

IMMIGRATION ACT

Wholly Amended by Act No. 4522, Dec. 8, 1992

Amended by Act No. 4592, Dec. 10, 1993

Act No. 4796, Dec. 22, 1994

Act No. 5176, Dec. 12, 1996

Act No. 5434, Dec. 13, 1997

Act No. 5755, Feb. 5, 1999

Act No. 6540, Dec. 29, 2001

Act No. 6745, Dec. 5, 2002

Act No. 7034, Dec. 31, 2003

Act No. 7406, Mar. 24, 2005

Act No. 7655, Aug. 4, 2005

Act No. 8726, Dec. 21, 2007

Act No. 9142, Dec. 19, 2008

Act No. 9847, Dec. 29, 2009

Act No. 10282, May 14, 2010

Act No. 10465, Mar. 29, 2011

Act No. 10545, Apr. 5, 2011

Act No. 10863, Jul. 18, 2011

Act No. 11224, Jan. 26, 2012

Act No. 11298, Feb. 10, 2012

Act No. 11690, Mar. 23, 2013

Act No. 12195, Jan. 7, 2014

Act No. 12421, Mar. 18, 2014

Act No. 12782, Oct. 15, 2014

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to provide for matters concerning safe border controls through the immigration control of all nationals and foreigners who enter or depart from the Republic of Korea, control over the

sojourn of foreigners who stay in the Republic of Korea, and procedures, etc. for the recognition of refugees. <Amended by Act No. 11224, Jan. 26, 2012>

Article 2 (Definitions)

The terms used in this Act shall be defined as follows: <Amended by Act No. 11298, Feb. 10, 2012; Act No. 12421, Mar. 18, 2014>

1. The term "national" means a national of the Republic of Korea;
2. The term "foreigner" means any person who is not a national of the Republic of Korea;
3. The term "refugee" means a refugee as defined in subparagraph 1 of Article 2 of the Refugee Act;
4. The term "passport" means a passport or refugee travel document issued by the Government of the Republic of Korea, any foreign government or competent international organization, or any other document substituting the passport, which are deemed valid by the Government of the Republic of Korea;
5. The term "seaman's identification paper" means a document issued by the Government of the Republic of Korea or a foreign government, which certifies that its holder is a seaman;
6. The term "entry and departure port" means a harbor, airport or other places in the Republic of Korea, through which any person may enter or depart from the Republic of Korea, which is prescribed by Presidential Decree;
7. The term "head of an overseas diplomatic mission" means an ambassador, minister, consul-general, or consul of the Republic of Korea residing in a foreign country, or the head of an organization carrying out consular affairs;
8. The term "ships, etc." means ships, airplanes, trains, automobiles, and other means of transportation which transport persons or things between the Republic of Korea and any area outside the Republic of Korea;
9. The term "crew" means persons who perform their duties on ships, etc.;
10. The term "forwarding agent" means a person who operates any business using ships, etc., and a person who executes any transaction belonging to his/her business on behalf of the said person;
11. The term "internment" means an immigration control official's administering activities to take into custody or impound a person having a reasonable ground to be suspected of falling under persons subject to deportation under the subparagraphs of Article 46 (1) at a foreigner internment room, foreigner internment camp or other place designated by the Minister of Justice;
12. The term "foreigner internment room" means a place provided at a Regional Immigration Service for the purpose of interning foreigners under this Act;
13. The term "foreigner internment camp" means facilities installed at a Regional Immigration Service for the purpose of interning foreigners under this Act, and prescribed by Presidential Decree;
14. The term "immigration offender" means a person who is deemed to have committed any of offenses prescribed in Articles 93-2, 93-3, 94 through 99, 99-2, 99-3 and 100.

CHAPTER II ENTRY AND DEPARTURE OF NATIONALS TO AND FROM KOREA

Article 3 (Departure of Nationals from Korea)

(1) A national who intends to depart from the Republic of Korea to an area outside the Republic of Korea (hereinafter referred to as "departure") shall hold a valid passport and undergo a departure inspection conducted by an immigration control official at the entry and departure port from which he/she is to depart: Provided, That if it is impossible to depart from the entry and departure port due to extenuating circumstances, he/ she may depart after undergoing a departure inspection conducted by an immigration control official at a place, other than the entry and departure port, with permission from the Commissioner of the competent Regional Immigration Service. *<Amended by Act No. 12421, Mar. 18, 2014>*

(2) A departure inspection under paragraph (1) may be substituted by a departure inspection through an informatization device, as prescribed by Presidential Decree.

Article 4 (Prohibition of Departure)

(1) The Minister of Justice may prohibit any of the following nationals from departing from the Republic of Korea for a fixed period not exceeding six months: *<Amended by Act No. 10863, Jul. 18, 2011>*

1. A person pending in a criminal trial;
2. A person whose imprisonment with or without labor has not yet completed;
3. A person who fails to pay a fine or surcharge of at least the amount prescribed by Presidential Decree;
4. A person who fails to pay national tax, customs, or local tax of at least the amount prescribed by Presidential Decree by the payment deadline without good cause;
5. Other persons corresponding to subparagraphs 1 through 4, whose departure is determined inappropriate by Ordinance of the Ministry of Justice, as there exist some concerns over harming the interest, public safety, or economic order of the Republic of Korea.

(2) The Minister of Justice may prohibit a person whose departure from the Republic of Korea is deemed inappropriate for criminal investigations from departing from the Republic of Korea for a fixed period not exceeding one month: Provided, That any of the following persons shall be prohibited from departing from the Republic of Korea for the period provided for in each subparagraph: *<Newly Inserted by Act No. 10863, Jul. 18, 2011>*

1. A person in whose case a stay of prosecution has been decided due to his/her unknown whereabouts, or a person in whose case it is impracticable to proceed with investigations due to special reasons, such as abscondence: Within three months;
2. A person who has been issued with an arrest warrant or bench warrant, in whose case a stay of prosecution has been decided: Within the period of validity of the warrant.

(3) The head of a central administrative agency or the head of a relevant agency determined by the Minister of Justice may request the Minister of Justice to prohibit departure, when he/she deems that a person falls under any subparagraph of paragraph (1) or (2) in connection with affairs under his/her jurisdiction. *<Amended by Act No. 10863, Jul. 18, 2011>*

(4) In conducting a departure inspection, no immigration control official shall allow a person whose departure is prohibited under paragraph (1) or (2) to depart from the Republic of Korea. *<Amended by Act No. 10863, Jul. 18, 2011>*

(5) Except as otherwise expressly provided for in paragraphs (1) through (4), matters necessary for the period of, and procedures for, prohibition of departure shall be prescribed by Presidential Decree. *<Amended by Act No. 10863, Jul. 18, 2011>*

Article 4-2 (Extension of Period of Prohibition of Departure)

(1) The Minister of Justice may extend the period of prohibition of departure, when deemed necessary to continue to prohibit departure.

(2) The head of the agency who has requested prohibition of departure under Article 4 (3) shall request the Minister of Justice to extend the period of prohibition of departure by three days prior to the expiration of such period if it is necessary to continue to prohibit departure in excess of such period. *<Amended by Act No. 10863, Jul. 18, 2011>*

(3) Except as otherwise expressly provided for in paragraphs (1) and (2), matters necessary for the procedures for extending the period of prohibition of departure shall be prescribed by Presidential Decree.

Article 4-3 (Revocation of Prohibition of Departure)

(1) The Minister of Justice shall revoke prohibition of departure immediately, when the grounds for prohibition of departure cease to exist or prohibition of departure is deemed unnecessary.

(2) The head of the agency who has requested prohibition of departure under Article 4 (3) shall immediately request the Minister of Justice to revoke prohibition of departure when the grounds for prohibition of departure cease to exist. *<Amended by Act No. 10863, Jul. 18, 2011>*

(3) Except as otherwise expressly provided for in paragraphs (1) and (2), matters necessary in relation to procedures for revocation of prohibition of departure shall be prescribed by Presidential Decree.

Article 4-4 (Notice of Decision, etc. on Prohibition of Departure)

(1) The Minister of Justice shall immediately give written notice stating the grounds, period, etc. to the relevant person when he/she prohibits departure under Article 4 (1) or (2), or extends the period of prohibition of departure under Article 4-2 (1). *<Amended by Act No. 10863, Jul. 18, 2011>*

(2) The Minister of Justice shall immediately give notice to the relevant person when he/she revokes prohibition of departure under Article 4-3 (1).

(3) Notwithstanding paragraph (1), the Minister of Justice need not give written notice under paragraph (1) in any of the following cases: <Amended by Act No. 10863, Jul. 18, 2011; Act No. 12893, Dec. 30, 2014>

1. Where such notice may substantially and obviously harm the safety of the Republic of Korea or public interests;
2. Where such notice may substantially and obviously interfere with a criminal investigation: Provided, That where the total period of prohibition of departure from the Republic of Korea, including the extended period, exceeds three months, the Minister of Justice shall give notice to the relevant person;
3. Where the whereabouts of the person prohibited from departing the Republic of Korea is unknown.

Article 4-5 (Filing Objections to Decisions, etc. on Prohibition of Departure)

(1) A person whose departure is prohibited under Article 4 (1) or (2), or whose period of prohibition of departure is extended under Article 4-2 (1) may file an objection to the decision on prohibition of departure or extension of period of prohibition of departure with the Minister of Justice, within ten days after receipt of a notice of prohibition of departure or extension of such period or after becoming aware of the fact. <Amended by Act No. 10863, Jul. 18, 2011>

(2) The Minister of Justice shall decide the validity of an objection filed under paragraph (1) within 15 days from the date such objection is filed: Provided, That the term may be extended only once up to 15 days, where inevitable grounds exist.

(3) The Minister of Justice shall immediately revoke prohibition of departure or withdraw the extension of such period where an objection filed under paragraph (1) is deemed reasonable, and the Minister shall dismiss the objection and give written notice stating the grounds therefor to the relevant person if such objection is deemed groundless.

Article 4-6 (Emergency Prohibition of Departure from Republic of Korea)

(1) Where there are good grounds for suspecting a person to have committed a crime subject to death penalty, imprisonment with labor for an indefinite term, or a maximum term of imprisonment with or without labor for at least three years, and there is an urgent need in any of the following circumstances, notwithstanding Article 4 (3), an investigative agency may request an immigration control official conducting a departure inspection to prohibit the person from departing from the Republic of Korea:

1. Where a suspect is likely to destroy evidence;
2. Where a suspect absconds or is likely to abscond.

(2) Upon receipt of a request under paragraph (1), no immigration control official shall allow a person whose prohibition of departure has been requested to depart from the Republic of Korea when conducting a departure inspection.

(3) An investigative agency shall request the Minister of Justice to approve the emergency prohibition of departure from the Republic of Korea within six hours from the time it requests the emergency prohibition of departure from the Republic of Korea pursuant to paragraph (1). In such cases, it shall submit a written

direction of investigation of a public prosecutor and a report on the emergency prohibition of departure from the Republic of Korea stating the substance of a crime, grounds for the emergency prohibition of departure from the Republic of Korea, etc. to the Minister of Justice.

(4) Where an investigative agency does not request approval for the emergency prohibition of departure from the Republic of Korea under paragraph (3), the Minister of Justice shall cancel the prohibition of departure from the Republic of Korea according to the request of the investigative agency referred to in paragraph (1). The same shall also apply where the investigative agency fails to obtain approval for the emergency prohibition of departure from the Republic of Korea from the Minister of Justice within 12 hours from the time it requests approval for the emergency prohibition of departure from the Republic of Korea.

(5) Where the prohibition of departure from the Republic of Korea is cancelled pursuant to paragraph (4), no investigative agency shall request the emergency prohibition of departure from the Republic of Korea again regarding the same crime.

(6) Other matters necessary for procedures for the emergency prohibition of departure from the Republic of Korea and the preparation of a report on the emergency prohibition of departure from the Republic of Korea shall be prescribed by Presidential Decree.

Article 5 (Custody of National's Passport, etc.)

If an immigration control official finds a national in possession of a forged or fabricated passport or seaman's identification paper, he/she may withdraw, and take custody thereof.

Article 6 (Entry of Nationals)

(1) If a national intends to enter the Republic of Korea from an area outside the Republic of Korea (hereinafter referred to as "entry"), he/she shall hold a valid passport, and undergo an entry inspection conducted by an immigration control official at the entry and departure port through which he/she is to enter the Republic of Korea: Provided, That if it is impossible to enter the Republic of Korea through the entry and departure port due to any extenuating circumstance, he/she may enter after undergoing an entry inspection conducted by an immigration control official at a place, other than the entry and departure port, with the permission from the Commissioner of the competent Regional Immigration Service. *<Amended by Act No. 12421, Mar. 18, 2014>*

(2) If a national intends to enter the Republic of Korea without holding a valid passport due to loss thereof or for any other reason, an immigration control official may allow the national to enter after taking verifying steps.

(3) An entry inspection under paragraph (1) may be substituted by an entry inspection through an informatization device, as prescribed by Presidential Decree.

CHAPTER III ENTRY AND LANDING OF FOREIGNERS

SECTION 1 Entry of Foreigners

Article 7 (Entry of Foreigners)

(1) When a foreigner enters the Republic of Korea, he/she shall hold a valid passport and a visa issued by the Minister of Justice.

(2) Notwithstanding paragraph (1), any of the following foreigners may enter the Republic of Korea without a visa:

1. A person who obtains permission to reenter or who is exempted from permission of reentry, and who enters the Republic of Korea before the period of such permission or exemption expires;
2. A person who is a national of a country which has concluded the Visa Exemption Agreement with the Republic of Korea, and who is subject to exemption under the Convention;
3. A person who enters the Republic of Korea for international friendship, sightseeing or in the interests of the Republic of Korea, etc., and who has separately obtained an entry permit, as prescribed by Presidential Decree;
4. A person who departed from the Republic of Korea with a refuge travel document issued, and enters the Republic of Korea before the term of validity of such certificate expires.

(3) The Minister of Justice may temporarily suspend the application of the Visa Exemption Agreement to those who fall under paragraph (2) 2 where deemed necessary for maintaining public order or in the interests of the Republic of Korea.

(4) Notwithstanding paragraph (1), any national of a country which has no diplomatic relationship with the Republic of Korea, or which is designated by the Minister of Justice after consulting with the Minister of Foreign Affairs, may enter the Republic of Korea with a foreigner entry permit issued by the head of an overseas diplomatic mission or the Commissioner of a Regional Immigration Service, as prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12421, Mar. 18, 2014>*

Article 7-2 (Prohibition of False Invitation, etc.)

No one shall conduct any of the following acts to allow a foreigner to enter the Republic of Korea:

1. Inviting a foreigner by illegal means, such as a false statement or false identity guarantee, or assisting such invitation;
2. Falsely applying for a visa or a visa issuance certificate, or assisting such application.

Article 8 (Visa)

(1) A visa under Article 7 shall be categorized as a single visa valid for only one entry into the Republic of Korea and a multiple-entry visa valid for two or more entries.

- (2) The Minister of Justice may delegate his/her authority concerning the issuance of visas to the head of an overseas diplomatic mission, as prescribed by Presidential Decree.
- (3) Criteria and procedure for the issuance of visas shall be prescribed by Ordinance of the Ministry of Justice.

Article 9 (Visa Issuance Certificates)

- (1) If it is deemed particularly necessary, the Minister of Justice may issue a visa issuance certificate on the application of a foreigner who intends to enter the Republic of Korea before issuing a visa under Article 7 (1).
- (2) An application for a visa issuance certificate under paragraph (1) may be filed by any person who intends to invite the relevant foreigner to visit the Republic of Korea on behalf of the latter.
- (3) Persons subject to the issuance of visa issuance certificates and criteria and procedure for issuing visa issuance certificates under paragraph (1) shall be prescribed by Ordinance of the Ministry of Justice.

Article 10 (Status of Sojourn)

- (1) A foreigner intending to enter the Republic of Korea shall satisfy requirements of status of sojourn prescribed by Presidential Decree.
- (2) The maximum period of sojourn for each status of sojourn, which is allowed on each occasion, shall be prescribed by Ordinance of the Ministry of Justice.

