

법령, 판례 등 모든 법령정보를 한 번에 검색 OK !

## NUCLEAR SAFETY ACT

[Enforcement Date 10. Jun, 2022.] [Act No.18972, 10. Jun, 2022., Partial Amendment]

원자력안전위원회 (안전정책과)02-397-7264



법제처 국가법령정보센터

[www.law.go.kr](http://www.law.go.kr)

2024.05.29

## NUCLEAR SAFETY ACT

[Enforcement Date 10. Jun, 2022.] [Act No.18972, 10. Jun, 2022., Partial Amendment]

원자력안전위원회 (안전정책과) 02-397-7264

원자력안전위원회 (방사선안전과) 02-397-7273

원자력안전위원회 (생활방사선안전과) 02-397-7334

원자력안전위원회 (안전기준과) 02-397-7315

### CHAPTER I GENERAL PROVISIONS

**Article 1 (Purpose)** The purpose of this Act is to provide for matters concerning safety management in the research, development, production, use, etc. of nuclear energy, in order to ensure the prevention of disasters resulting from radiation and to contribute to public safety. <Amended on May 21, 2014>

**Article 2 (Definitions)** The terms used in this Act are defined as follows: <Amended on Mar. 23, 2013; May 21, 2014; Jan. 20, 2015; Jun. 22, 2015; Dec. 22, 2015; Dec. 22, 2020>

1. The term "nuclear energy" means any type of energy released from an atomic nucleus in the course of transformation of the atomic nucleus;
2. The term "nuclear materials" means nuclear fuel materials and nuclear raw materials;
3. The term "nuclear fuel materials" means materials prescribed by Presidential Decree that produce nuclear energy, such as uranium and thorium;
4. The term "nuclear raw materials" means uranium ore, thorium ore, and other materials prescribed by Presidential Decree, used as raw materials for nuclear fuel materials;
5. The term "radioactive materials" means nuclear fuel materials, spent nuclear fuel, radioisotopes, and nuclear fission products;
6. The term "radioactive isotope" means an isotope which emits radiation and what is prescribed by Presidential Decree among any combination thereof;
7. The term "radiation" means electromagnetic waves or particle beams prescribed by Presidential Decree capable of directly or indirectly ionizing air;
8. The term "nuclear reactors" means the apparatus in which nuclear fuel materials are used as fuels: Provided, That excluded herefrom shall be those prescribed by Presidential Decree;
9. The term "radiation generating device" means equipment prescribed by Presidential Decree which generates radiation by means of accelerating charged particles;

10. The term "relevant facilities" means facilities prescribed by Presidential Decree in relation to the safety of nuclear reactors;
11. The term "refining" means physical or chemical processing of nuclear raw materials to increase the ratio of uranium or thorium contained in nuclear raw materials;
12. The term "conversion" means chemical processing of nuclear fuel materials to convert nuclear fuel materials into any form suitable for fabrication;
13. The term "fabrication" means physical or chemical processing to convert nuclear fuel materials into any form usable as fuel for a reactor;
14. The term "spent nuclear fuel processing" means processing of nuclear fuel materials used as fuel in a reactor or other nuclear fuel materials subjected to nuclear fission reaction for the purpose of research or experimentation, or separation thereof into nuclear fuel materials and other constituents by physical or chemical processing;
15. The term "nuclear fuel cycle business" means business related to refining, conversion, fabrication, or spent nuclear fuel processing;
16. The term "radiation controlled area" means an area in which the external radiation dose and rate, the concentration of radioactive materials in the air, or the degree of surface contamination of materials polluted by radioactive materials risk exceeding the limit determined by Rules of the Nuclear Safety and Security Commission, and in which public access must be restricted for the safety management of radiation, and measures are required to protect accessing people for the prevention of radiation damage;
17. The term "internationally controlled materials" means materials prescribed by Ordinance of the Prime Minister, subject to security measures in accordance with the treaty relating to research, development, and utilization of nuclear energy and other international agreements (hereinafter referred to as "international treaties");
18. The term "radioactive wastes" means radioactive materials or other materials contaminated by such radioactive materials (hereinafter referred to as "radioactive materials, etc.") subject to disposal (including spent nuclear fuels determined to be disposed of under Article 35 (4));
19. The term "radiation exposure dose" means the dose of radiation to which the exterior or interior of human body is exposed: Provided, That excluded herefrom shall be the radiation dose to which the human body is exposed for medical treatment and the dose of natural radiation not artificially increased. In such cases, kinds of, and applicable standards for radiation dose shall be determined and published by the Nuclear Safety

and Security Commission;

20. The term "nuclear energy utilization facilities" means facilities prescribed by Presidential Decree, related to the research, development, production, and utilization of nuclear energy (hereinafter referred to as "nuclear energy utilization");
21. The term "radiation worker" means persons engaged in the affairs involving exposure or risk of exposure to radiation while working on operation, utilization, or preservation of the nuclear energy utilization facilities, or on usage, processing, accumulation, conservation, processing, discharge, disposal, transport, control, or decontamination of radioactive materials, etc.;
22. The term "safety-related installations" means structures, systems, and equipment determined by the Rules of the Nuclear Safety and Security Commission as important for safety among nuclear reactors and relevant facilities, with safety ratings allocated, as prescribed by the Rules of the Nuclear Safety and Security Commission;
23. The term "radiographic testing" means non-destructive testing using radiation within the meaning of non-destructive testing defined in Article 2 of the Act on the Promotion and Management of Non-Destructive Testing Technology;
24. The term "decommissioning" means all activities done by a person who has obtained a license under Article 20 (1), Article 30-2 (1), a person has obtained permission or designation under Article 35 (1) and (2), or a person who has obtained permission for construction and operation under Article 63 (1) to be exempt from the application of this Act by dismantling facilities and sites, or by removing radioactive contamination after permanently suspending the operation of persons who have obtained permission or designation under this Act or facilities for which permission for construction and operation have been granted under Article 63 (1) (hereinafter referred to as "permanent suspension");
- 24-2. The term "shutdown" means administrative and technical measures (including backfilling the underground spaces of radioactive waste disposal facilities and the installation of covers thereover) taken by a person who has obtained permission for construction and operation of radioactive waste disposal facilities and supplementary facilities pursuant to Article 63 to secure long-term safety upon finishing the activities for the disposal of radioactive wastes;
25. The term "accident management" means all measures taken, when any accident occurs in a nuclear reactor facility, to prevent the expansion of the accident, to mitigate the

consequences of the accident, and to restore the required level of safety, and includes management of any accident causing significant damage to a reactor core exceeding the criteria for design determined by the Nuclear Safety and Security Commission (hereinafter referred to as "severe accident").

**Article 2-2 (Basic Principles of Nuclear Safety Management)** Safety management pertaining to the research, development, production, use, etc. of nuclear energy (hereinafter referred to as "nuclear safety management") shall be promoted in accordance with the following principles:

1. It shall observe the principles of international standards, including the Convention on Nuclear Safety;
2. It shall contribute to protecting national safety and the environment from radiation damage;
3. Safety standards shall be established taking into account the development level of science and technology.

[This Article Newly Inserted on Dec. 22, 2015]

## CHAPTER II FORMULATION AND IMPLEMENTATION OF COMPREHENSIVE PLAN FOR NUCLEAR SAFETY AND SECURITY

**Article 3 (Formulation of Comprehensive Plan for Nuclear Safety and Security)** (1) The Nuclear Safety and Security Commission established pursuant to Article 3 of the Act on the Establishment and Operation of the Nuclear Safety and Security Commission (hereinafter referred to as the "Commission") shall formulate a comprehensive plan for nuclear safety and security (hereinafter referred to as "comprehensive plan") in the utilization and safety control of nuclear energy (hereinafter referred to as "nuclear safety management") every five years.

(2) The comprehensive plan shall include the following:

1. Current status of and prospects for nuclear safety management;
2. Policy objectives and basic direction of nuclear safety management;
3. Tasks by sector and implementation thereof;
4. Investment for the required financial resources and raising such financial resources;
5. Other matters necessary for nuclear safety management.

(3) When the Commission intends to formulate the comprehensive plan, it shall consult in advance with the heads of relevant Ministries and agencies. The same shall also apply to any alteration of the formulated comprehensive plan.

(4) The formulation and alteration of the comprehensive plan shall be determined through the deliberation and resolution by the Commission: Provided, That the same shall not apply to the alteration of matters prescribed as insignificant by Presidential Decree.

(5) If deemed necessary for formulation of the comprehensive plan, the Commission may request the heads of relevant institutions to submit materials necessary for the formulation of the comprehensive plan.

**Article 4 (Implementation of Comprehensive Plan)** (1) The Commission shall notify the heads of relevant Ministries and agencies of the settled comprehensive plan pursuant to the provisions of Article 3 (4), and the Commission and the heads of relevant Ministries and agencies shall formulate every five years the action plan by sector concerning the matters under their control, according to the comprehensive plan, and shall formulate and implement an annual detailed business promotion plan according to the action plan by sector.

(2) When the Commission and the heads of relevant Ministries and agencies formulate the action plan by sector pursuant to the provisions of paragraph (1), they shall, if necessary, determine the action plan by sector in consultation with the heads of other relevant Ministries and agencies, and the heads of relevant Ministries and agencies shall notify the Commission thereof.

**Article 5 (Institution Specialized in Nuclear Safety and Security)** (1) Institutions specialized in nuclear safety and security may be established under the supervision of the Commission to professionally carry out functions concerning nuclear safety management.

(2) Matters concerning the establishment and operation of institutions specialized in nuclear safety and security referred to in paragraph (1) shall be prescribed by separate Acts.

**Article 6 (Establishment of Korea Institute of Nuclear Nonproliferation and Control)** (1) The Korea Institute of Nuclear Nonproliferation and Control (hereinafter referred to as "KINAC") shall be established in order to take steps to ensure the safeguard of nuclear energy facilities and nuclear materials, etc. and to efficiently perform the work of controlling the import and export, etc. thereof (hereinafter referred to as the "nuclear control").

- (2) KINAC shall be a juristic person.
- (3) KINAC shall be established by effecting registration of its establishment in a place where its principal office is located.
- (4) When KINAC intends to amend its articles of incorporation, it shall obtain the authorization thereon from the Commission.
- (5) KINAC shall have an executive board consisting of not more than 11 directors, including one chief director and one president, and one auditor, who are selected and appointed by the board of directors as prescribed by the articles of incorporation, and the selection and appointment thereof shall be approved by the Commission.
- (6) The board of directors mandated to deliberate and resolve on important matters of KINAC shall be established in KINAC.
- (7) The President shall represent KINAC, administer the general affairs of KINAC, and direct and supervise employees belonging thereto.
- (8) The Government may contribute expenses needed to establish and operate KINAC within budgetary limits.
- (9) Except as otherwise provided in this Act, the provisions of the Civil Act which pertain to incorporated foundations shall apply mutatis mutandis to KINAC.

**Article 7 (Activities of KINAC)** KINAC shall perform the following activities:

- 1. Affairs relating to the facilities, equipment, technology, research and development activities related to the nuclear energy, and safeguard measures for the nuclear materials, which are entrusted by the Commission pursuant to the provisions of Article 111 (1);
- 2. Affairs relating to the control of import and export of internationally regulated materials, such as nuclear materials, etc., entrusted by the Commission pursuant to the provisions of Article 111 (1);
- 3. Affairs relating to the physical protection, entrusted by the Commission pursuant to the provisions of Article 45 (1) of the Act on Measures for the Protection of Nuclear Facilities and Prevention of Radiation Disasters;
- 4. Research and development of the technology on nuclear control;
- 5. Support for the international cooperation aimed at nuclear control;
- 6. Education for the nuclear control;
- 7. Other matters necessary to perform the affairs of nuclear control.

**Article 7-2 (Establishment of Korea Foundation of Nuclear Safety)** (1) There is hereby

established the Korea Foundation of Nuclear Safety (hereinafter referred to as the "Safety Foundation") to efficiently support the activities for forming a foundation for the safety of nuclear energy and radiation.

(2) The Safety Foundation shall provide the following services:

1. Surveys and research of base data to support the Commission in formulating the nuclear safety policy;
2. Fact-finding surveys provided for in Article 8 (1);
3. Planning, management and evaluation of research and development projects for nuclear safety provided for in Article 9 (1);
4. Education and training of radiation workers provided for in Article 106;
5. Support for international cooperation provided for in Article 107-2;
6. Affairs entrusted under this Act or other Acts and subordinate statutes, and other services deemed necessary by the Commission.

(3) The Safety Foundation shall be a corporation.

(4) The Safety Foundation shall be duly formed by effecting the registration of its incorporation in the place in which its main office is located.

(5) The enactment or any amendment of the articles of incorporation of the Safety Foundation shall be authorized by the Commission.

(6) The board of directors shall be formed in the Safety Foundation to deliberate and resolve on its important matters.

(7) The Safety Foundation shall have not more than eleven directors, including one chairperson and one auditor as its executive officers; and the executive officers shall be appointed by the board of directors as established by the articles of incorporation, but their appointment shall be approved by the Commission.

(8) The Commission may grant a contribution to the Safety Foundation within budgetary limits to cover its operating expenses.

(9) Unless provided in this Act, the provisions of the Civil Act governing incorporated foundations shall apply mutatis mutandis to the Safety Foundation.

[This Article Newly Inserted on Dec. 22, 2015]

**Article 8 (Fact-Finding Surveys)** (1) The Commission shall conduct a fact-finding survey on nuclear safety to efficiently promote the nuclear safety policy. In such cases, the



Commission may delegate the fact-finding survey to the institution or organization prescribed by Presidential Decree.

(2) The Commission may request any nuclear energy-related enterprise, educational institution, research institute, or other nuclear energy-related organization to submit materials or to state opinions if deemed necessary for conducting the fact-finding survey provided for in paragraph (1).

