipment, etc.
- (4) Technical standards relating to location, structure and equipment of a factory, etc. under paragraph (1) shall be prescribed by Ordinance of the Ministry of the Interior and Safety. <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Jul. 26, 2017>
- (5) Where two or more kinds of hazardous substances are stored or handled at the same place, and the sum of figures obtained by dividing the quantity of respective hazardous substances stored or handled in the relevant place by the designated quantity of such respective hazardous substances is one or more, the relevant hazardous substances shall be deemed hazardous substances of not less than a designated quantity.

CHAPTER II CONSTRUCTION OF FACILITIES FOR HAZARDOUS SUBSTANCES AND ALTERATION THEREOF

- Article 6 (Construction of Facilities for Hazardous Substances and Alteration Thereof) (1) Each person who intends to build a factory, etc. shall obtain permission from the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, a Do Governor, or a Special Self-Governing Province Governor (hereinafter referred to as the "Mayor/Do Governor") who has jurisdiction over such place, as prescribed by Presidential Decree. The same shall also apply when he or she intends to alter matters prescribed by Ordinance of the Ministry of the Interior and Safety, such as the location, structure or equipment of a factory, etc. <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Dec. 30, 2014; Jul. 26, 2017>
 - (2) Each person who intends to alter the name and quantity of hazardous substances being stored or handled in a factory, etc. or a multiple of the designated quantity thereof without changes in the location, structure or equipment of the relevant factory, etc. shall report it to the Mayor/Do Governor at least one day before the date scheduled to alter, as prescribed by Ordinance of the Ministry of the Interior and Safety. <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Jan. 27, 2016; Jul. 26, 2017>
 - (3) Notwithstanding paragraphs (1) and (2), where a factory, etc. fall under any of the following, the relevant factory, etc. may be constructed, or the location, structure or equipment thereof may be altered, without permission, and the name and quantity of hazardous substances or a multiple of the designated quantity thereof may be altered without report: Amended on Jan. 27, 2016>
 - 1. A storing place or handling place for heating facilities of houses (excluding central heating systems of multi-unit housing);
 - 2. A storing place of not more than 20 times the designated quantity for heating or drying facilities necessary for agricultural, horticultural, stock breeding or fishery purposes.

Article 7 (Special Cases concerning Construction of Facilities for Hazardous Substances for Military Purposes and Alteration Thereof) (1) The commander of a military unit who intends to construct a factory, etc. for military purposes or for the facilities of the military unit or to alter its location, structure or equipment shall consult with the Mayor/Do Governor having jurisdiction over the location of the factory, etc. in advance, as prescribed by Presidential Decree.

(2) Where the commander of a military unit has consulted with the Mayor/Do Governor having jurisdiction over the location of the factory, etc. as prescribed in paragraph (1), he or she shall be deemed to have obtained permission under Article 6 (1).

- (3) Notwithstanding Articles 8 and 9, the commander of a military unit may conduct a tank safety performance test and completion inspection by its own efforts in regard to a factory, etc. on which consultation has been made in accordance with paragraph (1). In such cases, the commander of a military unit who has conducted completion inspection by its own efforts shall, without delay, notify the Mayor/Do Governor of the matters prescribed by Ordinance of the Ministry of the Interior and Safety. <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Jul. 26, 2017>
- Article 8 (Tank Safety Performance Test) (1) When a person who has obtained permission for the construction of a factory, etc. containing a tank for storing or handling hazardous substances which is prescribed by Presidential Decree (hereinafter referred to as "hazardous substance tank") or for the alteration of its location, structure or equipment as described in Article 6 (1), builds a hazardous substance tank or alters its location, structure or equipment, he or she shall have a tank safety performance test conducted by the Mayor/Do Governor for confirming whether it is in conformity with the technical standards stipulated in Article 5 (4) before he or she receives completion inspection under Article 9 (1). In such cases, where a person who obtained permission as described in Article 6 (1) has undergone a tank safety performance test by a tester of tank safety performance under Article 16 (1) or the Korea Fire Institute under Article 14 of the Firefighting Industry Promotion Act (hereinafter referred to as the "Fire Institute"), the Mayor/Do Governor may exempt him or her from the whole or part of the relevant tank safety performance test, as prescribed by Presidential Decree. <Amended on Jun. 5, 2008>
 - (2) Details of a tank safety performance test under paragraph (1) shall be prescribed by Presidential Decree and matters necessary for the conducting, etc. of a tank safety performance test shall be prescribed by Ordinance of the Ministry of the Interior and Safety. <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Jul. 26, 2017>
- **Article 9 (Completion Inspection)** (1) Although a person who has obtained permission under Article 6 (1) completes the construction of a factory, etc. or completes the alteration of its location, structure or equipment, he or she shall not use it unless and until completion inspection conducted by the Mayor/Do Governor founds that such factory, etc. conform to the technical standards as described in Article 5 (4): Provided, That if he or she submits documents indicating measures to be taken for fire prevention in filing an application for permission for alteration described in the latter part of Article 6 (1) in regard to the alteration of location, structure or equipment of a factory, etc., he or she may use in advance any part which has no relation with the relevant alteration before receiving the completion inspection.
 - (2) Where a person seeking to receive completion inspection as described in the main clause of paragraph (1) wants to use in advance any part of a factory, etc. after having constructed or altered part of a factory, etc., he or she may receive completion inspection for such part of the factory, etc.
- **Article 10 (Succession to Status of Person Who Constructed Factory)** (1) Where a person who constructed a factory, etc. (referring to a person who constructed a factory, etc. after obtaining permission as stipulated in Article 6 (1)) dies, or assigns or transfers such factory, etc. to any other party, or where there is a merge of a corporation who constructed a factory, etc., his or her successor, a person who obtains by transfer or takes over the factory, etc., or a corporation which continues to exist after the merger or a corporation which is incorporated by the merger shall succeed to the status of such person or corporation who constructed the factory, etc.