Article 11 (Prohibition, etc. of Entry)

- (1) The Minister of Justice may prohibit any of the following foreigners from entering the Republic of Korea:
1. A contagious patient, a narcotics addict or other persons deemed likely to cause danger and harm to public health;
 2. A person who intends to enter the Republic of Korea unlawfully carrying firearms, guns, swords, explosives, etc. prescribed in the Control of Firearms, Knives, Swords, Explosives, etc. Act;
 3. A person deemed highly likely to commit any act detrimental to the interests of the Republic of Korea or public safety;
 4. A person deemed highly likely to commit any act detrimental to the economic or social order or the good morals;
 5. A mentally disable person who is void of a capacity of discriminating sense and has no person to assist his/her sojourn in the Republic of Korea, a person who cannot afford expenses related to sojourn in the Republic of Korea, and other persons in need of relief;
 6. A person for whom five years have not elapsed after departure from the Republic of Korea under a deportation order;

7. A person who took part in the slaughter or cruel treatment of people on the grounds of race, ethnicity, religion, nationality, political opinion, etc. under instructions from or in liaison with any of the following governments from August 29, 1910 to August 15, 1945:

- (a) The Japanese government;
- (b) Any government which was in alliance with the Japanese government;
- (c) Any government on which the Japanese government exercised predominant influence;

8. A person comparable to any those under subparagraphs 1 through 7 whose entry into the Republic of Korea is deemed inappropriate by the Minister of Justice.

(2) If the home country of a foreigner who intends to enter the Republic of Korea refuses the entry of a national of the Republic of Korea for any reason, other than those referred to in the subparagraphs of paragraph (1), the Minister of Justice may refuse the entry of such foreigner for the same reason.

Article 12 (Entry Inspections)

(1) A foreigner intending to enter the Republic of Korea shall undergo an entry inspection conducted by an immigration control official at the entry and departure port.

(2) The proviso to Article 6 (1) and paragraph (3) of the same Article shall apply mutatis mutandis to paragraph (1).

(3) In conducting an entry inspection, an immigration control official shall permit entry after examining whether the following requirements are satisfied:

- 1. The passport and the visa are to be valid: Provided, That the visa is only limited to cases required by this Act;
- 2. The purpose of entry is to comply with the status of sojourn;
- 3. The sojourn period is to be determined, as prescribed by Ordinance of the Ministry of Justice;
- 4. A foreigner is not to be subject to the prohibition or refusal of the entry prescribed in Article 11.

(4) If a foreigner fails to prove that he/she satisfies the requirements under the subparagraphs of paragraph (3), an immigration control official may refuse his/her entry into the Republic of Korea.

(5) Upon granting entry permission to a foreigner falling under Article 7 (2) 2 or 3, an immigration control official shall grant his/her status of sojourn and determine the period of sojourn, as prescribed by Presidential Decree.

(6) An immigration control official may enter ships, etc. for the purpose of conducting an inspection under paragraph (1) or (2).

Article 12-2 (Provision, etc. of Impressions of Fingerprints and Description of Faces at time of Entry)

(1) A foreigner intending to enter the Republic of Korea shall provide impressions of his/her fingerprints and description of his/her face in the manner prescribed by Ordinance of the Ministry of Justice and comply with the procedure of verifying his/her identity when undergoing an entry inspection pursuant to Article 12: Provided, That this shall not apply to any of the following persons:

1. A person under 17 years of age;
 2. A person who enters the Republic of Korea to perform the affairs of a foreign government or international organization, and his/her accompanying family;
 3. A person prescribed by Presidential Decree as needing to be exempted from providing impressions of his/her fingerprints and description of his/her face, considering promotion of friendly relationship and cultural exchange with a foreign country, facilitation of economic activities or the interests of the Republic of Korea, etc.
- (2) When a foreigner fails to provide impressions of his/her fingerprints and description of his/her face pursuant to the main sentence of paragraph (1), an immigration control official may refuse the entry of the foreigner.
- (3) The Minister of Justice may request for the presentation of impressions of foreigners' fingerprints and description of their faces which are kept by relevant administrative agencies, if necessary for entry inspections.
- (4) No relevant administrative agency in receipt of a request for cooperation under paragraph (3) shall refuse such request without justifiable grounds.
- (5) An immigration control official may use impressions of fingerprints and description of faces provided under paragraph (1) and data submitted under paragraph (3) for entry inspections.
- (6) The Minister of Justice shall keep and manage information about the fingerprints and face provided under paragraph (1) and data submitted under paragraph (3) in accordance with the Personal Information Protection Act. *<Amended by Act No. 10465, Mar. 29, 2011>*

Article 12-3 (Ban on Provision of Ships, etc.)

- (1) No person shall engage in any of the following acts for the purpose of illegally allowing any foreigner to enter or depart from the Republic of Korea or having any foreigner illegally enter other country via the Republic of Korea:
1. Providing a ship, etc., passport, visa, boarding pass, or other document or any good usable for entry into or departure from the Republic of Korea;
 2. Arranging the act under subparagraph 1.
- (2) No person shall engage in any of the following acts in respect of a foreigner who has illegally entered the Republic of Korea:
1. Harboring or allowing the relevant foreigner to hide out in the Republic of Korea, or providing the means of transportation for such purposes;
 2. Arranging the act under subparagraph 1.

Article 12-4 (Custody of Foreigner's Passport, etc.)

- (1) Article 5 shall apply mutatis mutandis to forged or fabricated passports or seamen's identification papers of foreigners. *<Amended by Act No. 12893, Dec. 30, 2014>*

(2) When an immigration control official has found the passport or seaman's identification paper of an immigration offender to be deported under Article 46 who is under an investigation for violating this Act, he/she may recover and take custody thereof.

Article 13 (Conditional Entry Permits)

(1) The Commissioner of a Regional Immigration Service may grant a conditional entry permit to any of the following foreigners, as prescribed by Presidential Decree: *<Amended by Act No. 12421, Mar. 18, 2014>*

1. A person who fails to meet the requirements under Article 12 (3) 1 for any extenuating circumstance but is deemed able to meet such requirements within a specified period;
2. A person who is suspicious of falling under any subparagraph of Article 11 (1), or of failing to meet the requirements under Article 12 (3) 2, and thus deemed necessary for undergoing a special inspection;
3. A person who is deemed by the Commissioner of the Regional Immigration Service to be required for obtaining conditional entry permission, in addition to those provided for in subparagraphs 1 and 2.

(2) The Commissioner of a Regional Immigration Service shall issue a conditional entry permit when granting conditional entry permission under paragraph (1). In such cases, such permit shall include restriction on residence, obligation to comply with any demand for attendance, and other necessary conditions, and may require the relevant foreigner to deposit a bond not exceeding ten million won, where deemed necessary. *<Amended by Act No. 12421, Mar. 18, 2014>*

(3) If a foreigner who has obtained conditional entry permission under paragraph (1) violates any condition, the Commissioner of the competent Regional Immigration Service may have all or some of the deposited bonds reverted to the National Treasury. *<Amended by Act No. 12421, Mar. 18, 2014>*

(4) The deposit and return of the bonds and procedure for reverting them to the National Treasury under paragraphs (2) and (3) shall be prescribed by Presidential Decree.

SECTION 2 Landing of Foreigners

Article 14 (Landing Permission for Crew)

(1) When the heads of ships, etc., forwarding agents or the principal files an application for any of the following foreign crew members, an immigration control official may permit the landing of such crew members for up to 15 days: Provided, That this shall not apply to a foreign crew member falling under any subparagraph of Article 11 (1):

1. A foreign crew member intending to land for the purpose of recreation, etc. while ships, etc. whereon he/she serves moor at any entry and departure port in the Republic of Korea;
2. A foreign crew member intending to transfer to a ship, etc. scheduled to enter any entry and departure port in the Republic of Korea or to a ship, etc. which moors thereat.

(2) An immigration control official in receipt of an application under paragraph (1) shall verify the following documents: Provided, That where any convention, etc. with foreign countries determines that a

seaman's identification paper may substitute a passport, the verification of a seaman's identification paper may substitute that of a passport:

1. A seaman's identification paper, where a foreign crew member falling under paragraph (1) 1 is a sailor;
 2. A passport and a document prescribed by Presidential Decree, where a foreign crew member falling under paragraph (1) 2 is a sailor: Provided, That where such member falls under Article 7 (2) 3, his/her passport shall be verified;
 3. A passport in cases of any other foreign crew member.
- (3) When an immigration control official grants permission under paragraph (1), he/she shall issue a landing permit for crew. In such cases, he/she may impose necessary conditions, such as the period of permission for landing, restrictions on districts in which they may move, etc. on the landing permit of crew.
- (4) Notwithstanding the latter part of paragraph (3), Article 12 shall apply mutatis mutandis to landing permission for crew falling under paragraph (1) 2.
- (5) Where deemed necessary, the Commissioner of a Regional Immigration Service may extend the period of landing permission for the foreign crew who have obtained landing permission for crew. *<Amended by Act No. 12421, Mar. 18, 2014>*
- (6) The landing permit for crew issued under paragraph (3) may be continuously used in any other entry and departure ports in the Republic of Korea until the relevant ship, etc. finally departs from any port.
- (7) Article 12-2 shall apply mutatis mutandis to the provision, etc. of impressions of foreign crew's fingerprints and description of their faces: Provided, That this shall not apply where the crew is a sailor and it is difficult for him/her to provide impressions of his/her fingerprints and description of his/her face in the procedure of landing permission.

Article 14-2 (Landing Permission for Tourism)

- (1) Where the captain of a ship or a forwarding agent applies for landing permission for foreign passengers on board the ship prescribed by Ordinance of the Ministry of Justice among passenger ships making a tour and operating internationally in the seas of the Republic of Korea and foreign countries for the purpose of tourism, an immigration control official may grant landing permission for tourism of passengers up to three days: Provided, That this shall not apply to foreign passengers falling under any of the subparagraphs of Article 11 (1).
- (2) Upon receipt of an application for landing permission filed under paragraph (1), an immigration control official shall check the following documents:
1. Passports of foreign passengers;
 2. A list of foreign passengers;
 3. Other documents prescribed by Ordinance of the Ministry of Justice.

(3) Article 14 (3) and (5) shall apply mutatis mutandis to a landing permit for tourism and an extension of the period of landing permission under paragraph (1). In such cases, a "crew landing permit" shall be construed as a "landing permit for tourism", "crew landing permission" as "landing permission for tourism", and a "foreign crew member" as "foreign passenger", respectively.

(4) Article 12-2 shall apply mutatis mutandis to the provision, etc. of information about the fingerprints and face of a foreign passenger who intends to obtain landing permission for tourism under paragraph (1): Provided, That this shall not apply where it is impracticable to provide information about the fingerprints and face in the formalities for landing permission for tourism of the foreign passenger.

(5) Except as otherwise expressly provided for in paragraphs (1) through (4), matters necessary for criteria and formalities for landing permission for tourism shall be prescribed by Presidential Decree.

Article 15 (Emergency Landing Permission)

(1) If it is deemed that a foreigner on board a ship, etc. (including crew members) is required to land urgently due to a disease or any other accident, an immigration control official may permit an emergency landing for up to 30 days, in receipt of an application by the captain of the ship, etc. or the head of a forwarding agent.

(2) Article 14 (3) and (5) shall apply mutatis mutandis to cases under paragraph (1). In such cases, "landing permit for crew" shall be construed as "emergency landing permit", and "landing permission for crew", as "emergency landing permission".

(3) The heads of ships, etc. or forwarding agents shall bear the living, medical and funeral expenses of a person who makes an emergency landing, and all other expenses incurred during such landing.

Article 16 (Disaster Landing Permission)

(1) If the Commissioner of a Regional Immigration Service deems that it is required to urgently rescue a foreigner on board a ship, etc. in distress (including crew members), he/she may permit a disaster landing for up to 30 days, in receipt of an application by the heads of the ships, etc., forwarding agents, persons carrying out rescue operation under the Rescue and Aid at Sea and in the River Act, or the heads of the ships, etc. who have rescued the foreigner. <Amended by Act No. 12421, Mar. 18, 2014>

(2) Article 14 (3) and (5) shall apply mutatis mutandis to cases under paragraph (1). In such cases, "landing permit for crew" shall be constructed as "disaster landing permit", and "landing permission for crew", as "disaster landing permission".

(3) Article 15 (3) shall apply mutatis mutandis to living expenses, etc. of persons who have obtained disaster landing permission. In such cases, "emergency landing" shall be construed as "disaster landing".

Article 16-2 (Temporary Landing Permission for Refugees)

(1) Where a foreigner on board a ship, etc. escapes from a territory in which he/she is afraid that his/her life, body or physical freedom might be infringed for reasons provided for in subparagraph 1 of Article 2

of the Refugee Act or other similar reasons corresponding thereto, and immediately requests for his/her protection to the Republic of Korea, the Commissioner of the competent Regional Immigration Service may grant temporary landing permission to refugees for up to 90 days with approval from the Minister of Justice, if it is deemed well-grounded to allow the foreigner to land. In such cases, the Minister of Justice shall consult with the Minister of Foreign Affairs. <Amended by Act No. 11298, Feb. 10, 2012; Act No. 11690, Mar. 23, 2013; Act No. 12421, Mar. 18, 2014>

(2) Article 14 (3) and (5) shall apply mutatis mutandis to paragraph (1). In such cases, "landing permission for crew" shall be construed as "temporary landing permission for refugees", and "crew landing permission" as "temporary landing permission of refugees", respectively.

(3) Article 12-2 shall apply mutatis mutandis to the provision, etc. of impressions of fingerprints and description of faces of foreigners who request protection under paragraph (1).

CHAPTER IV SOJOURN AND DEPARTURE OF FOREIGNERS

SECTION 1 Sojourn of Foreigners

Article 17 (Sojourn and Activity Scope of Foreigners)

(1) Any foreigner may sojourn in the Republic of Korea within the scope of his/her status of sojourn and period of sojourn.

(2) No foreigner sojourning in the Republic of Korea shall engage in any political activity with the exception of cases provided for by this Act or other Acts.

(3) If a foreigner sojourning in the Republic of Korea is engaged in any political activity, the Minister of Justice may order the foreigner in writing to suspend such activity or may issue other necessary orders.

Article 18 (Restriction on Employment of Foreigners)

(1) A foreigner intending to be employed in the Republic of Korea shall attain the status of sojourn eligible for employment activities, as prescribed by Presidential Decree.

(2) No foreigner having the status of sojourn under paragraph (1) shall work at any place, other than the designated working place.

(3) No person shall employ any person not having the status of sojourn under paragraph (1).

(4) No person shall arrange or solicit the employment of a person not having the status of sojourn under paragraph (1).

(5) No person shall place any foreigner not having the status of sojourn referred to in paragraph (1) under his/her control with the intention to arrange the employment of such foreigner.

Article 19 (Duty to Report by Employers, etc. of Foreigners)

(1) A person who employs a foreigner having the status of sojourn eligible for employment activities under Article 18 (1) shall report any of the following circumstances, if any of the following grounds occurs, to the Commissioner of the competent Regional Immigration Service within 15 days from the date on which he/she becomes aware of such circumstances: *<Amended by Act No. 12421, Mar. 18, 2014>*

1. Where he/she has discharged the foreigner or the foreigner has retired from the service or died;
2. Where the whereabouts of the employed foreigner becomes unknown;
3. Where important terms of an employment contract are amended.

(2) Paragraph (1) shall apply mutatis mutandis to the head of an enterprise which provides foreigners with training of industrial technology pursuant to Article 19-2.