#### **Article 9 (Promotion of Research and Development Projects for Nuclear Safety and Security)**

(1) The Commission shall formulate a plan for nuclear energy research and development projects according to the relevant action plan formulated by each sector pursuant to Article 4 (1), and may select annual research tasks and have the following institutions or organizations implement such research and development projects by entering into an agreement if deemed necessary for the investigation on actual conditions to implement the plan efficiently:

1. The institution established pursuant to Article 5;
2. KINAC;
3. The institutions or organizations provided for in the subparagraphs of Article 14 (1) of the Basic Research Promotion and Technology Development Support Act.

(2) Expenses incurred in implementing the research and development projects for nuclear safety referred to in paragraph (1) shall be covered through the following funding:  
<Amended on Jun. 22, 2015>

1. Contributions from the Government;
2. Nuclear safety regulation account of the Nuclear Energy Fund established under Article 17 (2) of the Nuclear Energy Promotion Act;
3. Balance left in the course of performing the research and development projects for nuclear safety and security and other revenue.

(3) Matters necessary for performing the research and development projects for nuclear safety referred to in paragraph (1) and for managing the expenses referred to in paragraph (2) shall be prescribed by Presidential Decree.

### **CHAPTER III CONSTRUCTION AND OPERATION OF NUCLEAR REACTORS AND RELEVANT FACILITIES**

#### **Section 1 Construction of Nuclear Power Reactors and Relevant Facilities**

- Article 10 (Construction Permits)** (1) Any person who intends to construct a nuclear power reactor and relevant facilities shall obtain a permit from the Commission, as prescribed by Presidential Decree. The same shall apply to any alteration of any term or condition of the permit: Provided, That the alteration of any insignificant matter prescribed by Ordinance of the Prime Minister shall be reported. <Amended on Mar. 23, 2013>
- (2) Any person who intends to obtain a permit under paragraph (1) shall file with the Commission, an application for a permit, accompanied by a radiological environmental impact assessment report, a preliminary safety analysis report, a construction quality assurance plan, a plan to decommission a nuclear power reactor and relevant facilities, and other documents prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013; Jan. 20, 2015>
- (3) When a person who intends to construct a nuclear power reactor and relevant facilities applies for prior approval of the site before filing an application for a construction permit, the Commission may grant approval after review.
- (4) Any person who has obtained prior approval of the site pursuant to paragraph (3) may execute the construction works to the extent prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013>
- (5) Any person who intends to obtain prior approval of the site pursuant to paragraph (3) shall file an application therefor with the Commission, accompanied by an environmental report, a site investigation report, and other documents prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013>
- (6) When a person who intends to construct a nuclear power reactor and relevant facilities intends to construct a building as defined in Article 2 (1) 2 of the Building Act after obtaining prior approval of the site pursuant to paragraph (3), he or she shall be deemed to have obtained a building permit under Article 11 of the aforesaid Act as at the time he or she submits the basic design drawings referred to in Article 11 (3) of the aforesaid Act to the head of the relevant administrative agency.
- (7) Where the Commission receives a report under the proviso of paragraph (1), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

**Article 11 (Criteria for Permission)** Criteria for permits referred to in Article 10 (1) shall be as follows: <Amended on Mar. 23, 2013; Jan. 20, 2015>

1. The applicant shall have technical capabilities prescribed by Ordinance of the Prime Minister, as necessary for constructing a nuclear power reactor and relevant facilities;
2. The location, structures, and equipment of a nuclear power reactor and relevant facilities shall meet the technical criteria prescribed by Rules of the Nuclear Safety and Security Commission (hereinafter referred to as "Rules of the Commission") so as not to impede the protection of health, physical objects, and the general public from radiation damage caused by radioactive material, etc.;
3. The applicant shall meet criteria prescribed by Presidential Decree to protect public health and the environment from disasters caused by radioactive materials, etc. generated by the construction of nuclear power reactors and relevant facilities shall be satisfied;
4. The content of the quality assurance plan submitted by the applicant under Article 10 (2) shall meet the requirements prescribed by the Rules of the Commission;
5. The details of the decommissioning plan submitted by the applicant under Article 10 (2) shall meet the requirements prescribed by the Rules of the Commission.

**Article 12 (Standard Design Approval)** (1) Any person intending to repeatedly construct the nuclear power reactor and relevant facilities of the same design may obtain approval for such design (hereinafter referred to as "standard design") from the Commission as prescribed by Presidential Decree. The same shall also apply to the alteration of the authorized matters: Provided, That the alteration of matters prescribed as insignificant by Ordinance of the Prime Minister shall be reported. <Amended on Mar. 23, 2013>

(2) Any person intending to obtain the approval referred to in paragraph (1) shall file an application for the approval with the Commission attached with a design control document and other documents prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013>

(3) The validity of the approval as referred to in paragraph (1) shall be 10 years, and the Commission may, if deemed that there is a significant impact on the safety of the design, order the person who has been granted the approval for the standard design to correct or supplement the authorized matters, even during the term of validity.

(4) Notwithstanding the provisions of paragraph (3), when an application is filed for the permit to construct a nuclear reactor and install relevant facilities by applying the standard design that is in the valid period of the standard design approval, the approval for

standard design for the nuclear reactor and the relevant facilities shall be deemed valid and effective till the operation thereof is permitted.

(5) Criteria for the approval referred to in paragraph (1) shall be as follows:

1. The location, structure, equipment and performance of the nuclear power reactor and relevant facilities shall conform to the technical criteria prescribed by Rules of the Commission in order to prevent radioactive materials, etc. from causing disasters to human bodies, material objects and the public;
2. Criteria prescribed by Presidential Decree to protect people's health and the environment from disasters caused by radioactive materials, etc. generated by the construction and operation of the nuclear power reactor and relevant facilities shall be satisfied.

(6) The Commission may exclude the matters prescribed by Presidential Decree, such as matters requiring continuous reflection of new technologies from the standard design.

(7) When the approval referred to in paragraph (1) is granted, the matters for which approval is granted in advance pursuant to the provisions of paragraph (1) may not be stated in the application documents for permit as referred to in Articles 10 (2) and 20 (2).

(8) Where the Commission receives a report under the proviso of paragraph (1), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

(9) The provisions of Article 14 shall apply mutatis mutandis to the approval for the standard design and approval for alteration referred to in paragraph (1). In such cases, "permit referred to in Article 10 (1)" in the provisions, with the exception of the subparagraphs, of Article 14 and "since the permit is canceled pursuant to the provisions of Article 17" in subparagraph 3 of Article 14 shall be construed as "approval referred to in Article 12 (1)" and "after the approval is canceled pursuant to the provisions of Article 13," respectively. <Amended on Jun. 10, 2022>

**Article 13 (Cancellation of Standard Design Approval)** When a person who has obtained approval pursuant to Article 12 (1) falls under any of the following circumstances, the Commission may cancel such approval: Provided, That the Commission must cancel such approval when subparagraph 1 or 4 applies to the person: <Amended on May 21, 2014>

1. Where he or she has obtained the approval by fraud or other improper means;

2. Where he or she has altered any matter which requires approval for alteration under the latter part of Article 12 (1), without obtaining approval therefor;
3. Where he or she has violated an order issued under Article 12 (3);
4. Where he or she falls under any of subparagraph 1, 2, or 4 of Article 14, which are applied mutatis mutandis pursuant to Article 12 (8): Provided, That the same shall not apply if an executive of a corporation who has fallen under said cause is replaced within three months;

**Article 14 (Grounds for Disqualification)** None of the following persons shall be eligible to obtain a construction permit under Article 10 (1): <Amended on May 21, 2014; Jun. 9, 2020; Apr. 20, 2021; Jun. 10, 2022>

1. A person under adult guardianship or a person declared bankrupt and not yet reinstated;
2. A person who had been sentenced to imprisonment with labor or a heavier punishment for violation of this Act, and for whom three years have not passed since the execution of such punishment was completed or a decision for non-execution thereof became final and conclusive, or a person who is under the suspension of the execution of punishment after having been sentenced to the suspension of the execution thereof;
3. A person for whom two years have not yet elapsed after the permit was canceled pursuant to Article 17;
4. A corporation with an executive falling under any of subparagraphs 1 through 3.

**Article 15 (Regulations for Metrical Control)** (1) Any person who has obtained permit pursuant to the provisions of Article 10 (1) (hereinafter referred to as "installer of nuclear power reactor") shall make regulations for metrical control of the nuclear materials among the internationally controlled materials (hereinafter referred to as "special nuclear materials") as prescribed by Presidential Decree, and obtain the approval of the Commission, before starting to use the special nuclear materials. The same shall also apply to any proposed alteration thereof: Provided, That the alteration of matters prescribed as insignificant by Ordinance of the Prime Minister shall be reported. <Amended on Mar. 23, 2013>

(2) Where the regulations for metrical control under paragraph (1) are deemed insufficient to ensure proper metrical control of the special nuclear materials, the Commission may

order the supplementation for the insufficiency thereof.

(3) Where the Commission receives a report under the proviso of paragraph (1), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

**Article 15-2 (Reporting on Contracts for Safety-Related Installations)** If a person who has filed an application for permit pursuant to Article 10 (2) or the installer of a nuclear power reactor concludes a contract for any of the following (including any subcontract made by the contractor) regarding safety-related installations, he or she shall report such fact to the Commission within 30 days from the day the contract is concluded, as prescribed by Ordinance of the Prime Minister. The same shall also apply to the alteration of any reported matters:

1. Design of safety-related installations (including construction-related design);
2. Manufacture of safety-related installations;
3. Performance testing for safety-related installations.

[This Article Newly Inserted on May 21, 2014]

**Article 15-3 (Reporting on Nonconformities)** Where any of the following persons finds that any element of a safety-related installation and accident management facilities pursuant to an accident management program under Article 20 (2) does not conform to the criteria for permission under Articles 11 and 21, he or she shall report such fact to the Commission, as determined and publicly notified by the Commission: <Amended on Dec. 28, 2021>

1. A person who has filed an application for permit pursuant to Article 10 (2);
2. A nuclear power reactor installer;
3. A designer or manufacturer (hereinafter referred to as "supplier") of the safety-related installation under Article 15-2;
4. An entity that conducts the performance testing of the safety-related installation under Article 15-2 (hereinafter referred to as "performance testing institute").

[This Article Newly Inserted on May 21, 2014]

**Article 15-4 (Designation of Performance Test Management Institutions)** (1) The Commission may designate institutions to manage performance testing institutes (hereinafter referred to as "performance test management institutions") from among the institutions to which its authority may be entrusted pursuant to Article 111, to ensure efficient management of

such performance testing institutes.

(2) Each performance test management institution shall investigate the operating status, etc. of performance testing institutes and report the findings from such investigation to the Commission.

(3) The Commission may investigate the operating conditions of performance test management institutions and order them to make corrections if deemed necessary as a result of such investigation, and cancel the designation of a performance test management institution if it falls under any of the following: Provided, That when the Commission must cancel designation if subparagraph 1 is applicable:

1. Where it has obtained designation by fraud or other improper means;
2. Where it no longer meets the criteria for designation prescribed by Presidential Decree;
3. Where it fails to comply with a corrective order.

(4) Matters necessary for the criteria for designation, scope of work (including the work of performance testing institute accreditation), etc. of performance test management institutions shall be prescribed by Presidential Decree.

(5) Any entity that seeks to be designated as a performance test management institution pursuant to paragraph (1) shall prepare an application and other accompanying documents prescribed by Ordinance of the Prime Minister and submit them to the Commission.

(6) The Commission may grant performance test management institutions contributions or subsidies to cover expenses incurred by them in performing their work.

[This Article Newly Inserted on May 21, 2014]

**Article 16 (Inspections)** (1) Every installer of a nuclear power reactor, every supplier or performance testing institute shall undergo an inspection conducted by the Commission regarding the construction of the nuclear power reactor and relevant facilities, and the metrical control of the special nuclear materials, as prescribed by Presidential Decree.

<Amended on May 21, 2014>

(2) Where the results of an inspection conducted under paragraph (1) fall under either of the following circumstances, the Commission may order the relevant installer of the nuclear power reactor or the supplier or performance testing institute to take a corrective or supplementary measure: <Amended on May 21, 2014>

1. Where he or she has failed to meet any of the standards for the permit provided under Article 11;

2. Where he or she has failed to observe as stated in the documents submitted to accompany his or her application for the permit under Article 10 (2) and the regulations for metrical control under Article 15.

**Article 17 (Cancellation of Construction Permits)** (1) When any of the following applies to an installer of a nuclear power reactor, the Commission may cancel the installer's permit or order the suspension of construction works for a fixed period not exceeding one year: Provided, That the Commission must cancel the permit when subparagraph 1 or 5 applies:

<Amended on May 21, 2014>

1. Where he or she has obtained permission by fraud or other improper means;
2. Where he or she has failed to commence the permitted construction works within the period prescribed by Presidential Decree or where he or she has suspended the construction works for at least one consecutive year without justifiable grounds;
3. Where he or she has altered any matter subject to permission pursuant to the latter part of Article 10 (1) without obtaining permission;
4. Where he or she has failed to meet any of the criteria for permission provided for in Article 11;
5. Where he or she has fallen under any of subparagraph 1, 2, or 4 of Article 14: Provided, That the same shall not apply where an executive of a corporation who has fallen under said cause is replaced within three months;
6. Where he or she has violated any of the orders issued under Article 16 (2) or 98 (1) and (3);
7. Where he or she has violated Article 15 (1), 94, or 96;
8. Where he or she has violated any term or condition of permission imposed under Article 99.