- (2) A person who takes over all the facilities of a factory, etc. through an auction process pursuant to the Civil Execution Act, liquidation pursuant to the Debtor Rehabilitation and Bankruptcy Act, sale of seized property pursuant to the National Tax Collection Act, the Customs Act or the Local Tax Act, or through any other similar process shall succeed to the status of such person who constructed such factory, etc. <Amended on Mar. 31, 2005; Mar. 31, 2010; Jan. 27, 2016>
- (3) A person who has succeeded to the status of a person who constructed a factory, etc. under paragraph (1) or (2) shall report such fact to the Mayor/Do Governor within 30 days from the date of succession, as prescribed by Ordinance of the Ministry of the Interior and Safety. <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Jul. 26, 2017>
- Article 11 (Disuse of Factory) When a person related to a factory, etc. (referring to an owner, occupant or manager; hereinafter the same shall apply) has disused such factory, etc. (referring to having its function as facilities for hazardous substances lost entirely for the future), he or she shall report it to the Mayor/Do Governor within 14 days from the date of the disuse of such factory, etc., as prescribed by Ordinance of the Ministry of the Interior and Safety. <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Jul. 26, 2017>
- Article 11-2 (Suspension of Use of Factory) (1) Where a person related to a factory, etc. intends to suspend the use of factory, etc. (referring to cases where hazardous substances are not stored or handled for at least three months due to managerial conditions, large-scale construction, etc.; hereinafter the same shall apply), he or she shall take safety measures, such as the removal of hazardous substances and the control of access to a factory, etc., which are prescribed by Ordinance of the Ministry of the Interior and Safety: Provided, That even during the period of suspending the use of a factory, etc., safety measures need not be taken where a safety controller of hazardous substances under the main clause of Article 15 (1) continues to perform his or her duties.
 - (2) Where a person related to a factory, etc. intends to suspend the use of the factory, etc. or to resume the use of the factory, etc., he or she shall report the suspension or resumption of the use of the factory, etc. to the Mayor/Do Governor by not later than 14 days prior to the date of suspending or resuming the use of the relevant factory, etc.
 - (3) Upon receipt of a report pursuant to paragraph (2), the Mayor/Do Governor may examine whether a person related to a factory, etc. has taken safety measures under the main clause of paragraph (1) or whether a safety controller of hazardous substances under the main clause of Article 15 (1) has performed his or her duties appropriately and issue an order to take safety measures necessary to prevent any harms.
 - (4) Notwithstanding the main clause of Article 15 (1), a person related to a factory, etc. may choose not to appoint a safety controller of hazardous substances during the period of suspension of the use of the factory, etc. in accordance with a report on the suspension of use under paragraph (2).

[This Article Newly Inserted on Oct. 20, 2020]

Article 12 (Revocation of Permission for Construction of Factory and Suspension of Use) When a person related to a factory, etc. falls under any one of the following, the Mayor/Do Governor may revoke the permission granted under Article 6 (1) or order to fully or partially suspend the use of the factory, etc. for a prescribed period not exceeding six months, as prescribed by Ordinance of the Ministry of the Interior and Safety: <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Dec. 30, 2014; Jan. 27, 2016; Jul. 26, 2017; Jul. 26, 2017; Oct. 20, 2020>

- 1. When a location, structure or equipment of the factory, etc. is altered without obtaining permission for alteration under the latter part of Article 6 (1);
- 2. When the factory, etc. is used without receiving completion inspection under Article 9;
- 2-2. Where orders to take safety measures under Article 11-2 (3) are not complied with;
- 3. When orders for repair, remodeling or relocation under Article 14 (2) are violated;
- 4. When a safety controller of hazardous substances under Article 15 (1) and (2) is not designated;
- 5. When an agent is not designated in violation of Article 15 (5);
- 6. When a regular inspection under Article 18 (1) is not conducted;
- 7. Where manufacturers or importers of deep sea drinking water fail to undergo a medical examination under Article 18 (3);
- 8. When orders to observe standards for storage or handling under Article 26 are violated.
- **Article 13 (Disposition of Penalty Surcharges)** (1) When the suspension of use of a factory, etc. falling under any subparagraph of Article 12 is likely to cause serious inconvenience to its users or be detrimental to public interest, the Mayor/Do Governor may impose a penalty surcharge not exceeding 200 million won in lieu of the disposition of the suspension of use. <Amended on Jan. 27, 2016>
 - (2) The amount of the penalty surcharge based on the classification, degree, etc. of a violation subject to the imposition of a penalty surcharge under paragraph (1) and other necessary matters shall be prescribed by Ordinance of the Ministry of the Interior and Safety. <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Jul. 26, 2017>
 - (3) When a person obliged to pay a penalty surcharge under paragraph (1) fails to pay the surcharge by the payment deadline, the Mayor/Do Governor shall collect it in accordance with the Act on the Collection of Local Administrative Penalty Charges. <Amended on Aug. 6, 2013; Mar. 24, 2020>

CHAPTER III SAFETY CONTROL OF FACILITIES FOR HAZARDOUS SUBSTANCES

- **Article 14 (Maintenance and Management of Facilities for Hazardous Substances)** (1) A person related to a factory, etc. shall maintain and manage the factory, etc. in a manner to ensure its location, structure and equipment conform to the technical standards provided under Article 5 (4).
 - (2) When the Mayor/Do Governor, the head of a fire defense headquarters or the head of a fire station deems that the conditions of maintenance and management under paragraph (1) are not in conformity with the technical standards provided under Article 5 (4), he or she may order the repair, remodeling or relocation of the location, structure or equipment of a factory, etc. so that they may be in conformity with such technical standards.
- Article 15 (Safety Controllers of Hazardous Substances) (1) A person related to a factory, etc. [excluding a factory, etc. that are not required to obtain permission under Article 6 (3) and a mobile storage tank (referring to a storing place that stores or handles hazardous substances in a tank fixed onto vehicles); hereafter in this Article the same shall apply] shall appoint a person who is qualified for handling hazardous substances prescribed by Presidential Decree (hereinafter referred to as "qualified person for handling hazardous substances") as a safety controller of hazardous substances (hereinafter referred to as "safety controller") at each factory, etc. for performance of duties related to the safety control of hazardous substances: Provided, That in cases prescribed by Presidential Decree, such as where hazardous substances stored or handled in a factory, etc. are toxic substances under the Chemicals Control Act, a person who constructed the factory, etc. may appoint a person who is designated to perform the safety control-related

duties under other Acts and who is prescribed by Presidential Decree as a safety controller. <Amended on Jun. 4, 2013>