(3) Where a person who employs a foreigner subject to the Act on the Employment, etc. of Foreign Workers file a report under paragraph (1), he/she shall be deemed to have filed a report under the Article 17 (1) of the said Act if the details of the report constitute any of the grounds for reporting under Article 17 (1) of the said Act. *<Newly Inserted by Act No. 12782, Oct. 15, 2014>*

(4) Upon receipt of a report under paragraph (1), the Commissioner of the competent Regional Immigration Service shall, without delay, give notice to the head of the employment security office defined in subparagraph 1 of Article 2-2 of the Employment Security Act having jurisdiction over the location of the employer of the relevant foreigner, if the details of the report fall under paragraph (3). *<Newly Inserted by Act No. 12782, Oct. 15, 2014>*

Article 19-2 (Foreigners' Technical Training Activities)

(1) The Minister of Justice shall take necessary measures to support appropriate training activities of foreigners (hereinafter referred to as "technical trainee") who engage in technical training activities in the Republic of Korea according to the recruitment of designated industrial enterprises, such as industrial enterprises that have directly invested in foreign countries and industrial enterprises that export technologies or industrial facilities to foreign countries. *<Amended by Act No. 11224, Jan. 26, 2012>*

(2) Matters necessary for the designation of industrial enterprises, the recruitment of technical trainees and their entry into the Republic of Korea under paragraph (1) and other matters shall be prescribed by Presidential Decree. *<Amended by Act No. 11224, Jan. 26, 2012>*

(3) Matters necessary for the management of technical trainees, such as investigations on whether a technical trainee deserts the place of training, engages in activities other than those for training, or violates any terms and conditions of permission, and measures to require them to depart the Republic of Korea, shall be separately prescribed by the Minister of Justice. *<Amended by Act No. 11224, Jan. 26, 2012>*

Article 19-3 Deleted. *<by Act No. 10282, May 14, 2010>*

Article 19-4 (Management, etc. of Foreign Students)

(1) The head of a school where foreigners having the status of sojourn eligible for study or for training activities in the Republic of Korea under Article 10 (hereinafter referred to as "foreign student") are in school or in training (referring to schools under each subparagraph of Article 2 of the Higher Education Act; hereinafter the same shall apply) shall designate a staff member to be in charge of the management of such foreign students and notify the Commissioner of the competent Regional Immigration Service thereof. *<Amended by Act No. 12421, Mar. 18, 2014>*

(2) When any of the following grounds occurs, the head of a school under paragraph (1) shall report (including a report via an information communications network) to the Commissioner of the competent Regional Immigration Service thereon within 15 days from the date on which he/she becomes aware of such fact: *<Amended by Act No. 12421, Mar. 18, 2014>*

1. When a foreign student admitted to school or given permission for training fails to enroll by the enrollment deadline of each semester or is on temporary leave from school;

2. When a foreign student finishes his/her study or training due to reasons of expulsion from school, suspension of training, missing, etc.

(3) Matters necessary for the management of foreign students shall be prescribed by Presidential Decree.

Article 20 (Activities other than Status of Sojourn)

If a foreigner sojourning in the Republic of Korea intends to perform activities corresponding to a different status of sojourn, in addition to those activities corresponding to his/her original status of sojourn, he/she shall obtain prior permission for activities, other than his/her original status of sojourn, from the Minister of Justice.

Article 21 (Change and Addition of Work Place)

(1) If a foreigner sojourning in the Republic of Korea intends to change or add his/her work place within the scope of his/her status of sojourn, he/ she shall obtain prior permission from the Minister of Justice: Provided, That a person prescribed by Presidential Decree who has expert knowledge, skill or ability shall report to the Minister of Justice within 15 days from the date on which he/she changes or adds his/her work place.

(2) No person shall employ a foreigner who fails to obtain permission on change or addition of his/her work place under the main sentence of paragraph (1), nor arrange the employment of such foreigner: Provided, That this shall not apply where the employment is arranged pursuant to any other Act.

(3) Article 18 (2) shall not apply to a person falling under the proviso to paragraph (1).

Article 22 (Restriction on Scope of Activity)

If it is deemed necessary for the peace and order of the public or an important interest of the Republic of Korea, the Minister of Justice may restrict the scope of the residence or activities or determine necessary matters to be observed on or by any foreigner.

Article 23 (Granting Status of Sojourn)

A foreigner sojourning without being granted the status of sojourn under Article 10 due to his/her having been born in the Republic of Korea, or a foreigner sojourning without being granted the status of sojourn under Article 10 due to any other ground, such as loss, renunciation, etc. of the nationality of the Republic of Korea while sojourning in the Republic of Korea, shall obtain the status of sojourn, as prescribed by Presidential Decree, respectively within 90 days from the date of his/her birth or within 30 days from the date on which such ground occurs.

Article 24 (Permission for Change in Status of Sojourn)

- (1) If a foreigner sojourning in the Republic of Korea intends to perform any activity corresponding to a status of sojourn different from his/her original status of sojourn, the foreigner shall obtain prior permission for change in the status of sojourn from the Minister of Justice.
- (2) A person falling under any subparagraph of Article 31 (1) who intends to change his/her status of sojourn due to a change of his/her status shall obtain permission for change in the status of sojourn from the Minister of Justice within 30 days from the date on which his/her status is changed.

Article 25 (Permission for Extension of Period of Sojourn)

If a foreigner intends to continue to sojourn in excess of the permitted period of sojourn, the foreigner shall obtain permission for extension of the period of sojourn from the Minister of Justice before the permitted period of sojourn expires, as prescribed by Presidential Decree.

Article 25-2 (Special Rules for Immigrants through Marriage)

- (1) Where a foreign spouse of a national of the Republic of Korea, in whose case a trial in a court, investigation by an investigative agency or procedure for the remedy of a right under other Acts due to domestic violence as defined in subparagraph 1 of Article 2 of the Act on Special Cases concerning the Punishment, etc. of Crimes of Domestic Violence is proceeding, applies for permission for an extension of a period of sojourn, the Minister of Justice may permit an extension of the period of sojourn until such procedure for the remedy of the right is completed.
- (2) Where the Minister of Justice deems it necessary to recover from an injury, etc. even after the expiration of the period of sojourn extended under paragraph (1), he/she may grant permission for an extension of the period of sojourn.

Article 25-3 (Special Rules for Victims of Sexual Crimes)

- (1) Where a foreigner, in whose case a trial in a court, an investigation by an investigative agency, or procedure for the remedy of the right under other Acts due to sexual crime as defined in subparagraph 1 of Article 2 of the Act on Special Cases concerning the Punishment, etc. of Sexual Crimes is proceeding,

applies for an extension of the period of sojourn, the Minister of Justice may grant an extension of the period of sojourn until such procedure for the remedy of the right is completed.

(2) Where the Minister of Justice deems it necessary to recover from an injury, etc. even after the expiration of the period of sojourn extended under paragraph (1), he/she may grant an extension of the period of sojourn.

Article 26 Deleted. <by Act No. 5176, Dec. 12, 1996>

Article 27 (Carrying and Presentation of Passport, etc.)

(1) A foreigner sojourning in the Republic of Korea shall carry at all times his/her passport, seaman's identification paper, foreigner entry permit, alien registration certificate or landing permit (hereinafter referred to as "passport, etc."): Provided, That this shall not apply to a foreigner under 17 years of age.

(2) When an immigration control official or a competent public official demands a foreigner under the main sentence of paragraph (1) to present his/her passport, etc. in carrying out the official's duty, the foreigner shall present his/her passport, etc.

SECTION 2 Departure of Foreigners

Article 28 (Departure Inspections)

(1) A foreigner departing from the Republic of Korea shall, with a valid passport, undergo a departure inspection conducted by an immigration control official at the entry and departure port through which he/she departs. <Amended by Act No. 10863, Jul. 18, 2011>

(2) The proviso to Article 3 (1) shall apply mutatis mutandis to a departure inspection at a place, other than an entry and departure port, in cases falling under paragraph (1).

(3) Article 5 shall apply mutatis mutandis to a forged or fabricated passport or seaman's identification paper in the possession of a foreigner in cases falling under paragraphs (1) and (2). <Amended by Act No. 12893, Dec. 30, 2014 >

(4) Article 12 (6) shall apply mutatis mutandis to entry of ships, etc. in cases falling under paragraphs (1) and (2).

(5) Article 3 (2) shall apply mutatis mutandis to a departure inspection of foreigners.

Article 29 (Suspension of Foreigners' Departure)

(1) The Minister of Justice may suspend the departure of a foreigner falling under any subparagraph of Article 4 (1) or (2). <Amended by Act No. 10863, Jul. 18, 2011>

(2) Articles 4 (3) through (5) and 4-2 through 4-5 shall apply mutatis mutandis to paragraph (1). <Amended by Act No. 10863, Jul. 18, 2011>

Article 30 (Permission of Reentry)

(1) If a foreigner who has filed for foreigner registration or has been exempted from such registration under Article 31 intends to reenter the Republic of Korea after departure within his/her permitted period of sojourn, the Minister of Justice may permit such reentry upon application thereof: Provided, That a foreigner holding the status of sojourn which entitles him/her to permanent residency in the Republic of Korea from among sojourn statuses of foreigners pursuant to Article 10 (1) and a person determined by Ordinance of the Ministry of Justice as having a fair ground to be exempted from a reentry permit may be exempted from a reentry permit.

(2) The reentry permission under paragraph (1) shall be classified into single reentry permission valid only once and multiple reentry permission valid for not less than twice.

(3) If a foreigner is unable to reenter during the permitted period under paragraph (1) due to a disease or any other extenuating circumstance, the foreigner shall obtain permission for the extension of the permitted reentry period from the Minister of Justice before the permitted period expires.

(4) The Minister of Justice may delegate authority pertaining to permission for the extension of permitted reentry period to the heads of overseas diplomatic missions, as prescribed by Presidential Decree.

(5) Standards and procedures rendering reentry permission, permission for extension of the permitted reentry period and exemption from reentry permission shall be prescribed by Ordinance of the Ministry of Justice.

CHAPTER V REGISTRATION OF FOREIGNERS AND SOCIAL INTEGRATION PROGRAMS

SECTION 1 Registration of Foreigners

Article 31 (Registration of Foreigners)

(1) If a foreigner intends to sojourn in the Republic of Korea for in excess of 90 days from the date of entry, the foreigner shall file for foreigner registration with the Commissioner of the Regional Immigration Service having jurisdiction over his/her place of sojourn within 90 days from the date of entry into the Republic of Korea, as prescribed by Presidential Decree: Provided, That this shall not apply to any of the following foreigners: *<Amended by Act No. 12421, Mar. 18, 2014>*

1. Personnel of foreign diplomatic missions (including embassies and consulates) and international organizations in the Republic of Korea and their families;
2. Foreigners who enjoy privileges and immunity similar to those of diplomats or consuls under any agreement concluded with the Government of the Republic of Korea and their families;
3. Persons, etc. who are invited by the Government of the Republic of Korea and prescribed by Ordinance of the Ministry of Justice.

(2) Notwithstanding paragraph (1), a person who obtains the status of sojourn under Article 23 and continues to sojourn for in excess of 90 days from the date on which he/she obtained the status of sojourn shall file for foreigner registration when he/she obtains the status of sojourn.

(3) Notwithstanding paragraph (1), a person who obtains permission to change the status of sojourn under Article 24 and continues to sojourn for in excess of 90 days from his/her entry shall file for foreigner registration when he/she obtains permission to change the status of sojourn.

(4) The Commissioner of a Regional Immigration Service shall assign any foreigner who has filed for foreigner registration in accordance with paragraphs (1) through (3) an individual registration number (hereinafter referred to as "foreigner registration number") according to the manner prescribed by Presidential Decree. *<Amended by Act No. 12421, Mar. 18, 2014>*

Article 32 (Matters to be Registered by Foreigners)

Matters to be registered by a foreigner under Article 31 shall be as follows:

1. Name, gender, date of birth and nationality;
2. Number, date of issuance and term of validity of the passport;
3. Work place and position or work scope;
4. Address in his/her home country and place of sojourn in the Republic of Korea;
5. Status and period of sojourn;
6. Other matters prescribed by Ordinance of the Ministry of Justice, in addition to those provided for in subparagraphs 1 through 5.

Article 33 (Issuance of Alien Registration Certificates)

(1) The Commissioner of the Regional Immigration Service who received an application for foreigner registration under Article 31 shall issue an alien registration certificate to the foreigner, as prescribed by Presidential Decree: Provided, That if the foreigner is under 17 years of age, the Commissioner of the Regional Immigration Service may choose not to issue such certificate. *<Amended by Act No. 12421, Mar. 18, 2014>*

(2) When a foreigner to whom an alien registration certificate is not issued under the proviso to paragraph (1) reaches 17 years of age, the foreigner shall apply for the issuance of an alien registration certificate to the Commissioner of the Regional Immigration Service having jurisdiction over his/her place of sojourn within 90 days. *<Amended by Act No. 12421, Mar. 18, 2014>*

Article 33-2 (Prohibition on Using Foreigner Registration Certificates as Means to Secure Fulfillment of Obligation)

No person shall engage in any of the following acts:

1. Being provided with or coercing any foreigner to provide his/her passport or foreigner registration certificate for the purpose of using it as a means to secure an employment agreement or the fulfillment

of an obligation;

2. Generating any bogus foreigner registration number under Article 31 (4) for the purpose of using it in the interest of his/her or another person's goods or property;
3. Passing on or distributing to another person any program which generates bogus foreigner registration numbers;
4. Illegally using a third party's foreigner registration certificate;
5. Illegally using a third party's foreigner registration number in the interest of his/her or another person's goods or property.

Article 34 (Preparation and Management of Foreigner Registration Cards, etc.)

(1) The Commissioner of the Regional Immigration Service in receipt of an application for foreigner registration under Article 31 shall prepare and keep a registered foreigners record, and prepare a foreigner registration card and send it to the head of a Si (including an administrative Si under Article 15 of the Special Act on the Establishment of Jeju Special Self-Governing Province and the Development of Free International City, but excluding a Special Metropolitan City and Metropolitan Cities; hereinafter the same shall apply), Gun or Gu (referring to an autonomous Gu; hereinafter the same shall apply) in which the foreigner sojourns. *<Amended by Act No. 11224, Jan. 26, 2012; Act No. 12421, Mar. 18, 2014>*

(2) Upon receipt of the foreigner registration card under paragraph (1), the head of a Si/Gun/Gu shall enter the registered matters in a foreigners' register to manage such information.

(3) Matters necessary for the preparation and management of the registered foreigners record, foreigner registration cards and foreigners' register shall be prescribed by Presidential Decree.

Article 35 (Report on Change in Matters to be Registered by Foreigners)

A foreigner who has filed for registration under Article 31 shall report changes in matters to be registered by foreigners to the Commissioner of the Regional Immigration Service having jurisdiction over his/her place of sojourn within 14 days, as prescribed by Presidential Decree, if any of the following matters is changed: *<Amended by Act No. 12421, Mar. 18, 2014>*

1. Name, gender, date of birth, and nationality;
2. Number, date of issuance, and term of validity of passport;
3. Matters prescribed by Ordinance of the Ministry of Justice, other than those prescribed in subparagraphs 1 and 2.

Article 36 (Report on Change in Place of Sojourn)

(1) If a foreigner who has filed for registration under Article 31 changes his/her place of sojourn, the foreigner shall make a moving-in report to the head of a Si/Gun/Gu of the new place of sojourn or the Commissioner of the Regional Immigration Service having jurisdiction over the new place of sojourn within 14 days from the date on which the foreigner moves in, as prescribed by Presidential Decree.

<Amended by Act No. 12421, Mar. 18, 2014>

(2) If a foreigner files a report under paragraph (1), the foreigner shall present his/her foreigner registration certificate. In such cases, the head of a Si/Gun/Gu or the Commissioner of the Regional Immigration Service shall enter the matters concerning the change of place of sojourn in the foreigner registration certificate, and return it to the foreigner. *<Amended by Act No. 12421, Mar. 18, 2014>*

(3) The Commissioner of the Regional Immigration Service in receipt of a moving-in report under paragraph (1) shall promptly notify the fact on change in the place of sojourn to the head of a Si/Gun/Gu of a new place of sojourn. *<Amended by Act No. 12421, Mar. 18, 2014>*

(4) The head of a Si/Gun/Gu who has directly received a moving-in report under paragraph (1) or a notice of change in the place of sojourn from the Commissioner of a Regional Immigration Service under paragraph (3) shall promptly make a request for the transfer of the relevant foreigner registration card accompanied by a copy of report on change in the place of sojourn to the head of a Si/Gun/Gu having jurisdiction over the former place of sojourn. *<Amended by Act No. 12421, Mar. 18, 2014>*

(5) The head of a Si/Gun/Gu having jurisdiction over the former place of sojourn in receipt of a request for transfer of a foreigner registration card pursuant to paragraph (4) shall transfer the foreigner registration card to the head of a Si/Gun/Gu having jurisdiction over a new place of sojourn within three days from the date of such request.

(6) The head of a Si/Gun/Gu to whom a foreigner registration card is transferred pursuant to paragraph (5) shall re-adjust the foreigner registration card and manage it pursuant to Article 34 (2).