(2) When the Commission intends to order the suspension of construction works pursuant to paragraph (1), if such measure is likely to cause a substantial inconvenience to the users, etc. of the relevant project, or to be detrimental to the public interest, the Commission may impose a penalty surcharge not exceeding five billion won, in lieu of the suspension of such construction works. <Amended on May 21, 2014>

(3) The criteria for suspension of construction works under paragraph (1) and the criteria for imposition of penalty surcharges under paragraph (2) shall be prescribed by Presidential Decree. <Amended on May 21, 2014>



(4) When a person liable to pay a penalty surcharge under paragraph (2) fails to pay it by the payment deadline, the Commission shall collect it in the same manner as delinquent national taxes are collected, or suspend his or her construction works under paragraph (1) after canceling the imposition of the penalty surcharge under paragraph (2). <Amended on May 21, 2014>

**Article 18 (Recording and Keeping)** The installer of a nuclear power reactor shall make records of matters concerning the construction of the nuclear power reactor and relevant facilities and keep such records at each construction site or place of business, as prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013>

**Article 19 (Succession and Reporting)** (1) When an installer of a nuclear power reactor transfers his or her business or dies, or when a merger of corporations takes place, the transferee or heir of the business, or the corporation surviving the merger or a corporation established by the merger shall succeed the status of the installer of the nuclear power reactor: Provided, That this shall not apply when the successor (excluding the heir) falls under any of subparagraphs 1 through 4 of Article 14. <Amended on Oct. 24, 2017>

(2) Where an heir who has succeeded to the status of installer of a nuclear power reactor under paragraph (1) falls under any of subparagraphs 1 through 3 of Article 14, the heir shall transfer it to another person within three months from the commencement date of inheritance. <Newly Inserted on Oct. 24, 2017>

(3) A person who has succeeded to the status of installer of a nuclear power reactor under paragraph (1) shall report it to the Commission within 30 days, as prescribed by Ordinance of the Prime Minister. <Newly Inserted on Oct. 24, 2017>

(4) Where the Commission receives a report under paragraph (3), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

(5) Where the report under paragraph (3) is accepted, the transferee, the heir, or the corporation surviving the merger or newly established as a result of the merger shall succeed to the status of the previous installer of the nuclear power reactor on the date of the acquisition, inheritance, or merger. <Newly Inserted on Jun. 10, 2022>

[Title Amended on Oct. 24, 2017]

## SECTION 2 Operation of Nuclear Power Reactor and Relevant Facilities

- Article 20 (Operating Licenses)** (1) Any person who intends to operate a nuclear power reactor and relevant facilities shall obtain a license from the Commission, as prescribed by Presidential Decree. The same shall also apply to any amendment of any term or condition of the license: Provided, That the alteration of any insignificant matter prescribed by Ordinance of the Prime Minister shall be reported to the Commission. <Amended on Mar. 23, 2013>
- (2) Any person who intends to obtain a license under paragraph (1) shall file with the Commission an application for a license that shall be accompanied by technical guidelines for operation of a nuclear power reactor and relevant facilities, a final safety analysis report, an accident management program (including a severe accident management program), a quality assurance plan in respect to the operation thereof, an environmental impact assessment report of radiation in the natural environment (applicable only to the part different from the environmental impact assessment report of radiation in the natural environment submitted under Article 10 (2)), a decommissioning plan of nuclear power reactor and relevant facilities (applicable only to the part different from the decommissioning plan submitted under Article 10 (2)), a plan for discharging radioactive materials, etc. in liquid or gas form (including total quantity to be discharged by site, by period, and by nuclide group) and other documents prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013; Jan. 20, 2015; Jun. 22, 2015; Dec. 1, 2015>
- (3) Where the Commission receives a report under the proviso of paragraph (1), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>
- (4) Article 14 shall apply mutatis mutandis to operating licenses and licenses for alteration provided for in paragraph (1). In such cases, "Article 17" in subparagraph 3 of Article 14 shall be construed as "Article 24." <Amended on Jun. 10, 2022>

- Article 21 (Criteria for Permission)** (1) Criteria for licenses provided for in Article 20 (1) shall be as follows: <Amended on Jan. 20, 2015; Jun. 22, 2015>
1. The applicant shall have the technical capabilities prescribed by the Rules of the Commission, as necessary to operate a nuclear power reactor and relevant facilities;

2. Performance of a nuclear power reactor and relevant facilities shall comply with the technical criteria prescribed by the Rules of the Commission to ensure the protection of health, physical objects and the general public from radiation damage caused by radioactive materials, etc.;
3. The applicant shall comply with the criteria prescribed by Presidential Decree to protect public health and the environment from radioactive material-related risks, etc. generated by the operation of a nuclear power reactor and relevant facilities;
4. The content of the quality assurance plan submitted by the applicant under Article 20 (2) shall meet the requirements prescribed by the Rules of the Commission;
5. The details of the decommissioning plan submitted by the applicant under Article 20 (2) shall meet the requirements prescribed by the Rules of the Commission.
6. The content of the accident management program submitted by the applicant under Article 20 (2) shall comply with the requirements prescribed by the Rules of the Commission.

(2) An operator of a nuclear power reactor and relevant facilities shall obtain permission to amend his or her license pursuant to Article 20 (1) to permanently suspend the operation of the nuclear power reactor and relevant facilities. In such case, some of the criteria for licenses provided for in the subparagraphs of paragraph (1) can be waived in any of the following circumstances: <Newly Inserted on Jan. 20, 2015>

1. Where permanent suspension of the nuclear power reactor and relevant facilities makes it impracticable to fully apply the criteria for licenses provided for in paragraph (1), without modification;
2. Where safety is not compromised even if the criteria for licenses provided for in paragraph (1) are not observed based upon the purpose of permanent suspension.

**Article 22 (Inspections)** (1) Every person who has obtained a license pursuant to Article 20 (1) (hereinafter referred to as "operator of a nuclear power reactor") or every supplier or performance testing institute shall undergo an inspection conducted by the Commission regarding the operation of the nuclear power reactor and relevant facilities, and the metrical control of the special nuclear materials, as prescribed by Presidential Decree.  
<Amended on May 21, 2014>

(2) Where the results of an inspection conducted under paragraph (1) fall under any of the following cases, the Commission may order the relevant operator of the nuclear power

reactor or the supplier or performance testing institute to take a corrective or supplementary measure: <Amended on May 21, 2014>

1. Where he or she has failed to meet the criteria for permission under Article 21 or the measures taken under Article 26 (1) are insufficient;
2. Where he or she has failed to observe as stated in the documents submitted to accompany his or her application for license under Article 20 (2) or the regulations on metrical control under Article 15, which is applied mutatis mutandis in Article 29.

**Article 23 (Periodic Safety Reviews)** (1) Every operator of a nuclear power reactor shall periodically review the safety thereof and relevant facilities, as prescribed by Presidential Decree, and submit the results thereof to the Commission: Provided, That matters necessary for the periodic safety review of nuclear power reactors and relevant facilities permanently suspended after obtaining permission for modification pursuant to Article 21 (2) shall be prescribed by Presidential Decree. <Amended on Jan. 20, 2015>

(2) When the results of a periodic safety review conducted under paragraph (1) or subsequent safety measures are deemed insufficient, the Commission may order the operator of the relevant nuclear power reactor to correct or supplement such defects.

(3) Matters regarding the methods, details, etc. of periodic safety reviews under paragraph (1) shall be prescribed by Presidential Decree.

**Article 24 (Cancellation of Operating Licenses)** (1) When the operator of a nuclear power reactor falls under any of the following circumstances, the Commission may cancel the relevant license or order the suspension of operation for a fixed period not exceeding one year: Provided, That the Commission must cancel the relevant license when subparagraph 1 or 4 is applicable: <Amended on May 21, 2014>

1. Where he or she has obtained permission by fraud or other improper means;
2. Where he or she has failed to commence the licensed operation within the period prescribed by Presidential Decree or where he or she has suspended the operation for at least one consecutive year without good cause;
3. Where he or she has altered any matter subject to permission pursuant to the latter part of Article 20 (1) without obtaining permission;
4. Where he or she falls under any of subparagraph 1, 2, or 4 of Article 14, which are applied mutatis mutandis pursuant to Article 20 (3): Provided, That the same shall not

apply if an executive of a corporation who has fallen under said cause is replaced within three months;

5. Where he or she has failed to meet any of the criteria for permission provided for in Article 21;
  6. Where he or she has violated any of the orders issued under Article 22 (2), 23 (2), 27, 92 (2) or 98 (1) and (3);
  7. Where he or she has violated Article 15 (1), which is applied mutatis mutandis pursuant to Article 29;
  8. Where he or she has violated any provision of Article 26, 70, 89 (5), 94, 96 or 106 (1);
  9. Where he or she has violated any term or condition of permission imposed under Article 99.
- (2) Article 17 (2) through (4) shall apply mutatis mutandis where an order for suspension of operation is to be issued pursuant to paragraph (1).

**Article 25 (Recording and Keeping)** The operator of a nuclear power reactor shall make records of matters concerning the operation of the nuclear power reactor and relevant facilities and keep such records at each operation site or place of business, as prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013>

**Article 26 (Safety Measures for Operation)** (1) Every operator of a nuclear power reactor shall take the following measures in the course of operating the nuclear power reactor and relevant facilities, to ensure the safety of health, physical materials, and the general public, as prescribed by the Rules of the Commission: Provided, That the same shall not apply where the Commission deems that it is difficult to apply such measures as are stipulated in the Rules to the reactor due to the intended function of the reactor or differences in design, or that no problem will be caused from the viewpoint of technical safety even if such measures are not applied: <Amended on Dec. 19, 2017>

1. Measures on radiation exposure dose, etc.;
2. Measures for safe operation of the reactor;
3. Measures for self-examination of nuclear reactor facilities;
4. Measures for inspection and testing during operation of nuclear reactor facilities;
5. Other measures for the safety of nuclear power reactor and relevant facilities, which are prescribed by Presidential Decree.

(2) Every operator of a nuclear power reactor and his or her employees shall observe the technical guidelines for operation referred to in Article 20 (2).

(3) Every operator of a nuclear power reactor shall assign to each reactor, at least one licensed senior nuclear reactor operator, and one licensed nuclear reactor operator as prescribed in Article 84, to be engaged in the ordinary operation of such reactor.

(4) Every operator of a nuclear power reactor shall assign at least one licensed senior nuclear fuel material handler, and one licensed senior radiation handler as prescribed in Article 84, to be engaged in the safety management of nuclear materials and radiation in the nuclear reactor and relevant facilities.

(5) Every operator of a nuclear power reaction that has obtained alteration to his or her license for permanent suspension pursuant to Article 21 (2) may be partially exempt from paragraphs (1) through (4), if the Commission deems that any of the following applies:

<Newly Inserted on Jan. 20, 2015>

1. Where the nuclear power reactor and relevant facilities are permanently suspended, making it impracticable to fully apply the criteria for licenses provided for in paragraphs (1) through (4), without modification;
2. Where safety is not compromised without taking the safety measures under paragraphs (1) through (4) based upon the purpose of permanent suspension.

(6) In any of the following cases, the operator of a nuclear power reactor shall obtain approval from the Commission before restarting the nuclear reactor: <Newly Inserted on Apr. 20, 2021>

1. Where the operation of a reactor is suspended by an order for suspension of operation prescribed in Article 24;
2. Where the operation of a reactor is suspended by an order for suspension of use issued under Article 27;
3. Where the operation of a reactor is suspended due to falling under any of the subparagraphs of Article 92 (1);
4. Where the operation of a reactor is suspended by an order for suspension of use issued under Article 92 (2).

#### **Article 27 (Measures such as Suspension of Use of Nuclear Power Reactor and Relevant**

**Facilities)** When the performance of a nuclear power reactor and relevant facilities are deemed to be not in conformity with technical criteria as referred to in subparagraph 2 of

Article 21, or where measures taken pursuant to Article 26 (1) are deemed insufficient, the Commission may order the operator of the relevant nuclear power reactor to suspend the use of, remodel, repair or transfer the nuclear power reactor and relevant facilities, designate operating methods, change technical guidelines for operation referred to in Article 20 (2), remove contamination or take other measures necessary for safety.

- Article 28 (Decommissioning of Nuclear Power Reactors and Relevant Facilities)** (1) The operator of a nuclear power reactor shall obtain approval from the Commission, as prescribed by Presidential Decree, to decommission the nuclear power reactor and relevant facilities. The same shall also apply to any alteration of any term or condition of such approval: Provided, That where he or she intends to alter any minor matter prescribed by Ordinance of the Prime Minister, he or she shall report thereon to the Commission.
- (2) A person who intends to obtain approval under paragraph (1) shall file an application for approval with the Commission, accompanied by a plan to decommission the nuclear power reactor and relevant facilities and the documents prescribed by Ordinance of the Prime Minister.
- (3) The operator of a nuclear power reactor shall report on the status of decommissioning of the nuclear power reactor and relevant facilities, to the Commission, as prescribed by Ordinance of the Prime Minister. In such cases, the Commission shall verify and examine the status of decommissioning of the nuclear power reactor and relevant facilities.
- (4) The operator of a nuclear power reactor report to the Commission, as prescribed by Ordinance of the Prime Minister, upon completing decommissioning of a nuclear power reactor and relevant facilities.
- (5) Each person who intends to report pursuant to paragraph (4) shall submit a decommissioning completion report and documents prescribed by Ordinance of the Prime Minister to the Commission.
- (6) Where decommissioning of a nuclear power reactor and relevant facilities is completed, the Commission shall conduct an inspection, as prescribed by Ordinance of the Prime Minister.
- (7) Where the operator of a nuclear power reactor fails to conduct decommissioning in accordance with a decommissioning plan or the decommissioning is found to be incomplete, contrary to the relevant decommissioning completion report under paragraph (5) as a result of verification or examination under paragraph (3) or inspection under

paragraph (6), the Commission may issue an order for correction or supplementation.

(8) Upon completing an inspection under paragraph (6), the Commission shall give written notice to the operator of a nuclear power reactor and relevant facilities that his or her license to operate the nuclear power reactor and relevant facilities granted under Article 20 (1), has been terminated.

(9) Where the Commission gives written notice under paragraph (8) to the operator of a nuclear power reactor, it may impose conditions regarding the reuse of the site after completion of decommissioning the nuclear power reactor and relevant facilities, if necessary for preventing disasters due to radiation and for public safety.