- (2) When a person related to a factory, etc. who appointed a safety controller as described in paragraph (1) dismisses such safety controller, or a safety controller retires from office, the relevant person shall appoint a new safety controller within 30 days from the date of the dismissal or retirement.
- (3) Where a safety controller has been appointed pursuant to paragraphs (1) and (2), a person related to a factory, etc. shall report such fact to the head of a fire defense headquarters or the head of a fire station within 14 days from the date of the appointment, as prescribed by Ordinance of the Ministry of the Interior and Safety. <Amended on Dec. 30, 2014; Jul. 26, 2017>
- (4) Where a person related to a factory, etc. has dismissed a safety controller, or where a safety controller has retired from office, the person or the safety controller may have such dismissal or retirement confirmed after notifying it to the head of a fire defense headquarters or the head of a fire station. <Newly Inserted on Dec. 30, 2014>
- (5) Where a safety controller is unable to perform his or her duties temporarily due to his or her travel, illness or any other reason, or where it is not possible to appoint another safety controller simultaneously with the dismissal or retirement of a safety controller, a person related to a factory, etc. who appointed the safety controller in accordance with paragraph (1) shall designate a person who has acquired qualifications for handling hazardous substances under the National Technical Qualifications Act or a person prescribed by Ordinance of the Ministry of the Interior and Safety as having basic knowledge and experience in the safety control of hazardous substances as an agent to perform the duties of the safety controller on behalf of the safety controller. In such cases, the period of performance of the duties of a safety controller by the agent shall not exceed 30 days. <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Dec. 30, 2014; Jul. 26, 2017>
- (6) Each safety controller shall, when he or she engages in handling hazardous substances, conduct the safety control or supervision of handling of hazardous substances as prescribed by Ordinance of the Ministry of the Interior and Safety, such as giving necessary instructions to workers on safety control, and persons related to a factory, etc. as well as its employees shall respect the safety controller's opinion on the safety control of hazardous substances and follow his or her advice. <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Dec. 30, 2014; Jul. 26, 2017>
- (7) A person who is not a qualified person for handling hazardous substances in a factory, etc. shall handle hazardous substances in the presence of a safety controller or an agent as provided under paragraph (5). <Amended on Dec. 30, 2014>
- (8) Where several factories, etc. are constructed by one person, a relevant person may appoint one safety controller in duplication as prescribed by Presidential Decree, notwithstanding paragraph (1). In such cases, a person related to a factory, etc. as prescribed by Presidential Decree shall designate a person eligible to become an agent under paragraph (5) for each factory, etc. and require him or her to assist a safety controller. <Amended on Dec. 30, 2014>
- (9) The eligibility requirements for a safety controller to be designated according to the type and scale of a factory, etc. shall be prescribed by Presidential Decree. < Amended on Dec. 30, 2014>
- **Article 16 (Registration of Tank Testers)** (1) In order to conduct safety control services in a professional and efficient manner, the Mayor/Do Governor or a person related to a factory, etc. may assign a tester of safe

- performance of a tank (hereinafter referred to as "tank tester") to partially conduct a test or an inspection under this Act.
- (2) Each person who intends to be a tank tester shall register with the Mayor/Do Governor after possessing technical ability, facilities and equipment as prescribed by Presidential Decree.
- (3) Where a person has altered any important matter registered under paragraph (2) and prescribed by Ordinance of the Ministry of the Interior and Safety, he or she shall report such alteration to the Mayor/Do Governor within 30 days from the date of such alteration. <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Jul. 26, 2017>
- (4) None of the following persons shall register as a tank tester or be engaged in the business of a tank tester: <Amended on Mar. 31, 2005; Dec. 30, 2014; Jan. 27, 2016; Mar. 21, 2017; Jan. 12, 2021; Nov. 30, 2021>
- 1. A person under adult guardianship;
- 2. Deleted; <Sep. 22, 2006>
- 3. A person for whom two years have not elapsed since his or her imprisonment without labor or heavier punishment declared by a court under this Act, the Framework Act on Firefighting Services, the Act on Fire Prevention and Safety Control, or the Firefighting System Installation Business Act, was completely executed (including where the execution of such sentence is deemed complete) or exempted;
- 4. A person who is under suspension of the execution of his or her imprisonment without labor or heavier punishment declared by a court under this Act, the Framework Act on Firefighting Services, the Act on Fire Prevention and Safety Control, or the Firefighting System Installation Business Act;
- 5. A person for whom two years have not elapsed since his or her registration of a tank tester was revoked (excluding where the person falls under subparagraph 1 and his or her qualification was revoked accordingly) under paragraph (5);
- 6. A corporation whose representative falls under any one of subparagraphs 1 through 5.
- (5) Where a tank tester falls under any of the following, the Mayor/Do Governor may revoke his or her registration or order suspension of his or her business for a prescribed period not exceeding six months, as prescribed by Ordinance of the Ministry of the Interior and Safety: Provided, That where he or she falls under subparagraphs 1 through 3, the Mayor/Do Governor shall revoke his or her registration: <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Jan. 27, 2016; Jul. 26, 2017>
- 1. Where the registration is made by fraud or other improper means;
- 2. Where he or she falls under a ground for disqualification described in the subparagraphs of paragraph (4);
- 3. Where he or she lends his or her registry certificate to any other person;
- 4. Where he or she fails to meet standards for registration under paragraph (2);
- 5. Where he or she conducts a test or inspection of tank safety performance by fraud or conducts a test or inspection of tank safety performance in violation of the standards under this Act, or he or she is deemed as inappropriate for a tank tester otherwise.
- (6) Each tank tester shall conduct a test or inspection of tank safety performance in a faithful manner under this Act or orders under this Act.
- **Article 17 (Prevention Regulations)** (1) A person related to a factory, etc. prescribed by Presidential Decree shall establish prevention regulations for the prevention of fire at a factory, etc. and emergency measures to be taken in the event of fire and other disasters, as prescribed by Ordinance of the Ministry of the Interior and Safety, and shall submit them to the competent Mayor/Do Governor prior to the commencement of use of the