(7) The head of a Si/Gun/Gu or the Commissioner of the Regional Immigration Service in receipt of a moving-in report under paragraph (1) shall promptly notify the Commissioner of the Regional Immigration Service having jurisdiction over the former place of sojourn thereof, as prescribed by Presidential Decree. *<Amended by Act No. 12421, Mar. 18, 2014>*

Article 37 (Return, etc. of Foreigner Registration Certificates)

(1) If a foreigner who has filed for registration under Article 31 departs from the Republic of Korea, the foreigner shall return his/her foreigner registration certificate to an immigration control official: Provided, That this shall not apply to any of the following cases:

1. Where a foreigner who obtained a reentry permit intends to reenter within the permitted period after a temporary departure;
2. Where a holder of a multiple-entry visa or a national of the country subject to exemption from reentry permission intends to reenter within the permitted period of sojourn after a temporary departure;
3. Where a foreigner who intends to reenter within the term of validity of a refugee travel document after a temporary departure with the refugee travel document issued.

(2) If a foreigner who has filed for registration under Article 31 becomes a national of the Republic of Korea, deceases or falls under any subparagraph of Article 31 (1), the foreigner shall return his/her foreigner registration certificate, as prescribed by Presidential Decree.

(3) Upon receiving an alien registration certificate paragraph (1) or (2), the Commissioner of the Regional Immigration Service shall promptly notify the head of a Si/Gun/Gu of the place of sojourn thereof, as prescribed by Presidential Decree. *<Amended by Act No. 12421, Mar. 18, 2014>*

(4) If it is deemed necessary in the interests of the Republic of Korea, the Commissioner of a Regional Immigration Service may take a temporary custody of the foreigner registration certificate of a foreigner falling under any subparagraph of paragraph (1). *<Amended by Act No. 12421, Mar. 18, 2014>*

(5) In cases under paragraph (4), if a foreigner reenters the Republic of Korea within the permitted period, he/she shall have his/her foreigner registration certificate returned from the Commissioner of the competent Regional Immigration Service within 14 days after his/her reentry, and if he/she fails to reenter within the permitted period, it shall be deemed that his/her foreigner registration certificate has been returned under paragraph (1). *<Amended by Act No. 12421, Mar. 18, 2014>*

Article 38 (Provision, etc. of Impressions of Fingerprints and Description of Faces)

(1) Any of the following foreigners shall provide impressions of his/her fingerprints and description of his/her face, as prescribed by Ordinance of the Ministry of Justice:

1. A person over 17 years of age who needs to file for foreigner registration pursuant to Article 31;
2. A person who is under an investigation for violation of this Act or under a criminal investigation for violation of other Acts;
3. A person whose identity is not established;
4. A person deemed, by the Minister of Justice, particularly necessary for the safety and interests of the Republic of Korea or of the relevant foreigner, in addition to those provided for in subparagraphs 1 through 3.

(2) The Commissioner of a Regional Immigration Service may refuse to grant permission under this Act, such as permission for the extension of period of sojourn, etc., to a foreigner refusing to provide impressions of his/her fingerprints and description of his/her face under paragraph (1). *<Amended by Act No. 12421, Mar. 18, 2014>*

(3) The Minister of Justice shall keep and manage information provided pursuant to paragraph (1) pursuant to the Personal Information Protection Act. *<Amended by Act No. 10465, Mar. 29, 2011>*

SECTION 2 Social Integration Programs

Article 39 (Social Integration Programs)

(1) The Minister of Justice may implement a social integration program, including education, the provision of information and counseling (hereinafter referred to as "social integration program") in order to support the social adaptation of foreigners who intend to obtain Korean nationality, sojourn status that they may permanently reside in the Republic of Korea, etc.

(2) The Minister of Justice may designate an institution, corporation or organization that is equipped with necessary experts and facilities as an operating institution of social integration program in order to effectively implement social integration programs.

(3) The Minister of Justice may train experts needed to implement social integration programs, as prescribed by Presidential Decree.

(4) The State and local governments may subsidize all or some of the following expenses within budgetary limits:

1. Expenses incurred in conducting the affairs of an operating institution designated pursuant to paragraph (2);

2. Expenses incurred in training experts under paragraph (3).

(5) The details and development of social integration programs, the designation, management and cancellation of designation of operating institutions, and other matters necessary for the operation of social integration programs shall be prescribed by Presidential Decree.

Article 40 (Favorable Treatment on Persons who Have Completed Social Integration Programs)

When the Minister of Justice issues visas, grants various permission related to sojourn, etc., he/she may favorably treat persons who have completed social integration programs, as prescribed by this Act or related statutes.

Article 41 (Social Integration Volunteer Officers)

(1) The Minister of Justice may post social integration volunteer officers (hereinafter referred to as “social integration officer”) in the competent Regional Immigration Service, as prescribed by Ordinance of the Ministry of Justice, to support the social integration of foreigners.

(2) Social integration officers shall perform the following duties:

1. Campaign activities in order for foreigners, employers, etc. to comply with the statutes;

2. Support for foreigners to settle in the Republic of Korea as sound social members of Korean society;

3. Support for foreigners who intend to obtain permanent residency or Korean nationality;

4. Other matters prescribed by the Minister of Justice for social integration between nationals of the Republic of Korea and foreigners residing in the Republic of Korea.

(3) A social integration officer shall be honorary office, and may be fully or partially reimbursed for expenses incurred in performing his/her duties.

(4) The appointment and dismissal, prescribed number, and self-governing organization of social integration officers, reimbursement for expenses, and other necessary matters shall be determined by the Ordinance of the Ministry of Health and Welfare.

Articles 42 through 45 Deleted. <by Act No. 5755, Feb. 5, 1999>

CHAPTER VI DEPORTATION, ETC.

SECTION 1 Persons subject to Deportation

Article 46 (Persons subject to Deportation)

(1) The Commissioner of a Regional Immigration Service may deport any of the following foreigners from the Republic of Korea according to procedures prescribed in this Chapter: <Amended by Act No. 11224, Jan. 26, 2012; Act No. 12421, Mar. 18, 2014>

1. A person who violates Article 7;
 2. A foreigner who violates Article 7-2, or a foreigner who enters the Republic of Korea by such conduct as a false invitation stipulated in the same Article;
 3. A person who is found to fall under or is subject to grounds for prohibition of entry falling under the subparagraphs of Article 11 (1) after entry;
 4. A person who violates Article 12 (1) or (2), or 12-3;
 5. A person who violates any terms or conditions of permission imposed by the Commissioner of the Regional Immigration Service under Article 13 (2);
 6. A person who lands without obtaining permission under Article 14 (1), 14-2 (1), 15 (1), 16 (1) or 16-2 (1);
 7. A person who violates any terms or conditions of permission imposed by the Commissioner of the Regional Immigration Service or an immigration control official under Article 14 (3) (including where it is applied mutatis mutandis pursuant to Article 14-2 (3)), 15 (2), 16 (2) or 16-2 (2);
 8. A person who violates Article 17 (1) or (2), 18, 20, 23, 24 or 25;
 9. A person who changes or adds a work place without obtaining permission, in violation of the main sentence of Article 21 (1), or a person who employs a foreigner or arranges the employment of a foreigner, in violation of paragraph (2) of the same Article;
 10. A person who violates a restriction on residence or the scope of activity, or other matters to be observed prescribed by the Minister of Justice under Article 22;
 11. A person who attempts to depart from the Republic of Korea, in violation of Article 28 (1) and (2);
 12. A person who violates the duty of foreigner registration under Article 31;
 13. A person who is released after receiving a sentence of imprisonment without labor or heavier punishment;
 14. Any other person comparable to those under subparagraphs 1 through 13 who is prescribed by Ordinance of the Ministry of Justice.
- (2) Notwithstanding paragraph (1), a foreigner holding permanent residency status in the Republic of Korea among statuses of sojourn provided for under Article 10 (1) may not be deported from the Republic of Korea: Provided, That this shall not apply to any of the following persons:

1. A person who has committed insurrection stipulated under Chapter I of Part II of the Criminal Act or foreign aggression stipulated under Chapter II of the same Act;
2. A person prescribed by Ordinance of the Ministry of Justice, who is released after having been sentenced to imprisonment with or without labor for not less than five years;
3. A person who has committed a violation under Article 12-3 (1) or (2), or has abetted or aided another person in such violation.

SECTION 2 Investigations

Article 47 (Investigations)

An immigration control official may investigate foreigners suspected of falling under any subparagraph of Article 46 (1) (hereinafter referred to as "suspect").

Article 48 (Demand for Appearance and Interrogation of Suspects)

- (1) If required for conducting an investigation under Article 47, an immigration control official may demand a suspect to appear and may interrogate him/her.
- (2) When an immigration control official conducts an interrogation under paragraph (1), the immigration control official shall have another immigration control official participate therein.
- (3) In conducting an interrogation under paragraph (1), any statement made by a suspect shall be entered into the interrogatory.
- (4) An immigration control official shall read the interrogatory under paragraph (3) to the suspect or have the suspect inspect it and then inquire of the suspect where any clerical error exists in the investigation statement, and if the suspect requests for addition to, deletion or change of the details thereof, the immigration control official shall enter such statement in the interrogatory.
- (5) A suspect shall sign or affix his/her name and seal, after inter-sealing each page, to the interrogatory, and if the suspect is unable to sign or affix his/her name and seal, or refuses to do so, such fact shall be entered in the interrogatory.
- (6) Any statement made by a person unable to make himself/herself understood in the Korean language or a person with hearing impairment or language impairment shall be interpreted by an interpreter: Provided, That a person with hearing impairment or language impairment may be interrogated or make a statement in writing.
- (7) Letters or signs in the statement made by a suspect which are not the Korean language shall be translated into the Korean language.

Article 49 (Request for Appearance and Statement of Witnesses)

- (1) If necessary for conducting an investigation under Article 47, an immigration control official may request a witness to appear and hear his/her statement.

(2) Article 48 (2) through (7) shall apply mutatis mutandis to statements by witnesses.

Article 50 (Inspections and Respects for Presentation of Documents, etc.)

If necessary for conducting an investigation under Article 47, an immigration control official may inspect a suspect's residence or possessions with his/her consent, or request him/her to present documents or possessions.

SECTION 3 Internment for Examination and Decision

Article 51 (Internment)

(1) If sufficient grounds exist to suspect that a foreigner falls under any subparagraph of Article 46 (1) and the foreigner flees or might flee, an immigration control official may intern such foreigner after obtaining an internment order issued by the Commissioner of the Regional Immigration Service. *<Amended by Act No. 12421, Mar. 18, 2014>*

(2) When applying for the issuance of an internment order under paragraph (1), an immigration control official shall submit an application, along with materials showing the necessity for internment.

(3) Where sufficient grounds exist to suspect that a foreigner falls under any subparagraph of Article 46 (1) and the foreigner flees or might flee, leaving insufficient time for the Commissioner of the Regional Immigration Service to issue an internment order, an immigration control official may intern the foreigner urgently after informing the Commissioner of the Regional Immigration Service of the ground therefor. *<Amended by Act No. 12421, Mar. 18, 2014>*

(4) If an immigration control official has interned a foreigner urgently under paragraph (3), he/she shall immediately prepare an emergency internment note and produce it to the relevant foreigner.

(5) If an immigration control official has interned a foreigner under paragraph (3), he/she shall obtain an internment order within 48 hours and produce it to the relevant foreigner, and the official shall immediately release the foreigner when failing to obtain such order.

Article 52 (Period and Place of Internment)

(1) The period of internment taken to examine and decide whether an interned foreigner under Article 51 is subject to deportation shall not exceed ten days: Provided, That if any extenuating circumstance exists, the period may be extended only once, by up to ten days with the permission from the Commissioner of the competent Regional Immigration Service. *<Amended by Act No. 12421, Mar. 18, 2014>*

(2) Places to intern any foreigner shall be a foreigner internment room, foreigner internment camp, or any other place designated by the Minister of Justice (hereinafter referred to as "internment facilities").

Article 53 (Execution of Internment Orders)

When an immigration control official executes an internment order, the official shall produce it to the suspect concerned.

Article 54 (Notification of Internment)

(1) When an immigration control official has interned a suspect, the official shall notify, in writing, the suspect's legal representative, spouse, lineal relative, sibling, family member or counsel, or a person designated by the suspect (hereinafter referred to as "legal representative, etc."), who is in the Republic of Korea, of the date, time, place and ground for internment within three days: Provided, That when the suspect has no legal representative, etc., the official may state such grounds in writing and choose not to notify a legal representative, etc. thereof.

(2) In addition to notification under paragraph (1), an immigration control official shall notify the consul of the country of the date, time, place and ground for internment, of which the suspect is a national or citizen and who resides in the Republic of Korea, if the interned person wants to do so in the absence of urgent or extenuating circumstances.

Article 55 (Objections to Internment)

(1) A person interned pursuant to an internment order, or his/her legal representative, etc., may raise an objection to the internment to the Minister of Justice via the Commissioner of the competent Regional Immigration Service. *<Amended by Act No. 12421, Mar. 18, 2014>*

(2) The Minister of Justice, in receipt of an objection under paragraph (1), shall promptly examine the relevant documents, and if the application is deemed groundless, the Minister shall reject it by decision, and if it is deemed reasonable, the Minister shall issue a directive for the foreigner to be released from internment.

(3) If required before making a decision under paragraph (2), the Minister of Justice may hear statements from interested persons.

Article 56 (Temporary Internment of Foreigners)

(1) An immigration control official may temporarily intern any of the following foreigners in a foreigner internment room for up to 48 hours:

1. A person whose entry is not permitted under Article 12 (4);
2. A person who has obtained conditional entry permission under Article 13 (1) and who has fled or appears very likely to flee;
3. A person who has obtained a departure order under Article 68 (1) and who has fled or appears very likely to flee.

(2) Where an immigration control official is unable to deport a foreigner interned temporarily under paragraph (1) within 48 hours due to lack of transportation to remove the foreigner from the Republic of Korea, illness, or other extenuating circumstances, the official may extend the period of internment only

once, by up to 48 hours with the approval from the Commissioner of the competent Regional Immigration Service. *<Amended by Act No. 12421, Mar. 18, 2014>*

Article 56-2 (Emergency Transfer, etc. of Wards)

(1) When it is deemed that no means of evacuation are available at an internment facility due to an act of God, fire, or other accidents, the Commissioner of the Regional Immigration Service may move the persons who are interned in the internment facility (hereinafter referred to as "wards") to other locations.

<Amended by Act No. 12421, Mar. 18, 2014>

(2) Where transfer under paragraph (1) is deemed impossible, the Commissioner of the Regional Immigration Service may revoke the internment measures of foreigners. *<Amended by Act No. 12421, Mar. 18, 2014>*

Article 56-3 (Respect, etc. of Wards' Human Rights)

(1) The human rights of wards shall be respected to the utmost and discrimination against wards on grounds of their nationality, gender, religion, social position, etc. shall be prohibited.

(2) The Commissioner of the competent Regional Immigration Service shall specially protect any of the following foreigner wards: *<Newly Inserted by Act No. 12893, Dec. 30, 2014>*

1. Patients;
2. Pregnant women;
3. The aged and invalids;
4. Persons of less than 19 years of age;
5. Persons equivalent to subparagraphs 1 through 4, the Commissioner of the competent Regional Immigration Service deems require special protection.