(10) Where the Commission receives a report under the proviso of paragraph (1), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

[This Article Wholly Amended on Jan. 20, 2015]

**Article 29 (Provisions to Be Applied Mutatis Mutandis)** @Articles 15, 15-2, 15-3 and 19 shall apply mutatis mutandis to approval for and succession to the business of, and reporting on contracts for safety-related installations and reporting on nonconformities by, the operator of a nuclear power reactor. In such cases, "installer of a nuclear power reactor" shall be construed as "operator of a nuclear power reactor". <Amended on May 21, 2014>

### Section 3 Construction and Operation of Research Reactors

**Article 30 (Permits for Construction of Research Reactors)** (1) Any person who intends to construct a nuclear reactor and relevant facilities for research or educational purposes shall obtain a permit from the Commission, based on the type of reactor he or she intends to construct, as prescribed by Presidential Decree. The same shall also apply to any alteration of any term or condition of the permit: Provided, That the alteration of any minor matter prescribed by Ordinance of the Prime Minister shall be reported. <Amended on Mar. 23, 2013; May 21, 2014>

(2) Any person who intends to obtain a permit pursuant to paragraph (1) shall file an application with the Commission, accompanied by a radiological environmental impact assessment report, a preliminary safety analysis report, a construction quality assurance plan, a plan to decommission a research or educational nuclear reactor, and other



documents prescribed by Ordinance of the Prime Minister, based on the type of permit he or she intends to obtain. <Amended on Mar. 23, 2013; May 21, 2014; Jan. 20, 2015>

(3) Where the Commission receives a report under the proviso of paragraph (1), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

(4) Articles 11 and 14 shall apply mutatis mutandis to permits and altered permits under paragraph (1). In such cases, "Article 17" referred to in subparagraph 3 of Article 14 shall be construed as "Article 32". <Amended on May 21, 2014; Jun. 10, 2022>

[Title Amended on May 21, 2014]

**Article 30-2 (Licenses to Operate Research Reactors)** (1) Any person who intends to operate a nuclear reactor and relevant facilities for research or educational purposes shall obtain a license from the Commission, based on the type of reactor he or she intends to operate, as prescribed by Presidential Decree. The same shall also apply to any alteration of any term or condition of the license: Provided, That he or she shall file a report to alter any minor matter prescribed by Ordinance of the Prime Minister.

(2) Any person who intends to obtain a license pursuant to paragraph (1) shall submit an application with the Commission, accompanied by technical guidelines for operation, a final safety analysis report, a quality assurance plan on operation, a radiological environmental impact assessment report (applicable only to the part different from the radiological environmental impact assessment report submitted pursuant to Article 30 (2)), a decommissioning plan for a research or educational nuclear reactor (applicable only to the part different from the radiological environmental impact assessment report submitted pursuant to Article 30 (2)), and other documents prescribed by Ordinance of the Prime Minister, based on the type of license he or she intends to obtain. <Amended on Jan. 20, 2015>

(3) Where the Commission receives a report under the proviso of paragraph (1), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

(4) Articles 14 and 21 shall apply mutatis mutandis to licenses and altered licenses under paragraph (1). In such cases, "Article 17" referred to in subparagraph 3 of Article 14 shall be construed as "Article 32".

[This Article Newly Inserted on May 21, 2014]

**Article 31 (Notification of Entry and Departure of Foreign Nuclear-Powered Ship)** (1) Where a person falling under each of the following subparagraphs who owns a nuclear-reactor-installed ship (excluding any warship, and hereafter in this Article referred to as the "foreign nuclear-powered ship") intends to make his or her ship enter or leave a port in the Republic of Korea, he or she shall report to the Commission thereon in advance as prescribed by Presidential Decree:

1. A person who is not a national of the Republic of Korea;
2. A person who is not a corporation or organization established in accordance with Acts and subordinate statutes of the Republic of Korea.

(2) Upon receipt of the report pursuant to the provisions of paragraph (1), and if deemed necessary, the Commission shall notify the Minister of Oceans and Fisheries of the measures to be taken by a foreign nuclear-powered ship operator in order to prevent disasters caused by nuclear reactors, or radioactive materials, etc. as prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013>

(3) Where the Minister of Oceans and Fisheries has received the report referred to in paragraph (2), he or she shall order the operator of a foreign nuclear-powered ship to take necessary measures in order to prevent disasters caused by a nuclear reactor, radioactive materials, etc. according to the details of the report, and direct the head of the regional maritime affairs and port office to properly regulate the operation of such nuclear-powered ship. <Amended on Mar. 23, 2013>

(4) Where the Commission receives a report under the proviso of paragraph (1), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

**Article 32 (Cancellation of Construction Permits and Operating Licenses)** (1) When a person who has obtained a permit under Article 30 (1) (hereinafter referred to as "installer of a research reactor, etc.") or a person who has obtained a license under Article 30-2 (1) (hereinafter referred to as "operator of a research reactor, etc.") falls under any of the following circumstances, the Commission may cancel the relevant permit or license or order the suspension of business for a fixed period not exceeding one year: Provided, That the Commission must cancel the relevant permit or license when subparagraph 1 or 4

applies: <Amended on May 21, 2014>

1. Where he or she has obtained permission by fraud or other improper means;
2. Where he or she has failed to commence the permitted or licensed business within the period prescribed by Presidential Decree or where he or she has suspended the business for at least one consecutive year without good cause;
3. Where he or she has failed to meet any of the criteria for the permit or license referred to in Article 11 or 21 which is applied mutatis mutandis pursuant to Article 30 (3) or 30-2 (3);
4. Where he or she falls under any of subparagraphs 1, 2 and 4 of Article 14 which are applied mutatis mutandis pursuant to Article 30 (3) or 30-2 (3): Provided, That the same shall not apply where an executive of a corporation who has fallen under the said cause is replaced within three months;
5. Where he or she has altered any matter subject to the permit or license under the latter part of Article 30 (1) or the latter part of Article 30-2 (1) without obtaining such permit or license;
6. Where he or she has violated Article 15 (1) which is applied mutatis mutandis pursuant to Article 34, or Article 26;
7. Where he or she has violated any of the orders issued under Article 16 (2) or 22 (2) which is applied mutatis mutandis pursuant to Article 34, or Article 27;
8. Where he or she has violated any of the orders issued under Article 31 (3), 92 (2), or 98 (1) and (3);
9. Where he or she has violated any provision of Article 70, 89 (5), 94, 96, or 106 (1);
10. Where he or she has violated any term or condition of permission imposed under Article 99;
11. Where he or she has violated any order issued under Article 23 (2) which is applied mutatis mutandis pursuant to Article 34 (1).

(2) Article 17 (2) through (4) shall apply mutatis mutandis where the Commission shall order the suspension of business pursuant to paragraph (1). <Newly Inserted on May 21, 2014>

[Title Amended on May 21, 2014]

**Article 33 (Reporting on Suspension or Discontinuation of Business)** (1) When the installer or operator of a research reactor, etc. has fully or partially suspended or discontinued his or

her business, or has resumed his or her suspended business, he or she shall report to the Commission thereon within 30 days from the date of such suspension, discontinuation or resumption of the business. <Amended on May 21, 2014; Jun. 10, 2022>

(2) Where the Commission receives a report under the proviso of paragraph (1), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

**Article 34 (Provisions to Be Applied Mutatis Mutandis)** (1) Articles 15, 15-2, 15-3, 16, 18, 19, 22, 23 and 25 through 28 shall apply mutatis mutandis to various kinds of duties, etc. of the installers and operators of research reactors, etc. <Amended on May 21, 2014>

(2) For purposes of applying paragraph (1) mutatis mutandis, "installer of a nuclear power reactor" shall be construed as "installer of a research reactor, etc.", "operator of a nuclear power reactor" as "operator of a research reactor, etc.", and "suspension of operation under Article 24" in Article 26 (6) 1 as "suspension of business under Article 32". <Amended on Apr. 20, 2021>

## CHAPTER IV NUCLEAR FUEL CYCLE BUSINESS AND USE OF NUCLEAR MATERIALS

### SECTION 1 Nuclear Fuel Cycle Business

**Article 35 (Licenses for Nuclear Fuel Cycle Business)** (1) Any person who intends to operate a business refining or fabricating nuclear raw materials or nuclear fuel materials (including a business converting such materials) shall obtain a license from the Commission, as prescribed by Presidential Decree. The same shall also apply to any alteration of any term or conditions of the license: Provided, That the alteration of any insignificant matter prescribed by Ordinance of the Prime Minister shall be reported. <Amended on Mar. 23, 2013>

(2) Any person who intends to operate a spent nuclear fuel processing business shall have his or her business designated by the competent Minister, as prescribed by Presidential Decree, and the competent Minister shall consult with the Commission when granting such designation: Provided, That he or she shall obtain a license from the competent Minister to alter any term or condition of such designation: Provided, That the alteration of any insignificant matter prescribed by Ordinance of the Prime Minister shall be reported. <Amended on Mar. 23, 2013>

(3) Any person who intends to obtain a license under paragraph (1), and any person who intends to obtain designation under paragraph (2), shall file an application for such license or designation, respectively, with the Commission and the competent Minister, accompanied by a radiological environmental impact assessment report, safety management regulations, description of design and construction methods, a quality assurance plan to operate the business, a decommissioning plan for relevant facilities, and other documents prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013; Jan. 20, 2015>

(4) The Minister of Science and ICT and the Minister of Trade, Industry and Energy shall consult the Commission and the heads of relevant Ministries and agencies on matters necessary for processing or disposal of spent nuclear fuel; and shall determine such matters following deliberation and resolution thereon by the Nuclear Energy Promotion Commission established under Article 3 of the Nuclear Energy Promotion Act. <Amended on Mar. 23, 2013; Jul. 26, 2017>

(5) Where the Commission receives a report under the proviso of paragraph (1) or the proviso of paragraph (2), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

(6) Article 14 shall apply mutatis mutandis to cases falling under paragraphs (1) and (2). In such cases, "Article 17" referred to in subparagraph 3 of Article 14 shall be construed as "Article 38." <Amended on Jun. 10, 2022>

**Article 36 (Criteria for Licenses)** (1) Criteria for licenses or designation under Article 35 (1) and (2) shall be as follows: <Amended on Mar. 23, 2013; Jan. 20, 2015>

1. The applicant shall have technical capabilities prescribed by Ordinance of the Prime Minister, as necessary to operate the relevant business;
2. The location, structure, equipment, and performance of nuclear fuel cycle facilities shall meet the technical criteria prescribed by the Rules of the Commission so as not to impede the protection of health, physical objects, and the general public from radiation damage caused by radioactive material, etc.;
3. The applicant shall meet the criteria prescribed by Presidential Decree to protect public health and the environment from disasters caused by radioactive materials, etc. generated by the construction of nuclear fuel cycle facilities;

4. The details of the decommissioning plan submitted by the applicant under Article 35 (3) shall meet the requirements prescribed by the Rules of the Commission.

(2) Every nuclear fuel cycle business operator shall obtain alteration to his or her license pursuant to Article 35 (1) to permanently suspend the operation of the relevant nuclear fuel cycle facility. In such cases, some of the criteria for licenses and designation provided for in the subparagraphs of paragraph (1) can be waived in any of the following circumstances: <Newly Inserted on Jan. 20, 2015>

1. Where the nuclear fuel cycle facility is permanently suspended, making it impracticable to fully apply the criteria for licenses provided for in paragraph (1), without modification;
2. Where safety is not compromised even if the criteria for licenses provided for in paragraph (1) are not observed based upon the purpose of permanent suspension.

**Article 37 (Inspections)** (1) Every person who has obtained a license or designation pursuant to Article 35 (1) and (2) (hereinafter referred to as "nuclear fuel cycle business operator") shall undergo an inspection conducted by the Commission regarding the installation and operation of the nuclear fuel cycle facilities, and the metrical control of the special nuclear materials, as prescribed by Presidential Decree.

(2) Where the results of an inspection conducted under paragraph (1) fall under either of the following circumstances, the Commission may order the relevant nuclear fuel cycle business operator to take a corrective or supplementary measure:

1. Where he or she has failed to meet any of the criteria for the license or designation as prescribed in Article 36, or where safety measures as referred to in Article 40 (1) are insufficient;
2. Where he or she has failed to observe as stated in the documents submitted to accompany his or her application for license or designation under Article 35 (3) or the regulations for metrical control under Article 15, which is applied mutatis mutandis in Article 44.

**Article 38 (Cancellation of Licenses)** (1) When a nuclear fuel cycle business operator falls under any of the following circumstances, the Commission may cancel the relevant license and the competent Minister may cancel the relevant designation, or they may order him or her to suspend his or her business for a fixed period not exceeding one year: Provided, That the Commission must cancel the relevant license and the competent Minister must

cancel the relevant designation when subparagraph 1 or 4 applied: <Amended on May 21, 2014>

1. Where he or she has obtained the license or designation by fraud or other improper means;
  2. Where he or she has failed to commence the permitted or designated business within the period prescribed by Presidential Decree or has suspended such business for at least one consecutive year without good cause;
  3. Where he or she has altered any matter subject to the license or the approval pursuant to the latter part of paragraph (1) or the latter part of paragraph (2) of Article 35 without obtaining the license or the authorization therefor;
  4. Where he or she falls under any of subparagraph 1, 2, or 4 of Article 14, which are applied mutatis mutandis pursuant to Article 35 (5): Provided, That the same shall not apply if an executive of a corporation who has fallen under said cause is replaced within three months;
  5. Where he or she has failed to meet any of the criteria for the license or designation as referred to in Article 36;
  6. Where he or she has violated any of the orders issued under Article 37 (2), 41, 92 (2) or 98 (1) and (3);
  7. Where he or she has violated Article 40 (1) or (2), 70, 89 (5), 94, 96, or 106 (1);
  8. Where he or she has violated Article 15 (1), which is applied mutatis mutandis pursuant to Article 44;
  9. Where he or she has violated any term or condition of the license or designation issued under Article 99.
- (2) Article 17 (2) through (4) shall apply mutatis mutandis to where an order for suspension of business must be issued pursuant to paragraph (1).