- relevant factory, etc. The same shall also apply to any alteration of such regulations. <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Jul. 26, 2017; Jan. 3, 2008>
- (2) When the competent Mayor/Do Governor deems that the prevention regulations submitted as described in paragraph (1) fail to meet the standards under Article 5 (3), or when he or she deems that such regulations are necessary for fire prevention or emergency measures to be taken in the event of a disaster, he or she may reject such regulations or order alterations thereof. <Amended on Jan. 3, 2023>
- (3) Persons related to a factory, etc. under paragraph (1) and its employees shall be fully aware of and comply with the prevention regulations. <Amended on Jan. 3, 2023>
- (4) The Administrator of the National Fire Agency may evaluate the status of implementation of the prevention regulations with respect to factories, etc. prescribed by Presidential Decree on a regular basis, as prescribed by Ordinance of the Ministry of the Interior and Safety. <Newly Inserted on Jan. 3, 2023>
- Article 18 (Regular Check and Regular Inspection) (1) A person related to a factory, etc. prescribed by Presidential Decree shall regularly check whether the factory, etc. meets the technical standards provided under Article 5 (4) and keep the results of such check, as prescribed by Ordinance of the Ministry of the Interior and Safety. <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Jul. 26, 2017>
 (2) A person related to a factory, etc. who has conducted a regular check under paragraph (1) shall submit the results of such check to the Mayor/Do Governor within 30 days from the date of conducting the check.
 - (3) A person related to a factory, etc. prescribed by Presidential Decree who is subject to a regular check under paragraph (1) shall receive a regular inspection by the head of a fire defense headquarters or the head of a fire station on whether the factory, etc. is being maintained in conformity with the technical standards provided under Article 5 (4), as prescribed by Ordinance of the Ministry of the Interior and Safety. <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Jul. 26, 2017; Oct. 20>
- **Article 19 (In-House Fire Brigade)** Where hazardous substances of not less than a quantity prescribed by Presidential Decree are stored or handled at the same place of business where there are a factory, etc. storing or handling a large quantity of hazardous substances which are prescribed by Presidential Decree, a person related to the place of business shall establish an in-house fire brigade in the relevant place of business, as prescribed by Presidential Decree.

CHAPTER IV TRANSPORT OF HAZARDOUS SUBSTANCES

<Newly Inserted on Oct. 20, 2020>

- **Article 20 (Transport of Hazardous Substances)** (1) Hazardous substances shall be transported according to the following principal standards and detailed standards concerning their containers, methods of loading and transportation: <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Jan. 27, 2016; Jul. 26, 2017>
 - 1. Principal standards: Standards prescribed by Ordinance of the Ministry of the Interior and Safety as having a significant influence on the prevention of harm and danger, such as fires, as well as emergency measures therefor, or having a high probability of directly causing a fire when they are violated;
 - 2. Detailed standards: Standards prescribed by Ordinance of the Ministry of the Interior and Safety as having a relatively less influence on the prevention of harm and danger, such as fires, as well as emergency measures therefor than principal standards, or likely to indirectly cause a fire when they are violated, and standards relating to indicators necessary for the safety control of hazardous substances and the keeping of documents, equipment, etc.

- (2) The driver of a vehicle that loads hazardous substances stored in a transportation container in excess of the designated quantity pursuant to paragraph (1) and transports such hazardous substances (hereinafter referred to as "carrier of hazardous substances") shall meet any of the following requirements: <Newly Inserted on Jun. 9, 2020>
- 1. Acquiring qualifications in the field of hazardous substances under the National Technical Qualifications Act;
- 2. Receiving education under the Article 28 (1).
- (3) A Mayor/Do Governor may inspect transportation containers as provided under paragraph (1) at the request of a manufacturer or importer of such containers: Provided, That the manufacturer or importer of large containers that can be unloaded by machines as prescribed by Ordinance of the Ministry of the Interior and Safety shall receive inspection of the containers by a Mayor/Do Governor before he or she uses or distributes such containers, as prescribed by Ordinance of the Ministry of the Interior and Safety. <Amended on Aug. 4, 2005; Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Dec. 30, 2014; Jul. 26, 2017; Jun. 9, 2020>
- Article 21 (Transportation of Hazardous Substances) (1) Each person who transports hazardous substances by mobile storage tank (referring to a person responsible for transportation and the driver of a mobile storage tank; hereinafter referred to as "transporter of hazardous substances") shall meet the requirements falling under any of the subparagraphs of Article 20 (2). <Amended on Jun. 9, 2020> (2) Hazardous substances prescribed by Presidential Decree shall be transported under the supervision or support of a person responsible for transportation (referring to a person who supervises or supports transportation of hazardous substances; hereinafter the same shall apply). Detailed standards for the scope of persons responsible for transportation, methods of supervision or support, etc. shall be prescribed by Ordinance of the Ministry of the Interior and Safety. <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Jul. 26, 2017>
 - (3) When a transporter of hazardous substances transports hazardous substances by a mobile storage tank, he or she shall pay close attention to ensure the safety of the relevant hazardous substances, such as observing the standards prescribed by Ordinance of the Ministry of the Interior and Safety. <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Dec. 30, 2014; Jul. 26, 2017>

CHAPTER V SUPERVISION AND ORDERS TO TAKE MEASURES

Article 22 (Access and Inspection) (1) When necessary for fire prevention or countermeasures for the extinguishment of a fire in connection with the storage or handling of hazardous substances, the Fire Commissioner of the National Fire Agency (including the head of the National 119 Rescue Headquarters and the heads of its affiliated institutions; hereafter in Article 22-2 the same shall apply), the Mayor/Do Governor, the head of a fire defense headquarters, or the head of a fire station may order persons related to a place deemed to be used for storing or handling hazardous substances to file a necessary report or submit materials and may authorize relevant public officials to enter the relevant place to inspect the location, structure and equipment of such place and the conditions of storing or handling hazardous substances, or make inquiries to the relevant persons, and collect a minimum amount of a hazardous substance necessary for a test or a substance suspected as a hazardous substance: Provided, That the relevant public officials shall not have access to the residence of a private person unless he or she has obtained the consent of a relevant person or it is urgently required due to fire concerns. <Amended on Jan. 27, 2016; Jul. 26, 2017>

- (2) Where any fire officer or police official deems it necessary to ascertain the requirements of carrier of hazardous substances and transporter of hazardous substances, he or she may stop a vehicle transporting hazardous substances or a mobile storage tank in motion and request the relevant carrier of hazardous substances and transporter of hazardous substances to produce a certificate of national technical qualifications or a certificate of the completion of education for handling hazardous substances verifying his or her qualifications, and where the relevant person fails to produce his or her certificate, the fire officer or national police officer may request the person to produce a certificate for verifying identity or ask him or her questions to verify his or her identity. Fire officers and police officials shall collaborate closely in performing such duties. <Amended on Feb. 21, 2006; Dec. 30, 2014; Jun. 9, 2020; Dec. 22, 2020>
- (3) An access, inspection, etc. under paragraph (1) shall be made during the hours of opening the place to the public or working hours, or hours after sunrise and before sunset: Provided, That this shall not apply where the consent of the relevant person of a building or any other structure is obtained, or it is urgently required due to fire concerns.
- (4) No public officials gaining access to a place and conducting an inspection, etc. under paragraphs (1) and (2) shall interfere with the proper business of a relevant person or divulge to others any confidential information learned while having access to the place and conducting an inspection, etc.
- (5) The Mayor/Do Governor, the head of a fire defense headquarters or the head of a fire station may order a tank tester to make a necessary report on registration of a tank tester or its affairs or submit materials thereof, and authorize relevant public officials to enter the relevant office to inspect the conditions of business, test instruments, books, documents and other articles, or make inquiries to the relevant persons.