(3) Further details concerning special measures and support for protection under paragraph (2) shall be prescribed by Ordinance of the Ministry of Justice. *<Newly Inserted by Act No. 12893, Dec. 30, 2014>*

Article 56-4 (Exercise of Coercive Force)

(1) When a ward falls under any of the following subparagraphs, an immigration control official may exercise coercive force on the relevant ward, and protect the ward by isolating him/her from other wards. In such cases, it shall be limited to the minimum extent necessary for the safety of a ward's life and body, prevention of his/her escape, and maintaining the security of and order in an internment facility:

1. When he/she intends to commit suicide or self-injury;
2. When he/she inflicts harms on other persons or intends to do so;
3. When he/she escapes or intends to do so;
4. When he/she refuses, interferes with or evades the execution of duties by an immigration control official without justifiable grounds;

5. When he/she commits acts of obviously harming internment facilities and the safety and orders of wards, or intends to do so, in addition to those provided for in subparagraphs 1 through 4.
- (2) When exercising coercive force under paragraph (1), it shall be limited to the exercise of physical tangible power or the use of protective equipment designated by the Minister of Justice, such as police clubs, gas jet guns, and electronic shock gadgets.
- (3) When intending to exercise coercive force under paragraph (1), the relevant ward shall be warned of it in advance: Provided, That this shall not apply where there is no time to warn a ward in advance due to emergency situation.
- (4) When a ward falls under any subparagraph of paragraph (1) or it is necessary to maintain order in internment facilities, or to escort, etc. for deportation of a ward, an immigration control official may use any of the following protective equipment:
1. Handcuffs;
 2. Ropes;
 3. Protective headgear;
 4. Other protective equipment prescribed by Ordinance of the Ministry of Justice and deemed particularly necessary to maintain order in internment facilities, or to escort, etc. for deportation of a ward, in addition to those provided for in subparagraphs 1 through 3.
- (5) Necessary matters for the requirements, procedure, etc. for the use of protective equipment under paragraph (4) shall be prescribed by Ordinance of the Ministry of Justice.

Article 56-5 (Examination of Bodies, etc.)

- (1) Where it is necessary for the safety and maintenance of order in interment facilities, an immigration control official may examine bodies, clothing and personal belongings of wards.
- (2) Where a ward is female, the examination under paragraph (1) shall be carried out by a female immigration control official: Provided, That when no female immigration control official is present, a female designated by the Commissioner of the Regional Immigration Service may do so. *<Amended by Act No. 12421, Mar. 18, 2014>*

Article 56-6 (Visit, etc.)

- (1) Wards are allowed visitors, to exchange written correspondence, and to have telephone conversations with other persons (hereinafter referred to as "visit, etc.").
- (2) If deemed inevitable for safety and order in any internment facilities and for the safety, health and hygiene of wards therein, the Commissioner of the Regional Immigration Service may restrict visit, etc. *<Amended by Act No. 12421, Mar. 18, 2014>*
- (3) Detailed matters on the procedures for visits, etc. and restriction, etc. thereon shall be prescribed by Ordinance of the Ministry of Justice.

Article 56-7 (Safety Measures Using Image Data Processing Device, etc.)

(1) The Commissioner of a Regional Immigration Service may install necessary equipment, such as an image data processing device, etc. to the necessary extent to prevent the suicide, self-injury, escape, assault and damage of or by a ward, and to prevent a ward from harming the lives or bodies of any other ward or from hindering safety or order in the internment facilities. *<Amended by Act No. 12421, Mar. 18, 2014>*

(2) The image data processing device under paragraph (1) shall be installed and operated within the minimum extent necessary, considering the human rights of wards, etc.

(3) Matters necessary for the installation and operation of image data processing device, etc. and the management, etc. of recorded materials shall be prescribed by Ordinance of the Ministry of Justice.

Article 56-8 (Petitions)

(1) If any ward is dissatisfied with treatment in an internment facility, the ward may file a petition with the Minister of Justice or the Commissioner of the competent Regional Immigration Service. *<Amended by Act No. 12421, Mar. 18, 2014>*

(2) A petition shall be prepared in writing and submitted after being sealed: Provided, That if the petition is filed with the Commissioner of a Regional Immigration Service, the petition may be made verbally. *<Amended by Act No. 12421, Mar. 18, 2014>*

(3) No ward shall be subject to disadvantageous treatment on the ground of filing a petition.

(4) Matters necessary for the procedures, etc. for a petition shall be prescribed by Ordinance of the Ministry of Justice.

Article 56-9 (Notice on Procedures, etc. of Raising Objections)

The Commissioner of a Regional Immigration Service shall post a notice on procedures concerning objections to internment under Article 55, visit, etc. under Article 56-6 and petitions under Article 56-8 at a conspicuous place within the internment facilities. *<Amended by Act No. 12421, Mar. 18, 2014>*

Article 57 (Supplies to, Management, etc. of Wards)

Except as otherwise expressly provided for in Articles 56-2 through 56-9, matters concerning supplies to, management and treatment of wards in internment facilities, matters concerning the guard of internment facilities and other necessary matters shall be prescribed by Ordinance of the Ministry of Justice.

SECTION 4 Examinations and Raising Objections

Article 58 (Examinations and Decisions)

When an immigration control official has finished an investigation of a suspect, the Commissioner of the competent Regional Immigration Service shall promptly examine and determine as to whether the suspect falls under any subparagraph of Article 46 (1). *<Amended by Act No. 12421, Mar. 18, 2014>*

Article 59 (Procedure after Examination)

(1) If the Commissioner of a Regional Immigration Service determines after an examination that a suspect does not fall under any subparagraph of Article 46 (1), he/she shall promptly inform the suspect thereof, and if the suspect is interned, he/she shall immediately release the suspect from internment. *<Amended by Act No. 12421, Mar. 18, 2014>*

(2) If the Commissioner of a Regional Immigration Service determines after an examination that a suspect falls under any subparagraph of Article 46 (1), he/she may issue a deportation order. *<Amended by Act No. 12421, Mar. 18, 2014>*

(3) When issuing a deportation order under paragraph (2), the Commissioner of a Regional Immigration Service shall issue a deportation order to the relevant suspect. *<Amended by Act No. 12421, Mar. 18, 2014>*

(4) In issuing a deportation order, the Commissioner of a Regional Immigration Service shall inform the relevant suspect of the fact that the suspect may file an objection with the Minister of Justice. *<Amended by Act No. 12421, Mar. 18, 2014>*

Article 60 (Raising Objections)

(1) If a suspect intends to protest a deportation order, the suspect shall file a written objection with the Minister of Justice through the Commissioner of the competent Regional Immigration Service within seven days after the suspect receives the deportation order. *<Amended by Act No. 12421, Mar. 18, 2014>*

(2) The Commissioner of the Regional Immigration Service in receipt of the written objection under paragraph (1) shall submit it to the Minister of Justice with the written examination record and decision and the record of investigation attached thereto. *<Amended by Act No. 12421, Mar. 18, 2014>*

(3) The Minister of Justice, in receipt of the written objection, etc. under paragraphs (1) and (2), shall examine and determine whether the objection is well-grounded and notify the Commissioner of the competent Regional Immigration Service of the determination thereon. *<Amended by Act No. 12421, Mar. 18, 2014>*

(4) When the Commissioner of a Regional Immigration Service is notified by the Minister of Justice of the determination that the objection is well-grounded, he/she shall promptly inform the suspect of the fact thereof and if the suspect is interned, he/she shall immediately release the suspect from internment. *<Amended by Act No. 12421, Mar. 18, 2014>*

(5) When the Commissioner of a Regional Immigration Service is notified by the Minister of Justice of the determination that the objection is groundless, he/she shall promptly inform the suspect thereof. *<Amended by Act No. 12421, Mar. 18, 2014>*

Article 61 (Special Cases on Sojourn Permission)

- (1) In making a determination under Article 60 (3), even where the objection is deemed groundless, if the suspect formerly was a national of the Republic of Korea, or if there exist special circumstances deemed to require the suspect to sojourn in the Republic of Korea, the Minister of Justice may permit his/her sojourn.
- (2) In granting permission under paragraph (1), the Minister of Justice may impose necessary conditions, such as the period of sojourn.

SECTION 5 Execution of Deportation Orders

Article 62 (Execution of Deportation Orders)

- (1) A deportation order shall be executed by an immigration control official.
- (2) The Commissioner of a Regional Immigration Service may entrust a judicial police official to execute a deportation order. *<Amended by Act No. 12421, Mar. 18, 2014>*
- (3) In executing a deportation order, the deportation order shall be presented to the person in receipt of such order, and the person shall be repatriated without delay to the country of repatriation under Article 64: Provided, That if the captain of a ship, etc. or the head of a forwarding agent repatriates him/her under Article 76, an immigration control official may hand over such person to the captain of the ship, etc. or the head of the forwarding agent.
- (4) Notwithstanding paragraph (3), no person in receipt of a deportation order may be repatriated in any of the following circumstances: Provided, That this shall not apply where a person who has applied for recognition as a refugee under the Refugee Act endangers or is likely to endanger the security of the public in the Republic of Korea: *<Amended by Act No. 11298, Feb. 10, 2012>*
 1. Where he/she has applied for recognition as a refugee pursuant to the Refugee Act but a decision on whether to recognize him/her as a refugee has not been made;
 2. Where he/she has filed an objection pursuant to Article 21 of the Refugee Act, but the examination thereof has not yet finished.

Article 63 (Internment of Persons in Receipt of Deportation Orders, or Release from Internment)

- (1) If it is impossible to immediately repatriate a person in receipt of a deportation order out of the Republic of Korea as the person has no passport or no means of transportation is available, or for any other reason, the Commissioner of a Regional Immigration Service may intern the person in any internment facility until his/her repatriation is possible. *<Amended by Act No. 12421, Mar. 18, 2014>*
- (2) When the period of internment exceeds three months in cases of internment under paragraph (1), the Commissioner of a Regional Immigration Service shall first obtain approval from the Minister of Justice every three months. *<Amended by Act No. 12421, Mar. 18, 2014>*

- (3) The Commissioner of a Regional Immigration Service shall immediately release the person from internment if failing to obtain approval under paragraph (2). *<Amended by Act No. 12421, Mar. 18, 2014>*
- (4) If it becomes obviously impossible to repatriate the person in receipt of a deportation order for various reasons, such as rejection of entry by another country, the Commissioner of a Regional Immigration Service may release the person from such internment. *<Amended by Act No. 12421, Mar. 18, 2014>*
- (5) When releasing the person in receipt of a deportation order from internment under paragraph (3) or (4), the Commissioner of a Regional Immigration Service may impose restriction on his/her residence or other necessary conditions. *<Amended by Act No. 12421, Mar. 18, 2014>*
- (6) Articles 53 through 55, 56-2 through 56-9 and 57 shall apply mutatis mutandis to internment under paragraph (1).

Article 64 (Country of Repatriation)

- (1) A person in receipt of a deportation order shall be repatriated to the country of which the person is a national or has citizenship.
- (2) If it is impossible to be repatriated to the country under paragraph (1), the person may be repatriated to any of the following countries:
1. A country in which he/she had resided before he/she entered the Republic of Korea;
 2. The country where he/she was born;
 3. The country to which the port at which he/she boarded the ship, etc. to enter the Republic of Korea belongs;
 4. Any other country to which he/she desires to be repatriated, excluding countries provided for in subparagraphs 1 through 3 .
- (3) Deleted. *<by Act No. 11298, Feb. 10, 2012>*

SECTION 6 Temporary Release from Internment

Article 65 (Temporary Release from Internment)

- (1) A person under internment after having received an internment or deportation order, his/her guarantor, legal representative, etc. may request a temporary release from internment from the Commissioner of the competent Regional Immigration Service, as prescribed by Presidential Decree. *<Amended by Act No. 12421, Mar. 18, 2014>*
- (2) In receipt of a request under paragraph (1), the Commissioner of the Regional Immigration Service may temporarily release the relevant ward from internment with the deposit of bonds not exceeding 20 million won by imposing restriction on his/her residence or other necessary conditions, taking into consideration the circumstances of the relevant ward, grounds for request for release, assets and other matters. *<Amended by Act No. 12421, Mar. 18, 2014>*

(3) The procedures for the deposit and return of bonds under paragraph (2) shall be prescribed by Presidential Decree.

Article 66 (Revocation of Temporary Release from Internment)

(1) If a person under temporary release from internment falls under any of the following cases, the Commissioner of a Regional Immigration Service may revoke the temporary release from internment and take measures to intern the person again: *<Amended by Act No. 12421, Mar. 18, 2014>*

1. Where the person has escaped or is likely to escape;
2. Where the person fails to comply with an order to appear, without justifiable grounds;
3. Where the person violates conditions imposed on temporary release, in addition to matters provided for in subparagraphs 1 and 2.

(2) Where the Commissioner of a Regional Immigration Service revokes a temporary release from internment under paragraph (1), he/she may issue a written revocation of temporary release from internment and revert all or part of the bond to the National Treasury. *<Amended by Act No. 12421, Mar. 18, 2014>*

(3) The procedure for reverting bonds to the National Treasury under paragraph (2) shall be prescribed by Presidential Decree.

SECTION 7 Recommendations, etc. for Departure

Article 67 (Recommendations for Departure)

(1) If a foreigner sojourning in the Republic of Korea falls under any of the following subparagraphs, the Commissioner of a Regional Immigration Service may recommend the foreigner to depart voluntarily from the Republic of Korea: *<Amended by Act No. 12421, Mar. 18, 2014>*

1. A person who violates Articles 17 and 20 through a minor offense;
2. A person who violates this Act or any order issued under this Act, and whose departure is deemed to be recommended by the Minister of Justice, in addition to cases provided for in subparagraph 1.

(2) The Commissioner of a Regional Immigration Service, upon making a recommendation of departure under paragraph (1), shall issue a written recommendation for departure. *<Amended by Act No. 12421, Mar. 18, 2014>*

(3) Where a written recommendation for departure is issued under paragraph (2), the departure deadline may be determined within five days from the date of issuance.

Article 68 (Departure Orders)

(1) The Commissioner of a Regional Immigration Service may order any foreigner falling under any of the following subparagraphs to depart from the Republic of Korea: *<Amended by Act No. 12421, Mar. 18, 2014>*

1. A person deemed to fall under any subparagraph of Article 46 (1), but who intends to depart voluntarily at his/her own expense;
 2. A person who has received a recommendation for departure under Article 67, but fails to comply therewith;
 3. A person, any of whose permit is revoked under Article 89;
 4. A person for whom it is deemed reasonable to take measures to require departure after a disposition of an administrative fine under Article 100 (1) through (3);
 5. A person for whom it is deemed reasonable to take measures to require departure after a disposition of notification under Article 102 (1).
- (2) Upon ordering departure under paragraph (1), the Commissioner of the Regional Immigration Service shall issue a written order for departure. *<Amended by Act No. 12421, Mar. 18, 2014>*
- (3) Upon issuing a written order for departure under paragraph (2), the departure deadline may be determined, and restrictions on residence or other necessary conditions may be imposed, as prescribed by Ordinance of the Ministry of Justice
- (4) The Commissioner of a Regional Immigration Service may promptly issue a deportation order against a person who fails to depart from the Republic of Korea by the designated deadline even after receiving the departure order, or who violates any condition imposed under paragraph (3). *<Amended by Act No. 12421, Mar. 18, 2014>*

CHAPTER VII SEARCH OF SHIPS, ETC.

Article 69 (Search and Examination of Ships, etc.)

- (1) Upon entering or departing from an entry or departure port, ships, etc. shall undergo a search by an immigration control official.
- (2) If any reason arises for a ship, etc. to inevitably enter or depart from a place, other than the entry or departure port, the captain of the ship, etc. or the head of a forwarding agent shall submit in advance to the Commissioner of the competent Regional Immigration Service a scheduled entry and departure notice under Article 74 with materials explaining the reasons therefor, and the ship, etc. shall also undergo the search referred to in paragraph (1): Provided, That where any unforeseen accident occurs, such as emergency landing of aircraft, shipwreck, etc., such fact shall be promptly reported to the Commissioner of the competent Regional Immigration Service to undergo the search. *<Amended by Act No. 12421, Mar. 18, 2014>*
- (3) In making a search under paragraph (1) or (2), an immigration control official shall examine the following matters:
1. Whether the crew or passengers meet the eligibility requirements for entry and departure, or they leave the ship, etc.;

2. Whether a person who attempts to enter or depart from the Republic of Korea in contravention of statutes, is aboard the ship, etc.;
3. Whether a person who has failed to obtain permission on embarkation under Article 72 is aboard the ship, etc.
- (4) In making a search and examination under paragraphs (1) through (3), an immigration control official may request that the heads of the ships, etc. present the logbooks or other necessary documents, or have them inspected.
- (5) In order to establish the identity of the crew and passengers who are aboard the ships, etc., and other persons, an immigration control official may inquire them or request them to present documents, etc. to certify their status.
- (6) The Commissioner of a Regional Immigration Service may have the examination on documents substitute for the search of ships, etc., as prescribed by Ordinance of the Ministry of Justice. *<Amended by Act No. 12421, Mar. 18, 2014>*
- (7) If there exist inevitable circumstances that make ships, etc. unable to depart from the port within three hours after the departure search is finished, the heads of the ships, etc. shall report the grounds therefor to the Commissioner of the competent Regional Immigration Service, and undergo again the search immediately before the ships, etc. leave the port. *<Amended by Act No. 12421, Mar. 18, 2014>*

Article 70 (Search and Examination of Ships, etc. Eligible for Inland Navigation)

If a ship, aircraft or other means of transportation carrying persons or things within the territory of the Republic of Korea (hereinafter referred to as "ships, etc. eligible for inland navigation") calls at a port in a foreign country due to special circumstances, such as an unforeseen accident, navigation problems, etc., they shall, upon entering thereafter a port of the Republic of Korea, undergo an entry search conducted by an immigration control official under Chapters VII and VIII.