**Article 39 (Recording and Keeping)** Each nuclear fuel cycle business operator shall make records of matters concerning the construction and operation of nuclear fuel cycle facilities and keep such records at each factory or place of business, as prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013>

**Article 40 (Safety Measures for Operation)** (1) Every nuclear fuel cycle business operator shall take safety measures in the course of operating the relevant facilities, to protect health and

physical objects and to ensure public safety, as prescribed by Presidential Decree.

(2) Every nuclear fuel cycle business operator and his or her employees shall observe safety management regulations referred to in Article 35 (3).

(3) Where a nuclear fuel cycle business operator obtains alteration to his or her license to permanently suspend his or her nuclear fuel cycle facility pursuant to Article 36 (2), either of paragraphs (1) and (2) can be waived, if the Commission deems any of following subparagraphs applies: <Newly Inserted on Jan. 20, 2015>

1. Where the nuclear fuel cycle facility is permanently suspended, making it impracticable to fully apply paragraphs (1) and (2), without modifications;
2. Where safety is not compromised technically without taking safety measures referred to in paragraphs (1) and (2) based upon the purpose of permanent suspension.

**Article 41 (Measures for Suspension of Use of Nuclear Fuel Cycle Facilities)** When the Commission recognizes that the safety measures as referred to in Article 40 are insufficient, it may order a nuclear fuel cycle business operator to suspend the use of the facilities, or to remodel, repair, relocate such facilities, or to take other measures necessary for the safety including designation of the methods for relocation.

**Article 42 (Decommissioning of Nuclear Fuel Cycle Facilities)** (1) Every nuclear fuel cycle business operator shall obtain approval from the Commission, as prescribed by Presidential Decree, to decommission a nuclear fuel cycle facility. The same shall also apply to any alteration of any term or condition of such approval: Provided, That where he or she intends to alter any minor matter prescribed by Ordinance of the Prime Minister, he or she shall report thereon to the Commission. <Amended on Mar. 23, 2013; Jan. 20, 2015>

(2) A person who intends to obtain approval under paragraph (1) shall file an application for approval with the Commission, accompanied by a plan to decommission the relevant nuclear fuel cycle facility, and the documents prescribed by Ordinance of the Prime Minister. <Amended on Jan. 20, 2015>

(3) Deleted. <Jan. 20, 2015>

(4) Deleted. <Jan. 20, 2015>

(5) Where the Commission receives a report under the proviso of paragraph (1), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>



**Article 43 (Reporting on Commencement of Business)** (1) Each nuclear fuel cycle business operator shall, when commencing, suspending or discontinuing his or her business or resuming his or her suspended business, report to the Commission thereon within 30 days from the date of such commencement, suspension, discontinuation or resumption of his or her business. <Amended on Jun. 10, 2022>

(2) Where the Commission receives a report under the proviso of paragraph (1), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

**Article 44 (Provisions to Be Applied Mutatis Mutandis)** @Articles 15, 19 and 28 (3) through (9) shall apply mutatis mutandis to approval for and succession to the business affairs of nuclear fuel cycle business operators, decommissioning of nuclear fuel cycle facilities, etc. In such cases, "installer of a nuclear power reactor" or "operator of a nuclear power reactor" shall be construed "nuclear fuel cycle business operator." <Amended on Jan. 20, 2015>

## SECTION 2 Use of Nuclear Materials

**Article 45 (License for Use of Nuclear Fuel Materials)** (1) Except the following persons, any person intending to use or possess nuclear fuel materials shall obtain a license from the Commission therefor, as prescribed by Presidential Decree. The same shall also apply to any alteration of permitted matters: Provided, That the alteration of any minor matters prescribed by Ordinance of the Prime Minister shall be reported: <Amended on Mar. 23, 2013; May 21, 2014>

1. Where the installer of a nuclear power reactor, the operator of a nuclear power reactor, the installer of a research reactor, etc. or the operator of a research reactor, etc. uses nuclear fuel materials for the business for which he or she has obtained a license therefor;
2. Where a nuclear fuel cycle business operator uses nuclear fuel materials for the licensed or designated business;
3. Where he or she uses nuclear fuel materials of the kind and quantity prescribed by Presidential Decree is used.

(2) Any person intending to obtain a license under paragraph (1) shall submit an application for the license to the Commission, with the safety management regulations and other documents prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013>

(3) Where the Commission receives a report under the proviso of paragraph (1), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

(4) Article 14 shall apply mutatis mutandis to the license referred to in paragraph (1). In such cases, "Article 17" in subparagraph 3 of Article 14 shall be construed as "Article 48." <Amended on Jun. 10, 2022>

**Article 46 (Criteria for License)** Criteria for the license referred to in Article 45 (1) shall be as follows: <Amended on Mar. 23, 2013>

1. The applicant shall have technical capabilities prescribed by Ordinance of the Prime Minister, as necessary for using or possessing nuclear fuel materials;
2. Location, structure and installation of facilities for utilization, distribution, storage, temporal storage, processing, and discharge (hereinafter referred to as "facilities for utilization, etc.") shall meet the technical criteria prescribed by the Rules of the Commission so as not to impede the protection of health, physical objects, and the general public from damage caused by radioactive materials, etc.;
3. The applicant shall meet criteria prescribed by Presidential Decree to protect public health and the environment from dangers caused by radioactive materials, etc. generated by the use or possession of nuclear fuel materials;
4. The applicant shall have the equipment and human resources prescribed by Presidential Decree.

**Article 47 (Inspections)** (1) Every person who has obtained a license under Article 45 (1) (hereinafter referred to as "nuclear fuel material user") shall undergo an inspection conducted by the Commission regarding the use or possession of nuclear fuel materials and the metrical control of special nuclear materials, as prescribed by Presidential Decree.

(2) When the results of an inspection conducted under paragraph (1) fall under either of the following circumstances, the Commission may order the nuclear fuel material user to take a corrective or supplementary measure:

1. Where he or she has failed to meet any of the criteria for the license as referred to in Article 46, and the technical criteria as referred to in Article 50 (1);
2. Where he or she has failed to observe as stated in the documents submitted to accompany his or her application for license under Article 45 (2) or the regulations on metrical control under Article 15, which is applied mutatis mutandis in Article 51.

**Article 48 (Cancellation of License for Use or Possession)** (1) When a nuclear fuel material user falls under any of the following circumstances, the Commission may cancel the relevant license or order him or her to suspend his or her operation for a fixed period not exceeding one year: Provided, That the Commission must cancel the relevant license when subparagraph 1 or 3 is applicable: <Amended on May 21, 2014>

1. Where he or she has obtained permission by fraud or other improper means;
2. Where he or she has altered any matter subject to permission pursuant to the latter part of Article 45 (1) without obtaining permission;
3. Where he or she has fallen under any of subparagraphs 1, 2 and 4 of Article 14 which are applied mutatis mutandis pursuant to Article 45 (3): Provided, That the same shall not apply where an executive officer of a corporation who has fallen under said cause is replaced within three months;
4. Where he or she has failed to meet any of the criteria for permission provided for in Article 46;
5. Where he or she has violated Article 15 (1) which are applied mutatis mutandis pursuant to Article 50 (3) or 51;
6. Where he or she has violated any of the orders issued under Article 47 (2), 50 (2), 92 (2) or 98 (1) and (3);
7. Where he or she has violated Article 70, 94, 96 or 106 (1);
8. Where he or she has violated any term or condition of permission imposed under Article 99.

(2) When it is required to order the suspension of operation pursuant to paragraph (1), the Commission may impose a penalty surcharge not exceeding 500 million won in lieu of the suspension of operation. <Newly Inserted on May 21, 2014>

(3) The criteria for suspension of operation under paragraph (1) and the criteria for imposition of penalty surcharges under paragraph (2) shall be prescribed by Presidential Decree. <Newly Inserted on May 21, 2014>

(4) If a person liable to pay a penalty surcharge under paragraph (2) fails to pay it by the payment deadline, the Commission shall collect it in the same manner as delinquent national taxes are collected, or suspend his or her operation under paragraph (1) after canceling the imposition of the penalty surcharge under paragraph (2). <Newly Inserted on May 21, 2014>

**Article 49 (Recording and Keeping)** Each nuclear fuel material user shall make records of matters concerning the use or possession of nuclear fuel materials and keep such records at each factory or place of business, as prescribed by Ordinance of the Prime Minister.  
<Amended on Mar. 23, 2013>

**Article 50 (Obligation to Observe Criteria)** (1) Each nuclear fuel material user shall observe the technical criteria prescribed by Rules of the Commission in respect to the following matters:

1. Use, distribution, storage, transportation, temporal storage, processing and discharge of nuclear fuel materials or other materials contaminated thereby in places of business;
2. Facilities for the use, etc. of nuclear fuel materials or other materials contaminated thereby.

(2) When the Commission recognizes that the use, distribution, storage, transportation, temporal storage, processing or discharge of nuclear fuel materials or other materials contaminated thereby in the relevant places of business fail to conform to the technical criteria as referred to in paragraph (1), it may order the nuclear fuel material user to repair, renovate, relocate the relevant facilities, or suspend the usage thereof, alter the methods of handling such materials or take other necessary measures for safety.

(3) The user of nuclear fuel materials and his or her employees shall observe the safety management regulations as referred to in Article 45 (2).

**Article 51 (Provisions to Be Applied Mutatis Mutandis)** The provisions of Articles 15, 19 and 43 shall apply mutatis mutandis to approval for, succession to and reporting on the business of nuclear fuel material users. In such cases, "installer of nuclear power reactor" or "nuclear fuel cycle business operator" shall be construed as "nuclear fuel material user."

**Article 52 (Reporting on Use of Nuclear Raw Materials)** (1) Except in any of the following cases, any person intending to use nuclear raw materials shall report to the Commission

thereon, as prescribed by Presidential Decree. The same shall apply to any alteration of reported matters: <Amended on Mar. 23, 2013; May 21, 2014>

1. Where the installer of a nuclear power reactor, the operator of a nuclear power reactor, the installer of a research reactor, etc., the operator of a research reactor, etc. or a nuclear fuel cycle business operator uses nuclear raw materials for his or her permitted, licensed or designated business;

2. Where nuclear raw materials of the kind and quantity prescribed by Ordinance of the Prime Minister are used.

(2) Any person who has filed a report pursuant to paragraph (1) (hereinafter referred to as "nuclear raw material user") shall use nuclear raw materials according to the technical criteria prescribed by Rules of the Commission.

(3) When the use of nuclear raw materials fails to conform to the technical criteria prescribed under paragraph (2), the Commission may order the relevant nuclear raw material user to take corrective or supplementary measures to conform to such criteria.

(4) Each nuclear raw material user shall make records of matters concerning the use of nuclear raw materials and keep such records at each factory or place of business, as prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013>

(5) With respect to the grounds for disqualification of nuclear raw material users, Article 14 shall apply mutatis mutandis. In such cases, "No person ..... shall receive a construction permit under Article 10 (1)" in the provisions, with the exception of the subparagraphs, of Article 14 shall be construed as "No person ..... shall make a report under Article 52 (1)", "after the permit was canceled pursuant to the provisions of Article 17" in subparagraph 3 of Article 14 as "after the use of nuclear raw materials was prohibited pursuant to the provisions of Article 52 (6)", and "with an executive" in subparagraph 4 of Article 14 as "with the representative", respectively. <Newly Inserted on May 21, 2014>

(6) When a nuclear raw material user falls under any of the following, the Commission may prohibit him or her from using nuclear raw materials for a fixed period not exceeding one year: <Newly Inserted on May 21, 2014>

1. Where he or she has filed a report by fraud or other improper means;

2. Where he or she has altered any matters subject to reporting without filing the report under the latter part of paragraph (1);

3. Where he or she has fallen under any of subparagraphs 1, 2 and 4 of Article 14 which are applied mutatis mutandis pursuant to paragraph (5): Provided, That the same shall not apply where the representative of a corporation who has fallen under said ground is replaced within three months;
  4. Where he or she has violated any order issued under paragraph (3) of this Article or Article 92 (2) or 98 (1) or (3);
  5. Where he or she has violated Article 106 (1).
- (7) Where the Commission receives a report under the proviso of paragraph (1), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>
- (8) Article 48 (2) through (4) shall apply mutatis mutandis to where it is required to prohibit the use of nuclear raw materials under paragraph (6). <Newly Inserted on May 21, 2014; Jun. 10, 2022>
- (9) For purposes of applying paragraph (7) mutatis mutandis, "suspension of operation" shall be construed as "prohibition of use". <Newly Inserted on May 21, 2014; Jun. 10, 2022>

## CHAPTER V RADIOISOTOPE AND RADIATION GENERATING DEVICE

- Article 53 (License for Use of Radioisotope and Radiation Generating Device)** (1) Any person intending to produce, sell, use (including possession and handling: hereinafter the same shall apply) or make a mobile-use of radioisotopes or radiation generating devices (hereinafter referred to as "radioisotopes, etc.") shall obtain a license from the Commission therefor as prescribed by Presidential Decree. The same shall also apply to any proposed alteration of licensed matters: Provided, That a change of place for temporary use and any proposed alteration of other matters prescribed as insignificant by Ordinance of the Prime Minister shall be reported. <Amended on Mar. 23, 2013>
- (2) Notwithstanding the provisions of paragraph (1), any person intending to make use or make a mobile-use of the sealed radioisotope for the purpose, or the quantity of which is smaller than what is, prescribed by Ordinance of the Prime Minister, or a radiation generating device for the purpose, or the quantity of which is smaller than what is, prescribed by Ordinance of the Prime Minister, shall report to the Commission thereon as prescribed by Presidential Decree. The same shall also apply to any proposed alteration of

reported matters. <Amended on Mar. 23, 2013>

(3) Any person intending to obtain the license in paragraph (1) shall submit an application for the license to the Commission, attached with a safety analysis report, quality assurance plan, radiation safety report, safety management regulations, and other documents prescribed by Ordinance of the Prime Minister, and any person intending to file a report as referred to in paragraph (2) shall submit a report to the Commission, attached with documents prescribed by Ordinance of the Prime Minister: Provided, That the submission of the safety analysis report and the quality assurance plan shall be limited to those who intend to obtain the license for production. <Amended on Mar. 23, 2013>

(4) Where the Commission receives a report under the proviso of paragraph (1) or paragraph (2), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

(5) The provisions of Article 14 shall apply mutatis mutandis to the grounds for disqualification of a person who has been granted a license pursuant to the provisions of paragraph (1) (hereinafter referred to as "licensed user") and a person who has reported pursuant to the provisions of paragraph (2) (hereinafter referred to as "reported user"). In such cases, "shall not obtain construction permit as referred to in Article 10 (1)" in the main clause of Article 14, "after the permit was canceled pursuant to Article 17" in subparagraph 3 of the same Article and "executive" in subparagraph 4 of the same Article shall each be construed as "shall not obtain the license or report under Article 53 (1) and (2)," "after the license was canceled or use was prohibited pursuant to Article 57," and "representative". <Amended on Jun. 10, 2022>

#### **Article 53-2 (Prior Examination for License to Use Large-Scale Radiation Generating Devices)**

(1) A person, who intends to obtain license for use of a radiation generating device of the type or capacity or more prescribed by Presidential Decree, among radiation generating devices, pursuant to the former part of Article 53 (1) (hereinafter referred to as "large-scale radiation generating device"), shall file an application for prior examination with the Commission as to whether the large-scale radiation generating device meets the criteria for licenses under Article 55 (1) before the date of commencement of construction works prescribed by Ordinance of the Prime Minister.