 Amended on Jun. 9, 2020>
- (6) Public officials gaining access to an office and conducting an inspection, etc. under paragraphs (1), (2) and (5) shall carry a certificate indicating his or her authority and produce it to the relevant persons.
- Article 22-2 (Investigation of Accidents Involving Release of Hazardous Substances) (1) In case of an accident involving the release of a hazardous substance, fire, explosion, etc., the Fire Commissioner of the National Fire Agency, the head of a fire defense headquarters, or the head of a fire station shall investigate the causes of the accident and the damage resulting therefrom. <Amended on Jul. 26, 2017>
 - (2) Article 22 (1), (3), (4), and (6) shall apply mutatis mutandis with regard to an investigation under paragraph (1).
 - (3) If necessary for an accident investigation under paragraph (1), the Fire Commissioner of the National Fire Agency, the head of a fire defense headquarters, or the head of a fire station may establish an accident investigation board consisting of persons with expert knowledge in the relevant area as an advisory group.

 Amended on Jul. 26, 2017>
 - (4) Matters necessary for the establishment, operation, etc. of an accident investigation board under paragraph (3) shall be prescribed by Presidential Decree.

 [This Article Newly Inserted on Jan. 27, 2016]
- **Article 23 (Orders to Tank Testers)** If deemed necessary for causing a tank tester to properly conduct his or her business, the Mayor/Do Governor, the head of a fire defense headquarters or the head of a fire station may give orders necessary for supervision to a tank tester.
- **Article 24 (Orders to Take Measures for Hazardous Substances at Unauthorized Places)** In order to prevent a disaster caused by hazardous substances, the Mayor/Do Governor, the head of a fire defense

headquarters or the head of a fire station may order a person who stores or handles hazardous substances of not less than a designated quantity without having obtained permission under Article 6 (1) (excluding a person who is not subject to permission under Article 6 (3)) to take necessary measures, such as removal of such hazardous substances and facilities.

- **Article 25 (Emergency Orders to Suspend Use of Factory)** If deemed urgently required for maintaining the public safety or preventing any occurrence of a disaster, the Mayor/Do Governor, the head of a fire defense headquarters or the head of a fire station may order persons related to a factory, etc. to temporarily suspend the use of the factory, etc. or limit its use.
- **Article 26 (Orders to Observe Standards for Storage and Handling)** (1) When a Mayor/Do Governor, the head of a fire defense headquarters or the head of a fire station deems that the storage or handling of hazardous substances in a factory, etc. is in violation of Article 5 (3), he or she may order persons related to such factory, etc. to store or handle hazardous substances in accordance with the standards under that paragraph.
 - (2) When the Mayor/Do Governor, the head of a fire defense headquarters or the head of a fire station deems that the storage or handling of hazardous substances in a mobile storage tank in his or her jurisdictional area is in violation of Article 5 (3), he or she may order persons related to the mobile storage tank to store or handle hazardous substances in accordance with the standards under that paragraph.
 - (3) Where the Mayor/Do Governor, the head of a fire defense headquarters or the head of a fire station has given an order to persons related to a mobile storage tank under paragraph (2), he or she shall promptly notify such intent to the Mayor/Do Governor, the head of a fire defense headquarters or the head of a fire station who permitted the mobile storage tank under Article 6 (1), as prescribed by Ordinance of the Ministry of the Interior and Safety. <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Jul. 26, 2017>
- **Article 27 (Emergency Measures, Notification and Orders to Take Measures)** (1) In the case of a discharge of hazardous substances or occurrence of any other accident in a factory, etc., persons related to the factory, etc. shall take emergency measures for the prevention of discharge and diffusion of hazardous substances, removal of hazardous substances that have been discharged and the prevention of occurrence of a disaster in a prompt and continuous way.
 - (2) A person who discovers a state of affairs referred to in paragraph (1) shall immediately report it to a police station, fire station or any other relevant agency.
 - (3) When the head of a fire defense headquarters or the head of a fire station deems that persons related to a factory, etc. fail to take emergency measures referred to in paragraph (1), he or she may order such persons to take emergency measures of paragraph (1).
 - (4) The head of a fire defense headquarters or the head of a fire station may order persons related to a mobile storage tank in his or her jurisdictional area to take emergency measures under paragraph (1), as prescribed in paragraph (3).

CHAPTER VI SUPPLEMENTARY PROVISIONS

Article 28 (Safety Education) (1) Each person conducting a business related to the safety control of hazardous substances, such as a safety controller, tank tester, carrier of hazardous substances and transporter of hazardous substances, and prescribed by Presidential Decree shall receive education conducted by the Fire Commissioner of the National Fire Agency for the acquisition or improvement of abilities regarding the relevant business. <Amended on Aug. 4, 2005; Nov. 19, 2014; Jul. 26, 2017; Jun. 9, 2020>