Article 71 (Suspension, etc. of Entry and Departure)

- (1) If the Commissioner of a Regional Immigration Service finds any unlawful fact as a result of the examination under Article 69 (3), he/she may suspend the departure or entry of any relevant crew or passenger. *<Amended by Act No. 12421, Mar. 18, 2014>*
- (2) The suspension of entry or departure under paragraph (1) shall be limited to the period required for an investigation on such unlawful fact.
- (3) If it is required to continue prohibiting or suspending the entry or departure even after the investigation under paragraph (2) is complete, the decision of the Minister of Justice under Article 4, 11 or 29 shall be obtained.
- (4) If deemed necessary to prohibit or suspend the departure of any passenger or crew under paragraph (1) or Article 4 or 29, the Commissioner of a Regional Immigration Service may order the ship, etc. to suspend the departure from a port or return to the port, or restrict passenger's or crew's access to the ship,

etc. *<Amended by Act No. 12421, Mar. 18, 2014>*

(5) If the Commissioner of a Regional Immigration Service orders the ship, etc. to temporarily suspend its departure or return, or restricts passenger's or crew's access to the ship, etc. under paragraph (4), he/she shall notify it without delay to the captain of the ship, etc. or the head of a forwarding agent. This shall also apply where such order for temporary suspension of entry or return, or restriction on access, is revoked. *<Amended by Act No. 12421, Mar. 18, 2014>*

(6) The temporary suspension, etc. of departure of ships, etc. from a port under paragraph (4) shall be limited to the minimum extent necessary for the Commissioner to carry out his/her duties.

Article 72 (Permission to Embark)

(1) A person who intends to enter a ship, etc. moored at an entry or departure port or any place, other than an entry and departure port, shall obtain permission on embarkation from the Commissioner of the competent Regional Immigration Service: Provided, That this shall not apply to the crew and passengers of ships, etc. or any person permitted to enter pursuant to other statutes. *<Amended by Act No. 12421, Mar. 18, 2014>*

(2) Paragraph (1) shall also apply where any person, other than an immigration control official, intends to enter the place of entry or departure inspections.

CHAPTER VIII RESPONSIBILITY OF CAPTAINS OF SHIPS, ETC. AND HEADSOFFORWARDING AGENTS

Article 73 (General Duties, etc. of Forwarding Agents, etc.)

The heads of ships, etc. or forwarding agents shall comply with the following matters:

1. To prevent a person's entry or landing without entry or landing permission;
2. To prevent a person without a valid passport (in cases sailors, this refers to a valid passport or seaman's identification paper) and necessary visa, from embarking;
3. To prevent the embarkation of a person without permission to embark or of a person who fails to undergo a departure inspection;
4. To post security guards requested by immigration control officials to prevent entry, landing, or embarkation under subparagraphs 1 through 3;
5. To search the inside of ships, etc. to verify whether a person who attempts to enter or depart from the Republic of Korea in contravention of this Act, is hiding;
6. To prohibit unauthorized access to ships, etc. until the completion of the search of the ships, etc. and an entry or departure inspection;
7. To prevent crew members or passengers from embarking or disembarking ships, etc. during the time from the completion of the search of ships, etc. and entry or departure inspection to the time the ships, etc. leave a port;

8. Other matters ordered by an immigration control official as deemed particularly necessary for the official to carry out his/her duties in searching ships, etc. and conducting entry or departure inspections.

Article 73-2 (Perusal and Provision of Passenger Reservation Information)

(1) If an immigration control official requests the verification of reservation information to carry out any of the following duties, a forwarding agent shall immediately allow the official to peruse a reservation information system or submit the reservation information in a standardized electronic document: Provided, That where the forwarding agent is unable to submit such information in the standardized electronic document due to extenuating circumstances prescribed by Ordinance of the Ministry of Justice, the forwarding agent may immediately submit it in writing after informing the immigration control official of the grounds therefor:

1. An investigation on a person who has violated or appears highly likely to violate Article 7 (1), 7-2 or 12-3 (1);
2. An investigation on a person who falls or appears highly likely to fall under any subparagraph of Article 11 (1).

(2) The scope of the information to be perused or to be submitted in writing under paragraph (1) shall be limited to the following:

1. Name, nationality, address, and telephone number;
2. Number, term of validity, and issuing country of a passport;
3. Timing of reservation and boarding process;
4. Travel route and travel agency;
5. Accompanied passenger and seat number;
6. Luggage;
7. Method of settling purchase price for airline tickets;
8. Place of departure and final destination;
9. Reservation number.

(3) When an immigration control official requests the following information on passengers for an accurate and rapid departure inspection, a forwarding agent shall submit it in a standardized electronic document: Provided, That where the forwarding agent is unable to submit such information as a standardized electronic document due to extenuating circumstances prescribed by Ordinance of the Ministry of Justice, the forwarding agent may immediately submit it in writing after informing the immigration control official of the grounds therefor:

1. Name, gender, date of birth, and nationality;
2. Passport number and reservation number;
3. Service, place and time of departure;
4. Place and time of arrival.

(4) Immigration control officials entitled to peruse or request the presentation of information in writing pursuant to paragraphs (1) and (3) shall be limited to the persons designated by the Commissioner of the competent Regional Immigration Service. *<Amended by Act No. 12421, Mar. 18, 2014>*

(5) No immigration control officials designated pursuant to paragraph (4) shall divulge the data on reservation information systems they become aware of in the course of performing their duties to any other person, dispose of such data without authority to do so or use such data for unlawful purposes, such as providing for use by third persons.

(6) Detailed matters on the timing, etc. of perusing and submitting the data pursuant to paragraphs (1) and (3) shall be prescribed by Presidential Decree.

Article 74 (Obligation of Prior Notice)

Where ships, etc. enter and depart from an entry and departure port, the heads of the ships, etc. or forwarding agents shall submit in advance to the Commissioner of the competent Regional Immigration Service a scheduled entry and departure notice specifying the scheduled date and time of entry and departure, and other necessary matters: Provided, That if any unforeseen accident occurs, such as an emergency landing of the aircraft, a shipwreck, etc., the heads of the ships, etc. or forwarding agents shall promptly notify the Commissioner of the competent Regional Immigration Service thereof. *<Amended by Act No. 12421, Mar. 18, 2014>*

Article 75 (Obligations to Report)

(1) The captain of a ship, etc. or the head of a forwarding agent that enters and departs from an entry and departure port or any place other than an entry and departure port or a forwarding agent operating such ship, etc. shall submit an entry and departure report stating matters prescribed by Presidential Decree, along with the crew and passenger list, to the Commissioner of the competent Regional Immigration Service. *<Amended by Act No. 12421, Mar. 18, 2014>*

(2) The entry and departure report of paragraph (1) shall be submitted in a standardized electronic document: Provided, That where the captain of a ship, etc. or the head of a forwarding agent operating a ship, etc. is unable to submit such information in a standardized electronic document due to extenuating circumstances prescribed by Ordinance of the Ministry of Justice, he/she may immediately submit it in writing after informing the Commissioner of the competent Regional Immigration Service of the grounds therefor.

(3) Detailed matters concerning the relevant procedures, such as the timing for submitting an entry and departure report under paragraph (1), shall be prescribed by Presidential Decree.

(4) If the captain of a ship, etc. that enters an entry or departure port or any place other than an entry and departure port or a forwarding agent operating such ship, etc. becomes aware that a person having no passport (in cases of sailors, this refers to a passport or seaman's identification paper) is aboard the ship, etc., he/she shall promptly report such fact to the Commissioner of the competent Regional Immigration

Service and prevent the person from landing. *<Amended by Act No. 12421, Mar. 18, 2014>*

(5) The captain of a ship, etc. that departs from an entry or departure port or any place other than an entry or departure port, or a forwarding agent shall report the following matters to the Commissioner of the competent Regional Immigration Service: *<Amended by Act No. 11224, Jan. 26, 2012; Act No. 12421, Mar. 18, 2014>*

1. Whether a crew member who has obtained crew member landing permission or a passenger who has obtained landing permission for tourism has returned to the ship, etc.;
2. Whether there is any person who intends to depart from the Republic of Korea without undergoing due departure formalities.

Article 76 (Obligations to Repatriate)

The captain of a ship, etc. on which any of the following foreigners embarked or the head of a forwarding agent shall immediately repatriate such foreigner out of the Republic of Korea at his/her expense and on his/her own responsibility: *<Amended by Act No. 11224, Jan. 26, 2012>*

1. A person who fails to meet any requirement under Article 7 or 10 (1);
2. A person whose entry is prohibited or declined under Article 11;
3. A person whose entry is not permitted by any reason attributable to the captain of the ship, etc. or forwarding agent under Article 12 (4);
4. A person who fails to return to the ship, etc. on which he/she embarked until the ship, etc. departs from the port, who is a crew member who has landed pursuant to Article 14 or a passenger who has landed for tourism pursuant to Article 14-2;
5. A person who falls under Article 46 (1) 6 or 7, and receives a deportation order.

CHAPTER VIII-2

Articles 76-2 through 76-4 Deleted. *<by Act No. 11298, Feb. 10, 2012>*

Article 76-5 (Refugee Travel Documents)

- (1) If a person recognized as a refugee under the Refugee Act intends to depart from the Republic of Korea, the Minister of Justice shall issue, upon his/her request, a refugee travel document, as prescribed by Presidential Decree: Provided, That this shall not apply where his/her departure is deemed detrimental to the security of the Republic of Korea. *<Amended by Act No. 11298, Feb. 10, 2012>*
- (2) The term of validity of a refugee travel document issued under paragraph (1) shall be two years and the period may be extended by up to one year upon the application of the person to whom the refugee travel document is issued.
- (3) A person who has a refugee travel document issued under paragraph (1) may enter, or depart from the Republic of Korea during the term of validity of such document. In such cases, the person need not obtain

a reentry permit under Article 30 at the time of entry into the Republic of Korea.

(4) If deemed particularly necessary in cases falling under paragraph (3), the Minister of Justice may limit the period of reentry from three months to one year.

(5) If a person who has departed from the Republic of Korea with a refugee travel document issued under paragraph (1) is unable to reenter the Republic of Korea within the term of validity of such document due to any disease or other extenuating circumstances, the Minister of Justice may, upon his/her request, permit an extension of the term of validity by up to six months.

(6) The Minister of Justice may delegate the authority to permit an extension of the term of validity under paragraph (5), to the head of an overseas diplomatic mission, as prescribed by Presidential Decree.

Article 76-6 (Return of Refugee Recognition Certificates, etc.)

(1) If a person recognized as a refugee under the Refugee Act falls under any of the following cases, he/she shall immediately return his/her refugee recognition or travel document to the Commissioner of the competent Regional Immigration Service: *<Amended by Act No. 11298, Feb. 10, 2012; Act No. 12421, Mar. 18, 2014>*

1. Where he/she receives a deportation order under Article 59 (3), 68 (4), or 85 (1);
2. Where he/she is notified that the objection against a deportation order is groundless under Article 60 (5);
3. Where he/she is notified of the cancellation or withdrawal of a decision on the recognition of a refugee pursuant to the Refugee Act.

(2) If the Minister of Justice deems that a person with a refugee travel document issued under Article 76-5 (1) might engage in any conduct detrimental to the security of the Republic of Korea, the Minister may order the person to return his/her refugee travel document within a fixed period not exceeding 14 days.

(3) A refugee travel document of paragraph (2) shall become void at the time it is returned, and if it is not returned by the designated deadline, at the time such deadline expires, respectively.

Article 76-7 (Special Cases concerning Permission on Sojourn of Refugees)

Where a person recognized as a refugee under the Refugee Act files an objection under Article 60 (1), the Minister of Justice may permit his/her sojourn even where the person does not fall under the grounds provided for in Article 61 (1), and thus his/her objection is deemed groundless. In such cases, Article 61

(2) shall apply mutatis mutandis thereto. *<Amended by Act No. 11298, Feb. 10, 2012>*

Articles 76-8 through 76-10 Deleted. *<by Act No. 11298, Feb. 10, 2012>*

CHAPTER IX SUPPLEMENTARY PROVISIONS

Article 77 (Carrying and Use of Arms, etc.)

(1) Immigration control officials may carry arms, etc. (referring to equipment, outfit, sprayers, or weapons prescribed in Articles 10, and 10-2 through 10-4 of the Act on the Performance of Duties by Police Officers, and hereinafter referred to as "arms, etc.") if necessary to perform their duties. *<Amended by Act No. 12600, May 20, 2014>*

(2) Immigration control officials may use arms, etc. pursuant to Articles 10, and 10-2 through 10-4 of the Act on the Performance of Duties by Police Officers. *<Amended by Act No. 12600, May 20, 2014>*

Article 78 (Cooperation of Relevant Agencies)

(1) If necessary for conducting any of the following investigations, an immigration control official may request any relevant agency or organization to cooperate in provision of materials or investigation on fact, etc.:

1. An investigation conducted under Article 47;
2. Deleted; *<by Act No. 11298, Feb. 10, 2012>*
3. An investigation on an immigration offender.

(2) An immigration control official may make a request for inquiry of criminal history records and interrogatories to the related agency to examine the propriety of issuing a visa issuance certificate under Article 9 (1) or to investigate immigration offenders.

(3) No relevant agency or organization in receipt of a request for cooperation under paragraph (1) or a request for inquiry under paragraph (2) shall refuse such requests in the absence of justifiable grounds.

Article 79 (Persons Obligated to File Applications, etc. for Permission)

Where any of the following persons is under 17 years of age, and if such person fails to file an application for permission, etc., his/her parents or other person prescribed by Presidential Decree shall file such application:

1. A person who is required to obtain permission for activities, other than those under the status of sojourn under Article 20;
2. A person who is required to obtain the status of sojourn under Article 23;
3. A person who is required to obtain permission to change the status of sojourn under Article 24;
4. A person who is required to obtain permission for extension of the period of sojourn under Article 25;
5. A person who is required to file for foreigner registration under Article 31;
6. A person who is required to report changes in matters to be registered by a foreigner under Article 35;
7. A person who is required to report changes in the place of his/her sojourn under Article 36.

Article 80 (Fact-Finding Investigations)

(1) In order to maintain the accuracy of any report or registration under this Act, an immigration control official or authorized public official may investigate such issue, if there exists sufficient reason to suspect that the contents of a report or registration under Articles 19, 31, 35, and 36 are different from the fact.

(2) If deemed necessary for performing any of the following duties, the Minister of Justice may require an immigration control official to investigate relevant facts:

1. Issuance of a visa issuance certificate under Article 9;
2. Granting permission under Articles 20, 21, 24 and 25 or the status of sojourn under Article 23;
3. Deleted. <by Act No. 11298, Feb. 10, 2012>

(3) If necessary for conducting an investigation under paragraph (1) or (2), any person who has filed a report, registration, or application under paragraph (1) or (2), or any other interested person, may be requested to appear to answer any question, or to present documents and other materials.

Article 81 (Investigation of Foreigner Movements by Immigration Control Officials, etc.)

(1) In order to investigate whether a foreigner sojourns lawfully in accordance with this Act or any order issued under this Act, immigration control officials or public officials belonging to related agencies prescribed by Presidential Decree may visit and inquire any of the following persons, or request such persons to present necessary materials:

1. A foreigner;
2. A person who employs a foreigner;
3. The representative of the organization to which a foreigner belongs, or the place of work a foreigner is employed;
4. A person who provides a foreigner with accommodation.

(2) If necessary for preventing a foreigner from illegally entering the Republic of Korea by a false invitation, etc., immigration control officials may visit a person who arranges or mediates the invitation of foreigners, international marriage, etc. or such person's place of business and inquire of the person or request such person to present the relevant materials.