(2) Upon receipt of an application for prior examination under paragraph (1), the Commission shall examine whether the application meets the criteria for licenses and notify

the applicant of the results in writing.

(3) The Commission shall take into consideration the results of the prior examination notified under paragraph (2), when deciding whether to grant a permission to use a large-scale radiation generating device under the former part of Article 53 (1).

(4) Except as provided in paragraphs (1) through (3), detailed matters necessary for the subject, scope, procedures, methods, etc. of prior examination under paragraph (1) shall be prescribed by Ordinance of the Prime Minister.

[This Article Newly Inserted on Jun. 10, 2022]

[Previous Article 53-2 moved to Article 53-3 <Jun. 10, 2022>]

**Article 53-3 (Radiation Safety Managers)** (1) Any licensed user and any reported user shall each appoint a radiation safety manager to perform the following duties concerning radiation safety management, as prescribed by Presidential Decree, and report such appointment to the Commission before commencing the use of radioisotopes, etc. The same shall also apply to any alteration of reported matters:

1. Inspecting whether the safety management regulations under Article 53 (3) and the technical criteria under Article 59 (1) are complied with;
2. Measures to prevent radiation damage under Article 91 for radiation workers or other persons having access to radiation controlled areas;
3. Recommendations to licensed users and reported users to take measures for radiation safety management;
4. Other measures necessary for radiation safety management.

(2) If a radiation safety manager neglects any of his or her duties referred to in paragraph (1), the Commission may require the relevant licensed user or reported user to dismiss the radiation safety manager from office.

(3) Upon receipt of the demand for dismissal under paragraph (2), a licensed user or a reported user shall immediately dismiss the radiation safety manager and appoint a new radiation safety manager unless any justifiable ground exists and shall file reports on such dismissal and appointment with the Commission by no later than 30 days after such dismissal.

(4) Neither a licensed user nor a reported user shall appoint any person dismissed under paragraph (3) as a radiation safety manager within one year of his or her dismissal.



(5) Any licensed user, any reported user, any radiation worker, and any person having access to a radiation controlled area shall comply with the radiation safety manager's measures and recommendations for radiation safety management.

(6) A licensed user or a reported user who has appointed a radiation safety manager under paragraph (1) shall, in either of the following cases, designate a person acting on behalf of the radiation safety manager as prescribed by Presidential Decree and allow the person to exercise or perform his or her duties on a temporary basis: <Newly Inserted on Aug. 14, 2018>

1. Where the radiation safety manager became unable to perform his or her duties on a temporary basis due to travel, illness, or other reason;
2. Where another radiation safety manager fails to be appointed at the time of dismissal or retirement of a radiation safety manager.

(7) Qualification requirements for radiation safety managers and persons acting on their behalf, duration of filling vacancies, and other necessary matters shall be prescribed by Presidential Decree. <Amended on Aug. 14, 2018>

(4) In receipt of a report under paragraph (1), the head of a Si/Gun/Gu shall review the details of the report and, if they are in compliance with this Act, shall accept the report. <Newly Inserted on Dec. 10, 2022>

[This Article Newly Inserted on May 21, 2014]

[Moved from Article 53-2 <Jun. 10, 2022>]

**Article 54 (Registration of Business Agent)** (1) Any person intending to conduct any of the following duties on behalf of any licensed user or reported user shall register with the Commission: <Amended on Mar. 23, 2013>

1. Removal of radioactive contamination;
2. Collection, processing and transportation of radioisotopes and radioactive waste;
3. Preparation of a safety report on radiation and safety management regulations;
4. Supervision on the installment of facilities for use, etc.;
5. Radiation safety management;
6. Other duties related to the safety management of radiation and prevention from disasters prescribed by Ordinance of the Prime Minister.

(2) When a person who has registered pursuant to paragraph (1) (hereinafter referred to as "business agent") intends to alter any registered matters, he or she shall report to the

Commission thereon.

(3) Any person intending to register pursuant to paragraph (1) shall submit an application therefor to the Commission, attached with business agency regulations and other documents prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013>

(4) Where the Commission receives a report under paragraph (2), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

(5) The provisions of Article 14 shall apply mutatis mutandis to the grounds for disqualification of registration under paragraph (1). In such cases, "shall not obtain construction permit under Article 10 (1)" in the main clause of Article 14, "after the permit was canceled pursuant to Article 17" in subparagraph 3 of the same Article and "executive" in subparagraph 4 of the same Article shall each be construed as "shall not make a registration under Article 54 (1)," "after the registration was canceled pursuant to Article 57," and "representative". <Amended on Jun. 10, 2022>

**Article 55 (Criteria for Licenses)** (1) Criteria for licenses referred to in Article 53 (1) shall be as follows:

1. Location, structure and installation of facilities for production and facilities for use, etc. shall meet the technical criteria prescribed by the Rules of the Commission;
2. The radiation exposed dose generated by radioisotopes, the contaminated materials thereby or radiation generating devices shall not exceed the dose limit prescribed by Presidential Decree;
3. The performance of radioisotopes, etc. to produce and the details of the quality assurance plan thereof shall meet with the criteria determined and published by the Commission;
4. The applicant shall have the equipment and human resources prescribed by Presidential Decree;

(2) Criteria for registration referred to in Article 54 (1) shall be as follows: <Amended on Mar. 23, 2013>

1. The applicant shall have the technical capabilities prescribed by Ordinance of the Prime Minister as necessary to conduct the duties of the agency;
2. The applicant shall have the equipment and human resources prescribed by Presidential Decree;

3. The scope of duties of the agency and agency regulations shall comply with the criteria prescribed by Ordinance of the Prime Minister.

**Article 56 (Inspections)** (1) Each licensed user and business agent shall have the production, sale, use and mobile-use of radioactive isotopes, etc. and duties of the agency inspected by the Commission as prescribed by Presidential Decree: Provided, That the same shall not apply where an inspection is exempted as prescribed by Presidential Decree.

(2) When the results of the inspection as prescribed in paragraph (1) fall under either of the following circumstances, the Commission may order the licensed user or business agent to take corrective or supplementary measures:

1. Where he or she has failed to meet the criteria for the license as referred to in Article 55 (1) or the criteria for the registration as referred to in Article 55 (2);
2. Where he or she has violated the safety management regulations as referred to in Article 53 (3) or the agency business regulations under Article 54 (3).

**Article 57 (Cancellation of Licenses for Production, Sale, Use or Mobile-Use)** (1) When a licensed user, reported user or business agent falls under any of the following circumstances, the Commission may cancel the relevant license or registration, or order the suspension of business or prohibition of use (limited to reported users) for a fixed period not exceeding one year: Provided, That the Commission must cancel the relevant license or registration when subparagraph 1 or 4 is applicable: <Amended on May 21, 2014>

1. Where he or she has obtained the license, filed a report or registered his or her business by fraud or other improper means;
2. Where he or she has failed to commence the licensed use or business within the period prescribed by Presidential Decree or has suspended the business continuously for at least one consecutive year without good cause;
3. Where he or she has altered any licensed, reported, or registered matter without obtaining the license for alteration or filing a report on alteration pursuant to the latter parts of paragraphs (1) and (2) of Article 53, or Article 54 (2);
4. Where he or she falls under any of subparagraphs 1, 2 and 4 of Article 14 which are applied mutatis mutandis in Articles 53 (4) and 54 (4): Provided, That the same shall not apply where the representative of a corporation who has fallen under said cause is replaced within three months;

5. Where he or she has failed to meet the criteria for license or registration under Article 55;
6. Where he or she has violated any of the orders issued under Article 56 (2), 59 (2), 92 (2) or 98 (1) and (3);
7. Where he or she has violated Article 59 (3), 70, 94, 96 or 106 (1);
8. Where he or she has violated any term or condition of permission imposed under Article 99.

(2) Where the Commission shall order the suspension of business or prohibition of use pursuant to paragraph (1), it may impose a penalty surcharge not exceeding 500 million won in lieu of the suspension of business or prohibition of use. <Amended on May 21, 2014>

(3) The criteria for the suspension of business or prohibition of use under paragraph (1) and the criteria for imposition of penalty surcharges under paragraph (2) shall be prescribed by Presidential Decree. <Amended on May 21, 2014>

(4) When a person liable to pay a penalty surcharge under paragraph (2) fails to pay it by the payment deadline, the Commission shall collect it in the same manner as delinquent national taxes are collected, or suspend his or her business or prohibit his or her use under paragraph (1) after canceling the imposition of the penalty surcharge under paragraph (2). <Amended on May 21, 2014>

**Article 58 (Recording and Keeping)** Each licensed user, reported user and business agent shall record matters concerning the production, use, mobile-use, distribution, storage, transportation, temporal storage, processing, discharge and sale of radioisotopes, etc., or matters concerning agency business, etc., and shall keep such recorded matters at each factory or place of business, as prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013>

**Article 59 (Obligation to Observe Criteria)** (1) Each licensed user and reported user shall observe the technical criteria prescribed by Rules of the Commission in respect to the following matters:

1. Location, structure and installation of facilities for production, and facilities for use, etc. of radioisotopes or other materials contaminated thereby, or radiation generating devices;

2. Production, use, distribution, storage, transportation, temporal storage, processing, and discharge of radioisotopes or materials contaminated thereby, or radiation generating devices within a business place;

3. Mobile-use and sale of radioisotopes, etc.

(2) When the Commission recognizes that the location, structure and installation of facilities for production or facilities for use, etc. of radioisotopes or other materials contaminated thereby, or radiation generating devices within the business place, or the production, use, distribution, storage, transportation, processing, and discharge thereof within the business place, and mobile-use or sale of radioisotopes, etc. fail to conform to the technical criteria as referred to in paragraph (1), it may order the licensed user or reported user to repair, renovate, relocate the relevant facilities, to suspend production or using such facilities, to alter the methods of handling such facilities, or to take other necessary safety measures.

(3) Each licensed user and his or her employees shall observe the safety management regulations as referred to in Article 53 (3), and each business agent and his or her employees shall observe the agency business regulations as referred to in Article 54 (3).

**Article 59-2 (Client's Obligation to Take Safety Measures)** (1) With respect to the mobile-use of radioisotopes, etc. under Article 53 to conduct radiographic testing, the person who has asked for radiographic testing (hereinafter referred to as "client") shall be liable to provide safe working conditions, as prescribed by the Rules of the Commission, so that radiation workers making the mobile-use of radioisotopes, etc. in his or her place of business can avoid excessive radiation exposure.

(2) The Commission may direct the client to install or complement the following safety installations:

1. An exclusive workplace available for measures to prevent radiation damage under Article 91;

2. Shielding facilities or barriers for radiation protection.

(3) When the safety of radiation workers is threatened by any grounds falling under any of the following subparagraphs, the Commission may order to suspend the radiographic testing as prescribed by the Rules of the Commission: <Amended on Apr. 20, 2021>

1. Where the client fails to provide safe working conditions under paragraph (1);

2. Where the client fails to comply with an order issued by the Commission under paragraph (2) for the installation or complement of safety installations.
- (4) No radiographic testing shall be conducted in any workplace if it is subject to suspension of work under paragraph (3).
- (5) Measures to be taken, and procedures, methods and other necessary matters to be followed, by clients and licensed users or reported users for resumption of work at workplaces subject to suspension of work under paragraph (3) shall be prescribed by Presidential Decree.
- (6) Every client shall report a daily amount of work carried out by radiation workers to the Commission in order to create safe working conditions. In such cases, the particulars to be reported, the methods and procedures for reporting and other necessary matters shall be prescribed by the Rules of the Commission.
- (7) When a radiation safety manager requests a client to take measures or provide cooperation necessary to safely conduct radiographic testing in making a mobile-use of radioisotopes, etc., the client shall comply with such request.
- (8) Matters necessary for detailed criteria, etc. for safety installations under paragraph (2) shall be prescribed by the Rules of the Commission.