- (2) Persons related to a factory, etc. shall have those entitled to education under paragraph (1) receive necessary safety education.
- (3) The curricula and the period of education under paragraph (1) and other matters necessary for the conducting of education shall be prescribed by Ordinance of the Ministry of the Interior and Safety. <Amended on Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Jul. 26, 2017>
- (4) When those entitled to education referred to in paragraph (1) fail to receive the education, the Mayor/Do Governor, the head of a fire defense headquarters or the head of a fire station may restrict any act that such persons conduct in his or her capacity as provided in this Act until he or she receives such education.
- **Article 29 (Hearings)** Where the Mayor/Do Governor, the head of a fire defense headquarters or the head of a fire station intends to take any of the following measures, he or she shall hold a hearing: <Amended on Jan. 27, 2016>
 - 1. Revocation of permission for building a factory, etc. under Article 12;
 - 2. Revocation of registration of a tank tester under Article 16 (5).
- Article 30 (Delegation and Entrustment of Authority) (1) The Fire Commissioner of the National Fire Agency or the Mayor/Do Governor may delegate part of his or her authority under this Act to the Mayor/Do Governor, the head of a fire defense headquarters or the head of a fire station, as prescribed by Presidential Decree. <Amended on Aug. 4, 2005; Nov. 19, 2014; Jul. 26, 2017>
 - (2) The Fire Commissioner of the National Fire Agency, the Mayor/Do Governor, the head of a fire defense headquarters or the head of a fire station may entrust the Korea Fire Safety Institute (hereinafter referred to as the "Safety Institute") under Article 40 of the Framework Act on Firefighting Services or the Fire Institute with part of the affairs under this Act, as prescribed by Presidential Decree. <Amended on Aug. 4, 2005; Jun. 5, 2008; Nov. 19, 2014; Jul. 26, 2017; Dec. 26, 2017>
- **Article 31 (Fees)** Any person who intends to obtain approval or permission, receive inspection, education, etc., or file a registration or report, falling under any of the following, shall pay fees or tuitions, as prescribed by Ordinance of the Ministry of the Interior and Safety: <Amended on Aug. 4, 2005; Feb. 29, 2008; Mar. 23, 2013; Nov. 19, 2014; Jan. 27, 2016; Jul. 26, 2017; Jun. 9, 2020; Oct. 20, 2020>
 - 1. Approval for temporary storage or handling under Article 5 (2) 1;
 - 2. Permission for building a factory, etc. or alterations thereof under Article 6 (1);
 - 3. A tank safety performance test of a factory, etc. under Article 8;
 - 4. Completion inspection of a factory, etc. under Article 9;
 - 5. A report of succession to the status of a person who constructed a factory, etc. under Article 10 (3);
 - 6. Registration of a tank tester under Article 16 (2);
 - 7. A report of alteration of matters registered in relation to a tank tester under Article 16 (3);
 - 8. A regular inspection under Article 18 (3);
 - 9. An inspection of transportation containers under Article 20 (3);
 - 10. Safety education under Article 28.
- **Article 32 (Legal Fiction of Public Officials for Purpose of Penalty Provisions)** The following persons shall be deemed public officials for the purpose of Articles 129 through 132 of the Criminal Act: <Amended on Jun. 5, 2008; Jan. 27, 2016; Dec. 26, 2017>
 - 1. Executive officers and employees with the Fire Institute engaged in inspection affairs under the latter part of Article 8 (1);

- 2. Persons engaged in the business of a tank tester under Article 16 (1);
- 3. Executive officers and employees with the Safety Institute and the Fire Institute engaged in affairs entrusted under Article 30 (2).

CHAPTER VII PENALTY PROVISIONS

- Article 33 (Penalty Provisions) (1) Any person who causes harm to the life, body, or property of people by releasing, discharging, or diffusing hazardous substances from a factory, etc. or a place of storing or handling hazardous substances of not less than a designated quantity without obtaining permission under Article 6 (1) shall be punished by imprisonment with labor for a period of not less than one year but not more than 10 years. <Amended on Jan. 3, 2023>
 - (2) When a person inflicts an injury upon people by committing an offense under paragraph (1), he or she shall be punished by imprisonment with labor for an indefinite term or imprisonment with labor for not less than three years, and when a person causes the death of a person by committing an offense under paragraph (1), he or she shall be punished by imprisonment with labor for an indefinite term or imprisonment with labor for not less than five years.
- **Article 34 (Penalty Provisions)** (1) Any person who commits a crime under Article 33 (1) as a result of occupational negligence shall be punished by imprisonment without labor for not more than seven years or by a fine not exceeding 70 million won. <Amended on Jan. 27, 2016; Jan. 3, 2023>
 - (2) Any person who causes casualties by committing an offense under paragraph (1) shall be punished by imprisonment with or without labor, for not more than 10 years, or by a fine not exceeding 100 million won. <Amended on Jan. 27, 2016>
- **Article 34-2 (Penalty Provisions)** Any person who constructs a factory, etc. without obtaining permission for the construction of a factory, etc. in violation of the former part of Article 6 (1), shall be punished by imprisonment with labor for not more than five years or by a fine not exceeding 100 million won. [This Article Newly Inserted on Mar. 21, 2017]
- **Article 34-3 (Penalty Provisions)** Any person who stores or handles hazardous substances of not less than a designated quantity in a place which is neither a storing place nor a factory, etc. in violation Article 5 (1), shall be punished by imprisonment with labor for not more than three years or by a fine not exceeding 30 million won.

[This Article Newly Inserted on Mar. 21, 2017]

- **Article 35 (Penalty Provisions)** Any of the following persons shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding 10 million won: <Amended on Jan. 27, 2016; Jun. 9, 2020; Oct. 20, 2020>
 - 1. Deleted; <Mar. 21, 2017>
 - 2. Deleted; <Mar. 21, 2017>
 - 3. A person who conducts the business of a tank tester without being registered as a tank tester under Article 16 (2);
 - 4. A relevant person who fails to conduct a regular check or falsely records the results of a check in violation of Article 18 (1) and who obtains permission under Article 6 (1) (including where permission is exempted under Article 6 (3) and where permission is deemed to be obtained by consultation under Article 7 (2);

- hereafter in subparagraphs 5 and 6, subparagraphs 6, 7 and 10 of Article 36 and subparagraph 3 of Article 37 the same shall apply);
- 5. A relevant person who fails to receive a regular inspection, in violation of Article 18 (3) and who obtains permission under Article 6 (1);
- 6. A relevant person who fails to establish an in-house fire brigade, in violation of Article 19 and who obtains permission under Article 6 (1);
- 7. A person who uses or distributes transportation containers without receiving an inspection in violation of the proviso of Article 20 (3);
- 8. A person who fails to file a report or submit materials or files a false report or submits false materials, or who refuses, interferes with or evades the access, inspection or collection by the relevant public officials, in violation of orders issued under Article 22 (1) (including cases as applicable mutatis mutandis in Article 22-2 (2));
- 9. A person who violates emergency orders to suspend or restricts the use of a factory, etc. under Article 25.
- **Article 36 (Penalty Provisions)** Any of the following persons shall be punished by a fine not exceeding 15 million won: <Amended on Dec. 30, 2014; Jan. 27, 2016; Mar. 21, 2017; Oct. 20, 2020>
 - 1. A person who fails to meet the principal standards for storage or handling of hazardous substances under Article 5 (3) 1;
 - 2. A person who alters a factory, etc. without having obtained permission for alteration in violation of the latter part of Article 6 (1);
 - 3. A person who stores or handles hazardous substances without having received completion inspection of a factory, etc. in violation of Article 9 (1);
 - 3-2. A person who fails to comply with an order to take safety measures under Article 11-2 (3);
 - 4. A person who violates an order to suspend the use of a factory, etc. under Article 12;
 - 5. A person who fails to comply with an order for repair, remodeling or relocation under Article 14 (2);
 - 6. A relevant person who fails to appoint a safety controller in violation of Article 15 (1) or (2) and who obtains permission under Article 6 (1);
 - 7. A relevant person who fails to appoint an agent in violation of Article 15 (5) and who obtains permission under Article 6 (1);
 - 8. A person who violates orders to suspend business under Article 16 (5);
 - 9. A person who conducts affairs related to a tank safety performance test or inspection by fraud or delivers documents proving such results by fraud in violation of Article 16 (6);
 - 10. A relevant person who fails to submit the prevention regulations, in violation of the former part of Article 17 (1) or violates orders to make alterations under paragraph (2) of that Article and who obtains permission under Article 6 (1);
 - 11. A person who refuses to comply with an instruction to make a stop, or fails to comply with a request to produce a certificate of national technical qualifications, a certificate of the completion of education or a certificate for verifying identification or answer the questions for verifying identity, under Article 22 (2);
 - 12. A person who fails to file a report or submit materials or files a false report or submits false materials or refuses, interferes with or evades the access or inspection by the relevant public officials in violation of orders issued under Article 22 (5);
 - 13. A person who fails to comply with orders necessary for supervision issued to a tank tester under Article 23;