(3) An immigration control official may request a person under significant suspicion of having violated this Act, making a reasonable decision based on the person's movements or circumstances, to stop and may inquire of the person.

(4) No person in receipt of a query or request to submit materials under paragraph (1) or (2) may refuse it without justifiable grounds.

Article 81-2 (Residence of Immigration Control Officials)

The Minister of Justice may have immigration control officials reside in overseas diplomatic missions, etc. to have them engage in any of the following duties:

1. Issuance of visas under Article 7 (1);

2. Issuance of foreigner entry permits under Article 7 (4);
3. Collection of necessary information on foreigners' entry into the Republic of Korea and liaison duties.

Article 82 (Carrying and Presentation of Certificate)

An immigration control official or competent public official shall carry a certificate indicating his/her authority, and produce it to any interested person when carrying out the following duties:

1. Where he/she conducts an inspection on residence or articles, or demands to present documents or other articles, under Article 50;
2. Where he/she conducts any search and examination under Articles 69 and 70;
3. Where he/she makes inquiries or requests submission of other necessary materials under Articles 80 and 81;
4. Where he/she carries out duties equivalent to those referred to in subparagraphs 1 through 3.

Article 83 (Report on Immigration Offenders)

A person who finds a person suspected of violating this Act may report him/her to an immigration control official.

Article 84 (Obligations to Notify)

(1) If any public official of the State or a local government finds, in the course of performing his/her duties, a person falling under any subparagraph of Article 46 (1) or a person deemed to have violated this Act, the public official shall immediately inform the Commissioner of the competent Regional Immigration Service thereof: Provided, That this shall not apply where the public official is deemed unable to achieve the very purpose of the performance of his/her duties due to his/her notification, which correspond to grounds prescribed by Presidential Decree. *<Amended by Act No. 11224, Jan. 26, 2012; Act No. 12421, Mar. 18, 2014>*

(2) If a foreigner subject to notification under paragraph (1) falls under any of the following cases, the head of a prison, juvenile prison, detention center or its branch, protective custody offices, medical treatment and custody offices, or juvenile reformatory shall immediately inform the Commissioner of the competent Regional Immigration Service thereof: *<Amended by Act No. 12421, Mar. 18, 2014>*

1. Where a foreigner subject to execution of a penalty is released by termination of his/her prison term, suspension of enforcement of sentence, or any other ground;
2. Where a foreigner whose release is determined after having been interned subject to the disposition of protective or medical custody;
3. Where a foreigner who has been interned in a juvenile reformatory under the Juvenile Act is released from such reformatory.

Article 85 (Relations to Criminal Procedures)

(1) Even when a foreigner falling under any subparagraph of Article 46 (1) is in the course of enforcement of a sentence, the Commissioner of the competent Regional Immigration Service may take a procedure of deportation. *<Amended by Act No. 12421, Mar. 18, 2014>*

(2) In cases under paragraph (1), if a deportation order is issued, it shall be executed after the enforcement of a sentence against the foreigner concerned is terminated: Provided, That if the chief prosecutor of the district prosecutors' office having jurisdiction over the place where the sentence against the foreigner is enforced permits it, the deportation order may be executed even before the enforcement of sentence is terminated.

Article 86 (Surrender of Persons)

(1) When a prosecutor makes a non-prosecution disposition against an arrested suspect to whom a deportation order has been issued, the prosecutor shall hand him/her over to an immigration control official upon his/her release.

(2) If a deportation order is issued to a foreigner who is reported to the Commissioner of a Regional Immigration Service under Article 84 (2), the head of a prison, juvenile prison, detention center or its branch, protective custody offices, medical treatment and custody offices, or juvenile reformatory shall hand custody of him/her over to an immigration control official at the same time he/she is released from such facilities. *<Amended by Act No. 12421, Mar. 18, 2014>*

Article 87 (Immigration Control Fees)

(1) A person who obtains permission, etc. under this Act shall pay a fee prescribed by Ordinance of the Ministry of Justice.

(2) If it is deemed necessary in light of international practices or reciprocity principles and other reasons prescribed by Ordinance of the Ministry of Justice, the Minister of Justice may exempt a fee under paragraph (1), and if an agreement, etc. includes separate provisions concerning a fee, such provisions shall be complied with.

Article 88 (Issuance of Certificate of Fact)

(1) The Commissioner of a Regional Immigration Service or the head of a Si/Gun/Gu or Eup/Myeon/Dong may issue a certificate of fact on entry into or departure from the Republic of Korea pursuant to the procedures of this Act, as prescribed by Ordinance of the Ministry of Justice: Provided, That a certificate of fact on entry into or departure from the Republic of Korea pursuant to the procedures of this Act may be issued to a person who has never entered or departed from the Republic of Korea, only where deemed particularly necessary to do so. *<Amended by Act No. 11224, Jan. 26, 2012; Act No. 12421, Mar. 18, 2014>*

(2) The Commissioner of a Regional Immigration Service or the head of a Si/Gun/Gu may, as prescribed by Ordinance of the Ministry of Justice, issue a certificate of fact on foreigner registration to a foreigner who has filed for foreigner registration pursuant to the procedures under this Act. *<Amended by Act No. 12421, Mar. 18, 2014>*

Article 88-2 (Relations between Alien Registration Certificates, etc. and Resident Registration Cards, etc.)

- (1) Where any resident registration card, or the certified copy or abridged copy of a resident registration certificate, is required to execute various procedures, transactions, etc. provided for in the statutes, an alien registration certificate or a certificate of fact on foreigner registration shall substitute it.
- (2) Any foreigner registration and a report on change of place of sojourn under this Act shall substitute any resident registration and any moving-in report, respectively.

Article 89 (Revocation and Change of Various Permission, etc.)

(1) If a foreigner falls under any of the following cases, the Minister of Justice may revoke or change the issuance of a visa under Article 8, the issuance of a visa issuance certificate under Article 9, entry permission under Article 12 (3), conditional entry permission under Article 13, crew member landing permission under Article 14, landing permission for tourism under Article 14-2, or permission for sojourn, etc. under Articles 20, 21, and 23 through 25: *<Amended by Act No. 11224, Jan. 26, 2012>*

1. Where a guarantor withdraws his/her fidelity guarantee or there is no guarantor anymore;
 2. Where it is found that permission, etc. had been obtained by false or other unlawful means;
 3. Where any term or condition of permission is violated;
 4. Where any change in circumstances causes grave reason making it impossible to maintain permitted conditions;
 5. Where a violation against this Act or any other Act is serious, or any legitimate ex officio order issued by an immigration control official is violated, in addition to those cases provided for in subparagraphs 1 through 4.
- (2) If it is deemed necessary for revocation or change of permission, etc. under paragraph (1), the Minister of Justice may require the relevant foreigner or the applicant under Article 79 to appear to hear his/her opinion.
- (3) In cases falling under paragraph (2), the Minister of Justice shall give a notice of the grounds for revocation or change and the date, time and place of appearance to the foreigner or applicant of by seven days prior to the date of appearance.

Article 90 (Provision of Personal Reference)

(1) If it is deemed necessary in connection with the issuance of a visa, the issuance of a visa issuance certificate, entry permission, conditional entry permission, any permit on sojourn, internment of a

foreigner, surrender of an immigration offender, etc., the Minister of Justice may require the person who invites a foreigner or any other related person to provide personal reference of such foreigner (hereinafter referred to as "guaranteed foreigner").

(2) The Minister of Justice may require a person who provides a foreigner's personal reference (hereinafter referred to as a "referee") under paragraph (1) to bear all or some of the expenses incurred by the foreigner's sojourn, internment and departure from the Republic of Korea.

(3) Where expenses are borne by the National Treasury as a referee fails to perform his/her obligation as a surety under paragraph (2), the Minister of Justice may exercise the claim of indemnity against the referee.

(4) Where a referee is likely to fail to bear expenses under paragraph (2), or it is impossible to achieve expected purposes only by the provision of personal reference, the Minister of Justice may require the referee to deposit bonds not exceeding three million won per guaranteed foreigner.

(5) The qualifications of referees, period of guarantee and other matters necessary for the provision of personal references shall be prescribed by Ordinance of the Ministry of Justice.

Article 90-2 (Liability to Bear Expenses for Departure of Unlawfully Employed Foreigners)

(1) The Minister of Justice may require a person who employs a foreigner with no status of sojourn eligible for employment activities (hereinafter referred to as "unlawful employer") to bear all or some of the expenses incurred by the foreigner in departing from the Republic of Korea.

(2) Where an unlawful employer fails to perform his/her obligation to bear the expenses under paragraph (1), and thus such expenses are borne by the National Treasury, the Minister of Justice may exercise the claim of indemnity against the unlawful employer.

Article 91 (Service of Documents, etc.)

(1) Except as otherwise provided for in this Act, documents, etc. shall be served personally or by post to the principal, his/her family members, referee, or head of the organization to which he/she belongs, in that order.

(2) If deemed impossible to serve documents, etc. pursuant to paragraph (1), the Commissioner of a Regional Immigration Service shall keep the documents, etc. to be served, and serve such documents, etc. by public notice posting the grounds therefor on the bulletin board in the office building. *<Amended by Act No. 12421, Mar. 18, 2014>*

(3) Service by public notice under paragraph (2) shall take effect at the expiration of 14 days after such notice is posted.

Article 92 (Delegation of Authority)

(1) The Minister of Justice may delegate part of his/her authority under this Act to the Commissioner of a Regional Immigration Service, as prescribed by Presidential Decree. *<Amended by Act No. 12421, Mar. 18, 2014>*

(2) A Mayor (excluding the Special Metropolitan City Mayor and Metropolitan City Mayors) may delegate part of his/her authority under this Act to the head of a Gu (referring to the head of a Gu, other than an autonomous Gu), as prescribed by Presidential Decree. *<Amended by Act No. 11224, Jan. 26, 2012>*

Article 93 (Procedure for Travel, etc. between South and North Korea)

(1) If a national who resides south of the Military Demarcation Line (hereinafter referred to as "South Korea") or in a foreign country enters or departs from the Republic of Korea through the area north of the Military Demarcation Line (hereinafter referred to as "North Korea"), the national shall undergo an immigration inspection before the national goes to North Korea from South Korea, or after the national arrives in South Korea from North Korea.

(2) The provisions of this Act concerning immigration procedures shall apply mutatis mutandis to travel procedures of any foreigner between South Korea and North Korea, except for cases separately prescribed by the Minister of Justice.

(3) If a foreigner enters or departs from the Republic of Korea through North Korea, the foreigner shall be subject to the provisions of this Act concerning immigration procedures.

(4) Necessary matters for the enforcement of paragraphs (1) through (3) shall be prescribed by Presidential Decree.

CHAPTER X PENALTY PROVISIONS

Article 93-2 (Penalty Provisions)

(1) Any of the following persons shall be punished by imprisonment with labor for not more than seven years: *<Amended by Act No. 12195, Jan. 7, 2014>*

1. A person interned or temporarily interned under this Act and falls under the following:

(a) A person who damages an internment facility or apparatus, or assaults or intimidates any other person, for the purpose of escape;

(b) A person who escapes jointly in a group of at least two persons;

2. A person in the course of escort for internment or deportation under this Act, who assaults or intimidates any other person, or escapes jointly in a group of at least two persons;

3. A person who captures a person interned or temporarily interned under this Act, or the persons in a process of being escorted for internment or deportation, or has them escape.

(2) Any of the following persons who has a profit-making purpose shall be punished by imprisonment with labor for not more than seven years or by a fine not exceeding 50 million won: *<Amended by Act No. 11224, Jan. 26, 2012; Act No. 12195, Jan. 7, 2014>*

1. A person who allows foreigners who is required to undergo an entry inspection under Article 12 (1) or (2) to illegally enter the Republic of Korea in a group, or so arranges the same;

2. A person who provides or arranges ships, etc., passports, visas, boarding passes, other documents and articles that may be used for entry into and departure from the Republic of Korea for the purpose of having a group of foreigners illegally enter or depart from the Republic of Korea, or to enter any other country via the Republic of Korea, in violation of Article 12-3 (1);
3. A person who allows foreigners who illegally entered the Republic of Korea to harbor in or escape from the Republic of Korea in a group, or provides or arranges a means of transportation for the purpose of harboring or allowing such foreigners to escape, in violation Article 12-3 (2).

Article 93-3 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than five years or by a fine not exceeding 30 million won: *<Amended by Act No. 12195, Jan. 7, 2014>*

1. A person who enters the Republic of Korea without undergoing an entry inspection, in violation of Article 12 (1) or (2);
2. A person who commits an offense under any subparagraph of Article 93-2 (2) (excluding a person who commits such offence for profit-making).

Article 94 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than three years or by a fine not exceeding 20 million won: *<Amended by Act No. 11224, Jan. 26, 2012; Act No. 12195, Jan. 7, 2014>*

1. A person who departs from the Republic of Korea without undergoing a departure inspection, in violation of Article 3 (1);
2. A person who enters the Republic of Korea, in violation of Article 7 (1) or (4);
3. A person who violates Article 7-2;
4. A person who violates Article 12-3 and does not fall under Article 93-2 (2) or 93-3;
5. A person who lands without obtaining crew member landing permission under Article 14 (1) or landing permission for tourism under Article 14-2 (1);
6. A person who violates any condition imposed on crew member landing permission under Article 14 (3) or landing permission for tourism under Article 14-2 (3);
7. A person who sojourns in the Republic of Korea beyond his/her status or period of sojourn, in violation of Article 17 (1);
8. A person who engages in employment activities without obtaining the status of sojourn eligible for employment activities, in violation of Article 18 (1);
9. A person who hires a person who has no status of sojourn eligible for employment activities, in violation of Article 18 (3);
10. A person who arranges or solicits as part of his/her business, the employment of a foreigner who has no status of sojourn eligible for employment activities, in violation of Article 18 (4);

11. A person who place a foreigner with no status of sojourn eligible for employment activities under his/her control, in violation of Article 18 (5);
12. A person who engages in activities corresponding to a different status of sojourn without obtaining permission for activities, other than his/her original status of sojourn, in violation of Article 20;
13. A person who arranges as part of his/her business the employment of a foreigner who fails to obtain permission for change or addition of his/her place of work, in violation of Article 21 (2);
14. A person who violates any restriction, etc. imposed under Article 22;
15. A person who sojourns in the Republic of Korea without obtaining the status of sojourn, in violation of Article 23;
16. A person who engages in activities corresponding to a different status of sojourn without obtaining permission for change in status of sojourn, in violation of Article 24;
17. A person who continues sojourning in the Republic of Korea in excess of the permitted period of sojourn without obtaining permission for extension of period of sojourn, in violation of Article 25;
18. A person who departs from the Republic of Korea without undergoing a departure inspection, in violation of Article 28 (1) or (2);
19. A person who violates Article 33-2;
20. A person who violates Article 69 or 70.

Article 95 (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 ten million won: <Amended by Act No. 12195, Jan. 7, 2014>

1. A person who enters the Republic of Korea without undergoing an entry inspection, in violation of Article 6 (1);
2. A person who violates any condition imposed on conditional entry permission under Article 13 (2);
3. A person who lands without obtaining emergency landing permission under Article 15 (1), disaster landing permission under Article 16 (1), or temporary landing permission for refugees under Article 16-2 (1);
4. A person who violates any terms or conditions of permission under Article 15 (2), 16 (2) or 16-2 (2);
5. A person who works at the place of work, other than the designated place of work, in violation of Article 18 (2);
6. A person who changes or adds his/her place of work without obtaining permission, in violation of the main sentence of Article 21 (1), or a person who employs any foreigner who fails to obtain permission for change or addition of his/her place of work, in violation of Article 21 (2);
7. A person who violates his/her duty of registration under Article 31;
8. A person who has been interned or temporarily interned under Article 51 (1) or (3), 56 or 63 (1) and flees, or a person who flees in the course of escort for internment, deportation, etc. (excluding persons falling under Article 93-2 (1) 1 or 2);

9. A person who violates restrictions on his/her residence or other conditions under Article 63 (5);
10. Deleted. <by Act No. 11298, Feb. 10, 2012>

Article 96 (Penalty Provisions)

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

1. A person who violates an order for temporary suspension of departure or for return, or restriction on access to ships, etc. under Article 71 (4);
2. A person who fails to perform any matter to be complied with under Article 73, or to perform a request for perusal or presentation of documents, in violation of Article 73-2 (1) or (3) without justifiable grounds;
3. A person who fails to submit a report under Article 75 (1) and (2) without justifiable grounds, or submits a false report.