[This Article Newly Inserted on May 21, 2014]

**Article 60 (Approval for Design of Radiation Generating Devices)** (1) Any person intending to manufacture radiation generating devices or devices containing radioisotopes (hereinafter referred to as "radiation equipment") or to import the radiation equipment manufactured in foreign countries shall obtain approval from the Commission for the design of each type of radiation equipment, as prescribed by Ordinance of the Prime Minister. The same shall also apply to any proposed alterations thereof: Provided, That any proposed alteration of matters prescribed as insignificant by Ordinance of the Prime Minister shall be reported to the Commission. <Amended on Mar. 23, 2013; Dec. 19, 2017>

(2) Notwithstanding paragraph (1), the Commission may waive the requirement to obtain its approval for manufacturing or importing radiation equipment in any of the following cases: <Newly Inserted on Dec. 19, 2017>

1. Where radiation equipment of the same type as the radiation equipment approved under paragraph (1) is manufactured or imported;

2. Where radiation equipment is manufactured or imported for the development of prototypes for testing purposes or for academic research by nonprofit organizations, which conforms to the standards determined and publicly notified by the Commission;
  3. Where radiation equipment is manufactured for export purposes only, which conforms to the standards determined and publicly notified by the Commission;
  4. Other cases prescribed by Presidential Decree.
- (3) Any person intending to obtain approval pursuant to paragraph (1) shall file an application for approval, along with the design data of the radiation equipment, safety evaluation data, quality assurance plan (only applicable to manufacturing of radiation equipment), and other documents prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013; Dec. 19, 2017>
- (4) The design approval criteria for each type of radiation equipment under paragraph (1) shall be prescribed by Presidential Decree. <Newly Inserted on Dec. 19, 2017>
- (5) Where the Commission receives a report under the proviso of paragraph (1), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

**Article 61 (Inspections)** (1) Any person who has obtained approval pursuant to Article 60 (1) shall receive an inspection of manufactured or imported radiation equipment from the Commission for each type of radiation equipment which has been approved, as prescribed by Ordinance of the Prime Minister: Provided, That the same shall not apply in the following cases: <Amended on Dec. 19, 2017>

1. Where the person manufactures or imports radiation equipment of the same type as the radiation equipment that has passed the inspection;
  2. Where the person imports radiation equipment that has completed the authorization and licensing process of the manufacturing country, which conforms to the standards determined and publicly notified by the Commission.
- (2) Matters necessary for the standards for inspection under paragraph (1) shall be determined and publicly notified by the Commission. <Newly Inserted on Dec. 19, 2017>
- (3) Each licensed user and reported user shall use radiation equipment that comes within either of the following categories: <Amended on Dec. 19, 2017>
1. Radiation equipment that has passed the inspection under the main clause of paragraph (1) or has been exempted from the inspection under the proviso of paragraph (1);

2. Radiation equipment that is exempted from design approval under Article 60 (2).

**Article 62 (Provisions to Be Applied Mutatis Mutandis)** The provisions of Articles 19 and 43 shall apply mutatis mutandis to succession to or reporting on the business of licensed users, reported users and business agents. In such cases, "installer of nuclear power reactor" or "nuclear fuel cycle business operator" shall be construed as "licensed user, reported user and business agent."

## CHAPTER VI DISPOSAL AND TRANSPORTATION

### **Article 63 (Permits for Construction and Operation of Radioactive Wastes Management Facilities)**

(1) Any person who intends to construct and operate facilities to store, process, and dispose of radioactive waste and supplementary facilities (hereinafter referred to as "radioactive wastes management facilities, etc.") shall obtain a permit from the Commission, as prescribed by Presidential Decree. The same shall also apply to any alteration of any term or condition of the permit: Provided, That any alteration of any insignificant matter prescribed by Ordinance of the Prime Minister shall be reported.

<Amended on Mar. 23, 2013; Jan. 20, 2015>

(2) Any person who intends to obtain a permit pursuant to paragraph (1) shall file an application, with the Commission, accompanied by an environmental report, a safety analysis report, safety management regulations, a quality assurance plan on construction and operation, and other documents prescribed by Ordinance of the Prime Minister.

<Amended on Mar. 23, 2013; Dec. 22, 2020>

(3) Where the Commission receives a report under the proviso of paragraph (1), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

(4) Article 14 shall apply mutatis mutandis to the grounds for disqualification from permits and altered permits under paragraph (1). In such cases, "Article 17" referred to in subparagraph 3 of Article 14 shall be construed as "Article 66." <Amended on Jun. 10, 2022>

[Title Amended on Jan. 20, 2015]

**Article 64 (Criteria for Permit)** (1) Criteria for a permit under Article 63 (1) shall be as follows:

<Amended on Mar. 23, 2013; Jan. 20, 2015; Dec. 22, 2015; Dec. 22, 2020>



1. The applicant shall have the technical capabilities prescribed by Ordinance of the Prime Minister, as necessary to construct and operate radioactive wastes management facilities, etc.;
  2. The location, structure, equipment and performance of radioactive wastes management facilities, etc. shall comply with the technical criteria prescribed by the Rules of the Commission to ensure the protection of health, physical objects, and the general public from radiation damage caused by radioactive materials, etc.;
  3. The applicant shall meet the criteria prescribed by Presidential Decree to protect public health and the environment from radioactive material-related risks, etc. generated in the course of constructing and operating radioactive wastes management facilities, etc.;
  4. The applicant shall have equipment and human resources prescribed by Presidential Decree;
  - 4-2. The details of a quality assurance plan on construction and operation under Article 63 (2) shall meet the criteria prescribed by the Rules of the Commission;
  5. The post-shutdown management plan for all or part of radioactive waste disposal facilities shall comply with the management standards prescribed by the Rules of the Commission to secure the safety of the radioactive wastes disposal facilities during the period prescribed by Presidential Decree not exceeding 300 years.
- (2) Where a person intends to complete activities to permanently suspend the facilities for storing and processing radioactive wastes and their supplementary facilities (hereinafter referred to as "radioactive waste storage facilities, etc.") or to dispose of radioactive wastes for all or part of the radioactive waste disposal facilities and their supplementary facilities (hereinafter referred to as "radioactive waste disposal facilities, etc.") (hereinafter referred to as "disposal activities"), he or she shall obtain a permit for alteration pursuant to Article 63 (1). In such cases, part of the criteria for permission prescribed in the subparagraphs of paragraph (1) may not be applied to any of the following cases: <Newly Inserted on Dec. 22, 2020>
1. Where it is impracticable to fully apply the criteria for a permit under paragraph (1) without modification, due to the permanent suspension of radioactive waste storage facilities, etc. or the completion of disposal activities regarding radioactive waste disposal facilities, etc.;

2. Where the non-compliance with the criteria for permission under paragraph (1) does not compromise safety in light of the purpose of the permanent suspension of radioactive waste storage facilities, etc. or the completion of disposal activities regarding radioactive waste disposal facilities, etc.

**Article 65 (Inspections)** (1) Every person who has obtained a permit to construct and operate radioactive wastes management facilities, etc. pursuant to Article 63 (1) (hereinafter referred to as "constructor and operator of radioactive wastes management facilities, etc.") shall undergo inspections conducted by the Commission regarding the installation and operation of radioactive wastes management facilities, etc., the storage, processing, and disposal of radioactive wastes, and the metrical control of special nuclear materials, as prescribed by Presidential Decree. <Amended on Jan. 20, 2015>

(2) When a constructor and operator of radioactive wastes management facilities, etc. falls under any of following circumstances as a result of the inspection under paragraph (1), the Commission may order him or her to take corrective or supplementary measures: <Amended on Jan. 20, 2015; Dec. 22, 2020>

1. Where he or she has failed to meet the criteria for a permit under Article 64 or the measures taken under Article 68 (1) are insufficient;
2. Where he or she has failed to observe any of the provisions stipulated in the documents accompanying his or her application for permits submitted Article 63 (2) or has violated any of the regulations for metrical control established under Article 15, which are applied mutatis mutandis under Article 69.

**Article 65-2 (Periodic Safety Reviews)** (1) A constructor and operator of radioactive wastes management facilities, etc. shall periodically review the safety of radioactive wastes management facilities, etc., as prescribed by Presidential Decree, and submit the results thereof to the Commission: Provided, That matters necessary for the periodic safety review of radioactive wastes management facilities, etc. which are permanently suspended or whose disposal activities are completed after obtaining permission for alteration pursuant to Article 64 (2) shall be prescribed by Presidential Decree.

(2) Where the results of a periodic safety review conducted under paragraph (1) or subsequent safety measures are deemed insufficient, the Commission may order the constructor and operator of radioactive wastes management facilities, etc. to correct or

supplement such defects.

(3) Matters regarding the methods, details, etc. of periodic safety reviews under paragraph (1) shall be prescribed by Presidential Decree.

[This Article Newly Inserted on Dec. 22, 2020]

## **Article 66 (Revocation of Permission to Construct and Operate Radioactive Wastes**

**Management Facilities)** (1) Where a constructor or operator of radioactive wastes management facilities, etc. falls under any of following circumstances, the Commission may revoke the relevant permission or order the suspension of his or her business for a prescribed period not exceeding one year: Provided, That where he or she falls under subparagraph 1 or 4, the Commission shall revoke the relevant permission: <Amended on May 21, 2014; Jan. 20, 2015; Dec. 22, 2020>

1. Where he or she has obtained permission by fraud or other improper means;
2. Where he or she has failed to commence the permitted construction works or operation within the period prescribed by Presidential Decree without good cause or has suspended such construction works or operation for at least one consecutive year;
3. Where he or she has altered any matter subject to permission pursuant to the latter part of Article 63 (1) without obtaining permission;
4. Where he or she falls under any of subparagraph 1, 2, or 4 of Article 14, which are applied mutatis mutandis pursuant to Article 63 (3): Provided, That the same shall not apply if an executive of a corporation who has fallen under said cause is replaced within three months;
5. Where he or she has failed to meet any of the criteria for permission provided for in Article 64;
6. Where he or she has violated Article 15 (1), which is applied mutatis mutandis pursuant to Article 69;
7. Where he or she has failed to comply with any of the orders issued under Article 65 (2), 65-2 (2), 68-2, 92 (2), or 98 (1) and (3);
8. Where he or she has violated Article 68 (1) or (2), 70, 89 (5), 94, 96, or 106 (1);
9. Where he or she has violated any term or condition of permission imposed under Article 99.

(2) Article 17 (2) through (4) shall apply mutatis mutandis to suspension of construction works or operation under paragraph (1). In such cases, "construction works" shall be

construed as "construction works or operations." <Amended on Dec. 22, 2020>

[Title Amended on Jan. 20, 2015]

**Article 67 (Recording and Keeping)** Every constructor and operator of radioactive wastes management facilities, etc. shall record the details about the storage, processing, or disposal of radioactive wastes, and keep such records at radioactive wastes management facilities, etc., as prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013; Jan. 20, 2015>

**Article 68 (Safety Measures for Operation)** (1) A constructor and operator of radioactive wastes management facilities, etc. shall take the following measures in the course of operating the radioactive wastes management facilities, etc., to ensure the safety of human bodies, physical objectives, and the public, as prescribed by the Rules of the Commission: Provided, That he or she need not take the measures where the Commission deems that it is difficult to apply such measures without modification due to the intended function of the radioactive wastes management facilities, etc. or differences in design or that safety is not technically compromised even if such measures are not applied:

1. Measures on radiation exposure dose, etc.;
2. Measures for the safe management of radioactive wastes;
3. Measures for the self-examination of radioactive wastes management facilities, etc.;
4. Measures for the safe operation of radioactive wastes management facilities, etc.;
5. Other measures for the safety of radioactive wastes management facilities, etc., which are prescribed by Presidential Decree.

(2) A constructor and operator of radioactive wastes management facilities, etc. and his or her employees shall observe the safety management regulations under Article 63 (2).

(3) Where a constructor and operator of radioactive wastes management facilities, etc. obtains permission for alteration regarding the permanent suspension or the completion of disposal activities pursuant to Article 64 (2), part of paragraphs (1) and (2) may not be applied, if the Commission deems that such case falls under any of the following subparagraphs:

1. Where it is impracticable to fully apply part of paragraphs (1) and (2) without modification, due to the permanent suspension or the completion of disposal activities of radioactive wastes management facilities, etc.;

2. Where safety is not technically compromised even though safety measures under paragraphs (1) and (2) are not taken, in light of the purpose of the permanent suspension or the completion of radioactive wastes management facilities, etc.

[This Article Wholly Amended on Dec. 22, 2020]

**Article 68-2 (Measures Including Suspension of Use of Radioactive Wastes Management Facilities)**

Where it is deemed that the performance of radioactive wastes management facilities, etc. is not in conformity with the technical criteria under Article 64 (1) 2 or that measures taken under Article 68 (1) are insufficient, the Commission may issue an order to suspend the use of, remodel, repair, transfer, or decontaminate the radioactive wastes management facilities, etc., to designate the operating methods, to change safety management regulations under Article 63 (2), or to take other necessary measures for safety.

[This Article Newly Inserted on Dec. 22, 2020]

**Article 68-3 (Decommissioning of Radioactive Waste Storage Facilities)**

(1) Where a person who has obtained permission for the construction and operation of radioactive waste storage facilities, etc. (hereinafter referred to as "constructor and operator of radioactive waste storage facilities, etc.") intends to decommission the permanently suspended radioactive waste storage facilities, etc. after obtaining permission for alteration to permanent suspension under Article 64 (2) regarding radioactive waste storage facilities, etc., he or she shall obtain approval from the Commission, as prescribed by Presidential Decree. The same shall also apply to the alteration of the approved matters: Provided, That any alteration to minor matters prescribed by Ordinance of the Prime Minister shall be reported.

(2) A constructor and operator of radioactive waste storage facilities, etc. who intends to obtain approval under paragraph (1) shall submit an application for approval to the Commission, along with a plan to decommission radioactive waste storage facilities, etc., a quality assurance plan on decommissioning, and other documents prescribed by Ordinance of the Prime Minister.

(3) Where the Commission receives a report under the proviso of paragraph (1), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

(4) Article 28 (3) through (9) shall apply mutatis mutandis to other matters concerning the reporting, inspection, etc. of decommissioning of radioactive waste storage facilities, etc. In such cases, "operator of a nuclear power reactor" shall be construed as "constructor and operator of radioactive waste storage facilities, etc.", "nuclear power reactor and related facilities" as "radioactive waste storage facilities, etc.", and "permission for operation" as "permission for construction and operation". <Amended on Jun. 10, 2022>

[This Article Newly Inserted on Dec. 22, 2020]

**Article 68-4 (Shutdown of Radioactive Waste Disposal Facilities)** (1) Where a person who has obtained permission for the construction and operation of radioactive waste disposal facilities, etc. (hereinafter referred to as "constructor and operator of radioactive waste disposal facilities, etc.") intends to shutdown the radioactive waste disposal facilities, etc. related to the completed disposal activities after obtaining permission for alteration to the completion of disposal activities under Article 64 (2) regarding the radioactive waste disposal facilities, etc., he or she shall obtain approval from the Commission, as prescribed by Presidential Decree. The same shall also apply to the alteration of the approved matters: Provided, That any alteration to minor matters prescribed by Ordinance of the Prime Minister shall be reported.