- 14. A person who fails to comply with orders to take measures for hazardous substances at an unauthorized place under Article 24;
- 15. A person who violates orders to comply with the standards for storage and handling under Article 26 (1) and (2) or orders to take emergency measures under Article 27.
- **Article 37 (Penalty Provisions)** Any of the following persons shall be punished by a fine not exceeding 10 million won: <Amended on Dec. 30, 2014; Jan. 27, 2016; Mar. 21, 2017; Jun. 9, 2020>
 - 1. A person who fails to conduct safety control and supervision over the handling of hazardous substances in violation of Article 15 (6);
 - 2. A person who handles hazardous substances without the presence of a safety controller or his or her agent in violation of Article 15 (7);
 - 3. A relevant person who fails to submit the amended prevention regulations in violation of the latter part of Article 17 (1) and who obtains permission under Article 6 (1);
 - 4. A person who fails to comply with the principal standards for transport of hazardous substances in violation of Article 20 (1) 1;
 - 4-2. A carrier of hazardous substances who fails to meet requirements, in violation of Article 20 (2);
 - 5. A transporter of hazardous substances who violates Article 21 (1) or (2);
 - 6. A person who interferes with the proper business of a relevant person or divulges any confidential information learned while having access to a place or conducting an inspection, etc. in violation of Article 22 (4) (including cases as applicable mutatis mutandis in Article 22-2 (2)).
- Article 38 (Joint Penalty Provisions) (1) If the representative of a corporation, or an agent, employee of, or any other person employed by, the corporation or an individual commits any violations under Article 33 (1) in conducting the business affairs of such corporation or individual, the corporation or individual shall be punished by a fine not exceeding 50 million won in addition to punishing the violators accordingly; and if such actor commits any violations under Article 33 (2), the corporation or individual shall be punished by a fine not exceeding 100 million won in addition to punishing the violators accordingly: Provided, That the same shall not apply where such corporation or individual has not been negligent in providing due care and supervision with respect to the relevant affairs to prevent such a violation.
 - (2) If the representative of a corporation, or an agent, employee of, or any other person employed by, the corporation or individual commits any of the violations under Articles 34 through 37 in conducting the business affairs of such corporation or individual, the corporation or individual shall be punished by a fine prescribed in the relevant Article in addition to punishing the violators accordingly: Provided, That the same shall not apply where such corporation or individual has not been negligent in providing due care and supervision with respect to the relevant affairs to prevent such a violation.

[This Article Wholly Amended on Mar. 22, 2010]

- **Article 39 (Administrative Fines)** (1) Any of the following persons shall be subject to an administrative fine not exceeding five million won: <Amended on Dec. 30, 2014; Jan. 27, 2016; Oct. 20, 2020; Jan. 3, 2023>
 - 1. A person who fails to obtain approval under Article 5 (2) 1;
 - 2. A person who violates the detailed standards for storage or handling of hazardous substances under Article 5 (3) 2;
 - 3. A person who fails to file a report of alteration of the name, etc. under Article 6 (2) within the prescribed period or files a false report;

- 4. A person who fails to file a report of succession to status under Article 10 (3) within the prescribed period or make a false report;
- 5. A person who fails to file a report on disuse of a factory, etc. under Article 11 or file a report on designation of a safety controller under Article 15 (3), within the prescribed period, or files a false report;
- 5-2. A person who fails to file a report on suspension of the use or a report on resumption of the use within the prescribed period or make false report, in violation of Article 11-2 (2);
- 6. A person who fails to file a report of alteration of registered matters within the prescribed period in violation of Article 16 (3), or files a false report;
- 6-2. A person who fails to comply with the prevention regulations, in violation of Article 17 (3);
- 7. A person who fails to record or keep the results of check in violation of Article 18 (1);
- 7-2. A person who fails to submit the results of check within the prescribed period in violation of Article 18 (2);
- 8. A person who violates the detailed standards for transport of hazardous substances under Article 20 (1) 2;
- 9. A person who fails to comply with the standards for transport of hazardous substances in violation of Article 21 (3).
- (2) An administrative fine under paragraph (1) shall be imposed and collected by the Mayor/Do Governor, the head of a fire defense headquarter or the head of a fire station (hereinafter referred to as "imposing authority"), as prescribed by Presidential Decree.
- (3) Deleted. < Dec. 30, 2014>
- (4) Deleted. < Dec. 30, 2014>
- (5) Deleted. < Dec. 30, 2014>
- (6) An administrative fine not exceeding two million won may be prescribed in municipal ordinance under Article 4 and the latter part, with the exception of the subparagraphs, of Article 5 (2). In such cases, the imposing authority shall impose and collect an administrative fine. <Amended on Jan. 27, 2016>
- (7) Deleted. < Dec. 30, 2014>

■ ADDENDA <Act No. 6896, May 29, 2003>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures for Actions Performed under the Previous Fire Services Act)

Actions by administrative agencies or actions related to administrative agencies performed under the previous Fire Services Act as at the time this Act enters into force shall be deemed actions by administrative agencies or actions related to administrative agencies under the provisions of this Act corresponding thereto.