Article 97 (Penalty Provisions)

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

1. A person who arranges or solicits the employment of a foreigner who has no status of sojourn eligible for employment activities, in violation of Article 18 (4) (excluding a person engaged in it as his/her business);
2. A person who arranges the employment of a foreigner who fails to obtain permission for change or addition of his/her place of work, in violation of Article 21 (2) (excluding a person engaged in it as his/her business);
3. A person who enters a ship, etc. or a place of immigration inspection without obtaining permission, in violation of Article 72;
4. A person who violates his/her duty of presentation or notification under Articles 74;
5. A person who violates his/her duty of report or prevention under Article 75 (4) and (5);
6. A person who violates his/her duty of repatriation under Article 76;
7. A person who fails to return his/her refugee recognition certificate or refugee travel document, in violation of Article 76-6 (1), or a person who violates an order for return of a refugee travel document under paragraph (2) of the same Article.

Article 98 (Penalty Provisions)

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

1. A person who violates his/her duty to carry or present a passport, etc. under Article 27;
2. A person who violates his/her duty to report any change on the place of sojourn under Article 36 (1);

Article 99 (Persons Guilty of Attempt to Commit Crime, etc.)

- (1) A person who plans or conspires to commit a crime falling under Articles 93-2 and 93-3, subparagraphs 1 through 4, or 18 of Article 94 or subparagraph 1 of Article 95, or a person guilty of an attempt to commit such crime shall be punished as if the person committed the respective principal crime.
- (2) A person who aids or abets conduct falling under paragraph (1) shall be punished as if the person were a principal offender.

Article 99-2 (Exemption of Refugees from Punishment)

Where a person who falls under any of subparagraph 1 of Article 93-3, subparagraphs 2, 5, 6 and 15 through 17 of Article 94, or subparagraph 3 and 4 of Article 95 reports all of the following facts directly to the Commissioner of the competent Regional Immigration Service immediately after committing an offense, he/she shall be exempted from punishment only if such facts are proved: *<Amended by Act No. 11298, Feb. 10, 2012; Act No. 12421, Mar. 18, 2014>*

1. The fact that he/she is a refugee who has entered or landed in the Republic of Korea from a territory where he/she feared that his/her life, body or physical freedom might have been infringed for reasons provided in subparagraph 1 of Article 2 of the Refugee Act;
2. The fact that he/she has committed the relevant offense due to fear referred to in subparagraph 1.

Article 99-3 (Joint Penalty Provisions)

Where the representative of a corporation, or an agent, employee, or any other servant of a corporation or individual commits an offense under any of the following subparagraphs in connection with the business affairs of the corporation or individual, not only shall such offender be punished, but also the corporation or individual shall be punished by a fine under the relevant provisions: Provided, That this shall not apply where the corporation or individual has not been negligent in giving due attention and supervision concerning the relevant affairs to prevent such offense:

1. A violation under subparagraph 3 of Article 94;
2. A violation under subparagraph 9 of Article 94;
3. A violation under subparagraph 1 of Article 33-2, from among violations under subparagraph 19 of Article 94;
4. A violation under subparagraph 20 of Article 94;
5. A violation under subparagraph 6 of Article 95;
6. A violation under subparagraphs 1 through 3 of Article 96;
7. A violation under subparagraphs 4 through 6 of Article 97.

Article 100 (Administrative Fines)

- (1) Any of the following persons shall be punished by an administrative fine not exceeding two million won:

1. A person who violates his/her duty to report Article 19;
 2. A person who violates any provision falling under a subparagraph of Article 19-4 (1) or (2);
 3. A person who violates his/her duty to report under the proviso to Article 21 (1);
 4. A person who fails to make an entry and departure report under Article 75 (1) or (2) due to negligence.
- (2) Any of the following persons shall be punished by an administrative fine not exceeding one million won:
1. A person who violates Article 35 or 37;
 2. A person who violates Article 79;
 3. A person who refuses or evades a demand by an immigration control official to present books or materials under Article 81 (4).
- (3) Any of the following persons shall be punished by an administrative fine not exceeding 500,000 won:
1. A person who fails to apply for the issuance of an alien registration certificate, in violation of Article 33 (2);
 2. A person who enters or reports any false fact in various applications or reports under this Act.
- (4) Administrative fines under paragraphs (1) through (3) shall be imposed and collected by the Commissioners of Regional Immigration Services, as prescribed by Presidential Decree. *<Amended by Act No. 12421, Mar. 18, 2014>*

CHAPTER XI ACCUSATION AND DISPOSITION OF NOTICE

SECTION 1 Accusation

Article 101 (Accusation)

- (1) No public prosecution may be instituted in any case regarding an immigration offender unless the Commissioner of the Regional Immigration Service lodges accusation thereof. *<Amended by Act No. 12421, Mar. 18, 2014>*
- (2) If a criminal investigation agency, other than an immigration control official, has instigated for any case falling under paragraph (1), the agency shall immediately transfer the case to the Commissioner of the competent Regional Immigration Service. *<Amended by Act No. 12421, Mar. 18, 2014>*

SECTION 2 Disposition of Notice

Article 102 (Disposition of Notice)

- (1) When the Commissioner of a Regional Immigration Service obtains positive evidence on a crime as a result of investigation on an immigration offender, he/she may issue the immigration offender a written notice to pay an amount equivalent to a fine (hereinafter referred to as "penalty") at a designated place

stating the grounds therefor. *<Amended by Act No. 12421, Mar. 18, 2014>*

(2) If a person subject to a disposition of notice under paragraph (1) intends to provisionally pay the penalty, the Commissioner of the Regional Immigration Service may allow the person to do so. *<Amended by Act No. 12421, Mar. 18, 2014>*

(3) If it is deemed that the circumstances of crimes are recognized as deserving sentencing to imprisonment without labor or heavier punishment as a result of an investigation, the Commissioner of the Regional Immigration Service shall immediately bring an accusation. *<Amended by Act No. 12421, Mar. 18, 2014>*

(4) Articles 47 through 50 shall apply mutatis mutandis to investigations of any immigration offender. In such cases, the interrogation record of suspects shall be deemed an interrogation protocol of suspects under Article 244 of the Criminal Procedure Act.

Article 103 (Criteria, etc. for Determination of Penalties)

(1) Criteria for the determination of penalties shall be prescribed by Ordinance of the Ministry of Justice.

(2) The Minister of Justice may exempt any immigration offender from the disposition of notice under Article 102 (1) in consideration of his/her age and background, the motive for and consequences of an offense, capacity to bear a penalty, and other circumstances.

Article 104 (Method of Disposition of Notice)

A disposition of notice shall be made through service of written notice.

Article 105 (Nonfulfillment of Disposition of Notice and Accusation)

(1) When an immigration offender is served with a written notice, he/she shall pay the penalty within ten days therefrom.

(2) If an immigration offender fails to pay the penalty within the period under paragraph (1), the Commissioner of the Regional Immigration Service shall bring an accusation against him/her: Provided, That this shall not apply where the immigration offender pays it prior to the accusation. *<Amended by Act No. 12421, Mar. 18, 2014>*

(3) Notwithstanding the main sentence of paragraph (2), if a deportation order is issued to an immigration offender, no accusation shall be brought against him/her.

Article 106 (Prohibition against Double Jeopardy)

When an immigration offender pays the penalty as notified, he/she shall not be punished again for the same case.

ADDENDA

Article 1 (Enforcement Date)

This Act shall enter into force on April 1, 1993.

Article 2 (Transitional Measures concerning Visa Issuance Certificate, etc.)

- (1) Any visa issuance certificate issued as at the time this Act enters into force shall be deemed that issued under this Act.
- (2) Any person who has reported a change of a place of work under the previous provisions of Article 29 as at the time this Act enters into force shall be deemed to have obtained permission to change or add a place of work under this Act.

Article 3 (Transitional Measures concerning Foreigner Registration)

- (1) Any foreigner registration filed with the head of a Si/Gu/Eup/Myeon pursuant to the previous provisions as at the time this Act enters into force, shall be deemed filed under this Act.
- (2) Any residence report certificate issued pursuant to the previous provisions as at the time this Act enters into force, shall be deemed an alien registration certificate issued under this Act until the certificate is returned or renewed, but any residence report certificate issued pursuant to the previous provisions shall be renewed when the first of each kind of permit or report related to the sojourn is granted or made after this Act enters into force.
- (3) Any foreigner registration card prepared pursuant to the previous provisions as at the time this Act enters into force, shall be deemed a foreigner registration card as prescribed by this Act.

Article 4 (Transitional Measures concerning Foreigner Internment, etc.)

- (1) Any foreigner detention place and camp installed pursuant to the previous provisions as at the time this Act enters into force shall be deemed a foreigner internment room and camp as prescribed by this Act.
- (2) Any detention as prescribed by the previous provisions as at the time this Act enters into force shall be deemed an internment as prescribed by this Act.
- (3) Any detention order, departure recommendation and revocation of temporary release from detention made pursuant to the previous provisions as at the time this Act enters into force shall be deemed an internment order, departure order and revocation of temporary release from internment.

Article 5 (Transitional Measures concerning Penalty Provisions)

In applying the penalty provisions to any act committed before this Act enters into force, the former provisions shall prevail, but if the penalty provisions prescribed by this Act are lighter than those prescribed by the former Act, the provisions of this Act shall apply.

Article 6 (Revision of other Acts)

- (1) through (3) Omitted.
- (4) Where the provisions of the Immigration Control Act are cited in other Acts, other than those under paragraphs (1) through (3), if this Act includes the provisions corresponding to the cited provisions, the corresponding provisions of this Act shall be deemed cited in lieu of the former provisions.

ADDENDA <Act No. 4592, Dec. 10, 1993>

- (1) (Enforcement Date) This Act shall enter into force on July 1, 1994.
- (2) (Transitional Measures) In applying the penalty provisions to any act committed before this Act enters into force, the former provisions shall apply.
- (3) Omitted.

ADDENDA <Act No. 4796, Dec. 22, 1994>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 1995.

Articles 2 through 4 Omitted.

ADDENDA <Act No. 5176, Dec. 12, 1996>

- (1) (Enforcement Date) This Act shall enter into force on July 1, 1997.
- (2) (Applicability to Landing Permits Issued to Crew) The amended provisions of Article 14 (4) shall apply to the first landing permit issued to a member of the crew after this Act enters into force.
- (3) (Transitional Measures as to Permission on Extension of Sojourn Period) As at the time this Act enters into force, a person whose sojourn period was extended in accordance with the previous provisions of this Act shall be deemed to have been given an extended sojourn period under the amended provisions of Article 25.

ADDENDUM <Act No. 5434, Dec. 13, 1997>

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

ADDENDUM <Act No. 5755, Feb. 5, 1999>

This Act shall enter into force on March 1, 1999.

ADDENDUM <Act No. 6540, Dec. 29, 2001>

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

ADDENDUM <Act No. 6745, Dec. 5, 2002>

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

ADDENDUM <Act No. 7034, Dec. 31, 2003>

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

ADDENDA <Act No. 7406, Mar. 24, 2005>

(1) (Enforcement Date) This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions concerning seaman's identification papers and the exclusion of the passport function of the seaman's pocketbook from among subparagraph 4 of Article 2, Articles 3, 5, 6, 7 (1), 12 (3) 1, 12-2 (1), 12-3, 14, 27 (1), 28 (1), 73 (1) 2 and 75 (4) shall enter into force on June 1, 2005.

(2) (Transitional Measures on Seaman's Identification Papers) Notwithstanding the amended provisions concerning seaman's identification papers and the amended provisions of the exclusion of the passport function of the seaman's pocketbook, the previous provisions shall govern the Korean seamen already departed from the Republic of Korea and the foreign seamen entered the Republic of Korea as at the time this Act enters into force.

ADDENDA <Act No. 7655, Aug. 4, 2005>

Article 1 (Enforcement Date)

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

Articles 2 through 8 Omitted.

ADDENDA <Act No. 8726, Dec. 21, 2007>

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

(2) (Applicability to Prohibition of Departure) The amended provisions of Articles 4-2 through 4-5 shall apply to cases of prohibition of departure or extension of such period executed under the previous provisions as at the time this Act enters into force.

ADDENDUM <Act No. 9142, Dec. 19, 2008>

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

ADDENDA <Act No. 9847, Dec. 29, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 22 Omitted.

ADDENDA <Act No. 10282, May 14, 2010>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Articles 12-2, 14 (7), 16-2 (3) and 38 shall enter into force three months after the date of its promulgation while the part concerning contagious patients among the amended provisions of Article 11 (1) 1 shall enter into force on December 30, 2010.

Article 2 (Special Cases concerning Provision of Impressions of Fingerprints and Description of Faces of Registered Foreigners, etc.)

A foreigner sojourning in the Republic of Korea as at the time the amended provisions of Article 38 (1) 1 enter into force who is required to provide impressions of his/her fingerprints and description of his/her face under the said amended provisions shall comply with a request by the head of the office or branch office having jurisdiction over the place of his/her sojourn for the provision of impressions of his/her fingerprints and description of his/her face when he/she files for foreigner registration, applies for extension of period of sojourn, etc. after the said amended provisions enter into force: Provided, That a foreigner who sojourns in the Republic of Korea holding the status of sojourn status that entitles him/her to the permanent residency in the Republic of Korea shall provide impressions of his/her fingerprints and description of his/her face to the head of the office or branch office having jurisdiction over the place of his/her sojourn at the time prescribed by the Minister of Justice after the said amended provisions enter into force.

Article 3 Omitted.

ADDENDA <Act No. 10465, Mar. 29, 2011>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <Act No. 10545, Apr. 5, 2011>

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

(2) (Applicability) The amended provisions of Article 25-2 shall also apply to a foreigner in whose case a trial in a court, investigation by an investigative agency or procedure for the remedy of a right under the provisions of other Acts is proceeding as at the time this Act enters into force.

ADDENDUM <Act No. 10863, Jul. 18, 2011>

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

ADDENDUM <Act No. 11224, Jan. 26, 2012>

This Act shall enter into force four months after the date of its promulgation: Provided, That the amended provisions of Article 19-2, Section 2 of Chapter V (Articles 39 and 40) and Article 84 (1) shall enter into force six months after the date of their promulgation.

ADDENDA <Act No. 11298, Feb. 10, 2012>

Article 1 (Enforcement Date)

This Act shall enter into force on July 1, 2013.

Articles 2 and 3 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.

ADDENDUM <Act No. 12195, Jan. 7, 2014>

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

ADDENDA <Act No. 12421, Mar. 18, 2014>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

Article 3 (Relationship with Other Statutes)

A citation of the "Immigration Control Office or branch office thereof or foreigner internment camp" under the former Immigration Control Act in other statutes as at the time this Act enters into force shall be deemed a "Regional Immigration Service" under this Act, and a citation of the "head of an Immigration Control Office, head of an office, head of a branch office, or head of a foreigner internment camp" under the former Immigration Control Act shall be deemed the "Commissioner of a Regional Immigration Service" under this Act.

ADDENDA <Act No. 12600, May 20, 2014>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Act No. 12782, Oct. 15, 2014>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Reporting)

The amended provisions of this Act shall begin to apply from the first report filed by an employer of a foreigner pursuant to Article 19 (1) after this Act enters into force.

ADDENDA <Act No. 12893, Dec. 30, 2014>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Notice of Decision, etc. on Prohibition of Departure)

The amended provision of Article 4-4 shall begin to apply from the first decision, etc. on prohibition of departure made after this Act enters into force.

Article 3 (Applicability to Victims of Sexual Crimes)

The amended provision of Article 25-3 shall also apply to a foreigner in whose case a trial in a court, an investigation by an investigative agency, or procedure for remedy of the right under the provisions of other Acts is proceeding as at the time this Act enters into force.

Article 4 (Transitional Measures concerning Notice of Decision, etc. on Prohibition of Departure)

Failure to give notice of a decision, etc. on prohibition of departure under the former provisions as at the time this Act enters into force shall be governed by the former provisions, notwithstanding the amended provision of Article 4-4.

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