Article 3 (Transitional Measures concerning Facilities for Hazardous Substances for Military Purposes)

- (1) The commander of a military unit who has a factory, etc. for military purposes or for facilities of the military unit under Article 7 (1) as at the time this Act enters into force shall submit a report on present status of the factory, etc. to the head of a fire station who has jurisdiction over the location of such factory, etc. within six months after this Act enters into force, as determined by the Administrator of the National Emergency Management Agency. <Amended by Act No. 7659, Aug. 4, 2005>
- (2) When the commander of a military unit has submitted a report on present status of a factory, etc. under paragraph (1), he or she shall be deemed to have obtained permission under Article 6 (1), receive a tank

safety performance test under Article 8 and receive completion inspection under Article 9.

Article 4 (Transitional Measures concerning Designation of Safety Controller)

A person related to a factory, etc. who has designated a safety controller under the previous Fire Services Act as at the time this Act enters into force shall designate a safety controller in conformity with the provisions of Article 15 and file a report of such details within one year from the date this Act enters into force.

Article 5 (Transitional Measures concerning Disqualifications of Tank Testers)

A person sentenced to a punishment or the suspension of the execution of such under the previous Fire Services Act due to an act before this Act enters into force shall be deemed a person sentenced to a punishment or the suspension of the execution of such under the relevant Acts referred to in Article 16 (4) 3 or 4.

Article 6 (Transitional Measures concerning Safety Education)

Persons responsible for transportation and drivers transporting hazardous substances by mobile storage tank as at the time this Act enters into force shall receive safety education under Article 28 (1) within one year from the date this Act enters intro force under Article 21 (1): Provided, That where persons transporting hazardous substances by mobile storage tank as at the time this Act enters into force received education on the handling of hazardous substances under the proviso to Article 20 (1) of the previous Fire Services Act, he or she shall receive safety education under Article 28 (1) within three years after this Act enters into force.

Article 7 (Transitional Measures concerning Administrative Dispositions)

The previous provisions of the Fire Services Act shall apply to administrative dispositions on offenses against the Fire Services Act before this Act enters into force.

Article 8 (Relationship with Other Statutes or Regulations)

References in other statutes or regulations to the provisions of the previous Fire Services Act as at the time this Act enters into force shall be construed as referring to the relevant provisions of this Act in lieu of the previous provisions, if such corresponding provisions exist herein.

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

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDUM <Act No. 7659, Aug. 4, 2005>

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

■ ADDENDA < Act No. 7849, Feb. 21, 2006>

Article 1 (Enforcement Date)

This Act shall enter into force on July 1, 2006. (Proviso Omitted.) Articles 2 through 41 Omitted.

■ ADDENDUM <Act No. 7984, Sep. 22, 2006>

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

■ ADDENDA <Act No. 8621, Aug. 3, 2007>

Article 1 (Enforcement Date)

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

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

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.) Articles 2 through 7 Omitted.

■ ADDENDA <Act No. 9094, Jun. 5, 2008>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDUM <Act No. 10151, Mar. 22, 2010>

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

■ ADDENDA <Act No. 10219, Mar. 31, 2010>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2011.

Articles 2 through 12 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

■ ADDENDA <Act No. 11862, Jun. 4, 2013>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2015.

Articles 2 through 12 Omitted.

■ ADDENDA <Act No. 11998, Aug. 6, 2013>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

■ ADDENDA <Act No. 12844, Nov. 19, 2014>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amendments to the Acts to be amended pursuant to Article 6 of the Addenda, 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 date of the relevant Act.

Articles 2 through 7 Omitted.

ADDENDA < Act No. 12941, Dec. 30, 2014>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 21 (3), Article 22 (2), subparagraph 11 of Article 36, and Article 39 (1) 9 shall enter into force on January 1, 2015.

Article 2 (Transitional Measures concerning Penalty Provisions and Administrative Fines)

For the purpose of penalty provisions and administrative fines on a violation committed before this Act enters into force, the previous provisions shall apply.

■ ADDENDA <Act No. 13922, Jan. 27, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 34 shall enter into force three months after the date of its promulgation.

Article 2 (Applicability to Reporting)

The amended provisions of Article 6 (2) shall apply, beginning with the first person who files a report to alter the name and quantity of hazardous substances being stored or handled in a factory, etc. or a multiple of the designated quantity thereof without changes in the location, structure or equipment of said factory, etc. after the date this Act enters into force.

Article 3 (Transitional Measures concerning Incompetent Persons, etc.)

Persons under adult guardianship or persons under limited guardianship mentioned in the amended provision of Article 16 (4) 1 shall be deemed to include those persons for whom declaration of incompetency or quasi-incompetency continues to be in force under Article 2 of the Addenda to the Civil Act (Act No. 10429).

■ 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.

ADDENDUM < Act No. 14752, Mar. 21, 2017>

This Act shall enter into force three months after the date of its promulgation: Provided, That the amended provisions of Articles 2 (2) and 16 (4) 3 and 4 shall enter into force on the date of its promulgation.

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

Article 1 (Enforcement Date)

(1) This Act shall enter into force on the date of its promulgation: Provided, That the amendments to the Acts to be amended pursuant to Article 5 of the Addenda, 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 date of the relevant Act.

Articles 2 through 6 Omitted.

■ ADDENDA <Act No. 15300, Dec. 26, 2017>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.) Articles 2 through 6 Omitted.

■ ADDENDA <Act No. 17091, Mar. 24, 2020>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.) Articles 2 through 5 Omitted.

■ ADDENDA <Act No. 17380, Jun. 9, 2020>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Qualification of Carrier of Hazardous Substances)

Notwithstanding the amended provisions of Article 20 (2), a person who performs the duties of a carrier of hazardous substances as at the time this Act enters into force shall be deemed a carrier of hazardous substances: Provided, That such person shall meet the requirements for a carrier of hazardous substances under the amended provisions of Article 20 (2) within one year after this Act enters into force.

■ ADDENDA <Act No. 17518, Oct. 20, 2020>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Suspension of Use of Factory, etc.)

The amended provisions of Article 11-2 shall begin to apply from the first case where a person related to a factory, etc. suspends or resumes the use of the factory, etc. after this Act enters into force.

Article 3 (Applicability to Submission of Results of Check)

The amended provisions of Article 18 (2) shall begin to apply to regular check conducted after the date this Act enters into force.

■ ADDENDA <Act No. 17689, Dec. 22, 2020>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2021.

Articles 2 through 8 Omitted.

ADDENDUM <Act No. 17894, Jan. 12, 2021>

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

■ ADDENDA <Act No. 18522, Nov. 30, 2021>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation. (Proviso Omitted.) Articles 2 through 15 Omitted.

ADDENDUM <Act No. 19161, Jan. 3, 2023>

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provision of Article 17 (4) shall enter into force one and a half year after the date of its promulgation.