(2) A constructor and operator of radioactive waste disposal facilities, etc. who intends to obtain approval under paragraph (1) shall submit an application for approval to the Commission, along with a plan to shutdown radioactive waste disposal facilities, etc., a quality assurance plan on shutdown, a post-shutdown management plan, and other documents prescribed by Ordinance of the Prime Minister.

(3) A constructor and operator of radioactive waste disposal facilities, etc. who has obtained approval of the shutdown of radioactive waste disposal facilities, etc. pursuant to paragraph (1) shall undergo an inspection by the Commission regarding the shutdown of radioactive waste disposal facilities, etc., as prescribed by Presidential Decree.

(4) Where the inspection conducted under paragraph (3) found that a constructor and operator of radioactive waste disposal facilities, etc. fails to comply with a shutdown plan under paragraph (2), the Commission may order the constructor and operator of radioactive waste disposal facilities, etc. to take corrective or supplementary measures.

(5) The Commission shall inspect post-shutdown management of radioactive waste disposal facilities, etc. by a constructor and operator of radioactive waste disposal facilities,

etc. notified of the pass of an inspection under paragraph (3), as prescribed by Presidential Decree, and shall notify in writing the relevant constructor and operator of radioactive waste disposal facilities, etc. of the termination of permission for construction and operation if the termination of post-shutdown management is verified to be appropriate as a result of the inspection.

(6) Where the Commission receives a report under the proviso of paragraph (1), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

[This Article Newly Inserted on Dec. 22, 2020]

**Article 69 (Provisions to Be Applied Mutatis Mutandis)** @Articles 10 (3) through (6), 15, 19 and 43 shall apply mutatis mutandis to every constructor and operator of radioactive wastes management facilities, etc. In such cases, "installer of a nuclear power reactor" or "nuclear fuel cycle business operator" shall be construed as "constructor and operator of radioactive wastes management facilities, etc." <Amended on Jan. 20, 2015>

**Article 70 (Restrictions on Disposal of Radioactive Wastes)** (1) No person shall dispose of any radioactive waste by dumping it into the sea.

(2) No person, other than the constructors and operators of radioactive waste disposal facilities, etc., shall dispose of any radioactive wastes of the kind and quantity prescribed by Ordinance of the Prime Minister by burying such wastes shallowly (including burying them in a cave) or deeply in the ground. <Amended on Mar. 23, 2013; Jan. 20, 2015; Dec. 22, 2020>

(3) Radioactive wastes, other than those referred to in paragraph (2), shall be disposed of in compliance with methods and procedures prescribed by Presidential Decree.

(4) Any person who intends to outsource the disposal of radioactive wastes referred to in paragraph (2) to a constructor and operator of radioactive wastes management facilities, etc. shall transfer such radioactive wastes in compliance with the criteria for delivery prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013; Jan. 20, 2015>

**Article 71 (Reporting on Transportation)** (1) When an installer of a nuclear power reactor, an operator of a nuclear power reactor, an installer of a research reactor, etc., an operator of a research reactor, etc., a nuclear fuel cycle business operator, a nuclear fuel material user, a

nuclear raw material user, a licensed user, a reported user, a business agent, or a constructor and operator of radioactive wastes management facilities, etc. (hereinafter referred to as "nuclear energy-related business operator") intends to transport radioactive materials, etc. of the quantity prescribed by Ordinance of the Prime Minister out of his or her business place to another place, or to transport such radioactive materials into his or her business place from overseas, he or she shall report it to the Commission, as prescribed by Presidential Decree. <Amended on Mar. 23, 2013; May 21, 2014; Jan. 20, 2015>

(2) Any person who intends to get any ship or aircraft laden with radioactive materials, etc. of the quantity prescribed by Ordinance of the Prime Minister, to enter any port or airport of the Republic of Korea, or to sail through the territorial waters of the Republic of Korea (limited to ships) shall report it to the Commission in advance, as prescribed by Presidential Decree. The same shall apply to any alteration of any reported matter. <Amended on Mar. 23, 2013>

(3) Where the Commission receives a report under paragraph (1) or (2), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

**Article 72 (Technical Criteria concerning Packing and Transportation)** Any transportation of radioactive materials, etc. by railroad, road, ship, aircraft, or domestic or international mail service shall be made in conformity with the technical criteria concerning packing and transportation prescribed by Rules of the Commission.

**Article 73 (Management of Exposure)** Each nuclear energy-related business operator shall conduct the check up on whether or not the workers engaged in the transport of radioactive materials, etc. are exposed to radiation, and shall conduct the safety education therefor.

**Article 74 (Measures against Accidents)** (1) Each nuclear energy-related business operator or any person entrusted with the transportation of radioactive materials, etc. by a nuclear energy-related business operator shall formulate and implement a contingency plan as prescribed by Ordinance of the Prime Minister in order to prepare for accidents that could occur while transporting or packing radioactive materials, etc. <Amended on Mar. 23, 2013>



(2) When any leakage of radioactive materials, any fire or any other accident occurs while transporting or packing radioactive materials, etc., each nuclear energy-related business operator or any person entrusted with the transportation of the radioactive materials, etc. by the relevant nuclear energy-related business operator shall take necessary safety measures and report to the Commission thereon without delay as prescribed by Presidential Decree.

**Article 75 (Inspection of Packing and Transportation)** (1) Each nuclear energy-related business operator and any person entrusted with the packing or transportation of radioactive materials, etc. by the relevant nuclear energy-related business operator shall undergo an inspection conducted by the Commission as to whether or not he or she has observed the technical standards as referred to in Article 72 as prescribed by Presidential Decree.

(2) When the results of the inspection under paragraph (1) fail to meet the technical criteria as referred to in Article 72, the Commission may order the correction or supplementation thereof.

**Article 76 (Approval for Design of Transportation Containers)** (1) When a nuclear energy-related business operator intends to manufacture containers for packing or transportation of radioactive materials, etc. of the quantity prescribed by Ordinance of the Prime Minister (hereinafter referred to as "transportation container") or intends to import the transportation containers manufactured in foreign countries, he or she shall obtain approval thereof from the Commission according to the criteria for design prescribed by Presidential Decree. The same shall apply to any proposed alteration thereof: Provided, That the alteration of matters prescribed as insignificant by Ordinance of the Prime Minister shall be reported to the Commission. <Amended on Mar. 23, 2013>

(2) Any person intending to obtain the approval referred to in paragraph (1) shall submit an application for the approval of manufacturing transportation containers to the Commission, attached with the design data of the transportation containers, quality assurance plan concerning manufacturing, safety analysis report and other documents prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013>

(3) Where the Commission receives a report under the proviso of paragraph (1), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

**Article 77 (Inspection of Transportation Containers)** (1) Each nuclear energy-related business operator shall have transportation containers manufactured or imported after obtaining approval therefor pursuant to Article 76 (1) or other transportation containers in use inspected by the Commission as prescribed by Presidential Decree: Provided, That the same shall not apply where an inspection is exempted as prescribed by Presidential Decree.

(2) Each nuclear energy-related business operator shall use transportation containers which have passed the inspection as referred to in paragraph (1).

[Title Amended on Dec. 22, 2020]

**Article 77-2 (Approval of Design of Spent Nuclear Fuel Storage Containers)** (1) Where a nuclear energy-related business operator files an application for approval of design of a storage container or a collection of storage containers (hereinafter referred to as "storage container, etc.") of spent nuclear fuel that is available for a facility that obtains permission or designation under Article 10 (1), 20 (1), 30 (1), 30-2 (1), 35 (2), or 63 (1) (including permission for alteration or designation of alteration; hereafter in this Article the same shall apply), the Commission may grant approval in accordance with the criteria for design prescribed by Presidential Decree. In such cases, where the business operator intends to alter the approved design, he or she shall obtain approval from the Commission, as prescribed by Presidential Decree: Provided, That any alteration to minor matters prescribed by Ordinance of the Prime Minister shall be reported to the Committee.

(2) A nuclear energy-related business operator who intends to obtain approval under paragraph (1) shall submit an application for approval to the Commission, along with a safety analysis report, a quality assurance plan on design (including matters concerning manufacturing), and other documents prescribed by Ordinance of the Prime Minister.

(3) Where an installer of a nuclear power reactor, an operator of a nuclear power reactor, an installer of a research reactor, etc., an operator of a nuclear research reactor, etc., a nuclear fuel cycle business operator (limited to persons designated pursuant to Article 35 (2)), and a constructor and operator of radioactive wastes management facilities, etc. (hereinafter referred to as "nuclear power reactor installer, etc.") intends to obtain permission or designation under paragraph (1) by using the design of a storage container, etc. approved under paragraph (1), he or she need not enter matters concerning the relevant storage container, etc. among matters that shall be entered in the relevant

application documents for permission or designation.

(4) Where the Commission receives a report under the proviso of paragraph (1), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

[This Article Newly Inserted on Dec. 22, 2020]

**Article 77-3 (Inspection of Storage Containers)** (1) Where a nuclear power reactor installer, etc. intends to manufacture storage containers, etc. using the design of storage containers, etc. approved pursuant to Article 77-2 (1), he or she shall undergo an inspection by the Commission, as prescribed by Presidential Decree.

(2) Where a nuclear power reactor installer, etc. who has undergone a manufacturing inspection of storage containers, etc. pursuant to paragraph (1) intends to install storage containers, etc., he or she shall use the storage containers, etc. which have passed the manufacturing inspection.

[This Article Newly Inserted on Dec. 22, 2020]

## CHAPTER VII DOSIMETER READING SERVICE

**Article 78 (Registration of Dosimeter Reading Service Providers)** (1) Any person who intends to render the dosimeter reading service aimed at reading the radiation exposure dose to human bodies shall register his or her business with the Commission.

(2) When the person who has registered his or her business pursuant to paragraph (1) (hereinafter referred to as "dosimeter reading service provider") intends to alter any registered matter, he or she shall report to the Commission thereon.

(3) Any person who intends to register his or her business pursuant to paragraph (1) shall file an application therefor with the Commission, accompanied by a quality assurance plan concerning dosimeter reading and other documents prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013>

(4) Where the Commission receives a report under paragraph (2), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

(5) Article 14 shall apply mutatis mutandis to a person who intends to register his or her business pursuant to paragraph (1). In such cases, "permit was canceled pursuant to Article

17" in subparagraph 3 of Article 14 and "executive" in subparagraph 4 of the same Article shall each be construed as "registration was canceled pursuant to Article 81" and "representative". <Amended on Jun. 10, 2022>

**Article 79 (Criteria for Registration)** Criteria for registration as referred to in Article 78 (1) shall be as follows: <Amended on Mar. 23, 2013>

1. Technical capabilities prescribed by Ordinance of the Prime Minister which are necessary for installation and operation of the reading facilities shall be secured;
2. The details of the quality assurance plan as referred to in Article 78 (3) shall conform to the criteria prescribed by Ordinance of the Prime Minister.

**Article 80 (Inspections)** (1) Each dosimeter reading service provider shall undergo an inspection of the Commission with respect to his or her dosimeter reading service as prescribed by Presidential Decree.

(2) When the dosimeter reading service provider is found to fail to meet the criteria for registration as referred to in Article 79 as a result of the inspection as referred to in paragraph (1), the Commission may order him or her to take corrective or supplementary measures.

**Article 81 (Cancellation of Registration of Dosimeter Reading Service Providers)** (1) When a dosimeter reading service provider falls under any of the following circumstances, the Commission may cancel the relevant registration or order the suspension of his or her service for a fixed period not exceeding one year: Provided, That the Commission must cancel the relevant registration, when subparagraph 1 or 5 is applicable: <Amended on May 21, 2014>

1. Where he or she has registered his or her business by fraud or other improper means;
2. Where he or she has failed to commence his or her registered service within the period prescribed by Presidential Decree or has suspended his or her business for at least one consecutive year without good cause;
3. Where he or she has altered the registered matters without reporting thereon pursuant to Article 78 (2);
4. Where he or she has failed to meet the criteria for registration referred to in Article 79;
5. Where he or she falls under any of subparagraphs 1, 2 and 4 of Article 14 which are applied mutatis mutandis in Article 78 (4): Provided, That the same shall not apply where

a representative of a corporation who has fallen under said cause is replaced within three months;

6. Where he or she has violated any of the orders issued under Article 80 (2) or 98 (1) and (3).

(2) Article 57 (2) through (4) shall apply mutatis mutandis where an order to suspend the dosimeter reading service paragraph (1) must be issued under paragraph (1).

**Article 82 (Recording and Keeping)** Each dosimeter reading service provider shall record the matters concerning reading facilities and reading service and keep such records at each factory or business place, as prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013>

**Article 83 (Provisions to Be Applied Mutatis Mutandis)** The provisions of Articles 19 and 43 shall apply mutatis mutandis to succession to and reporting on the services of the dosimeter reading service provider. In such cases, "installer of a nuclear power reactor" or "nuclear fuel cycle business operator" shall be construed as the "dosimeter reading service provider".

## CHAPTER VIII LICENSE AND EXAMINATION

**Article 84 (License)** (1) Any person other than a person who has obtained a license from the Commission as prescribed by Presidential Decree or other than a radiation management engineer as provided for in the National Technical Qualifications Act shall be prohibited from operating a nuclear reactor or handling nuclear fuel materials, radioisotopes, etc.: Provided, That the same shall not apply where a person who has undergone educational training as referred to in Article 106 (1) handles nuclear fuel materials, radioisotopes, etc. under the direction and supervision of a person who has obtained a license referred to in paragraph (2) 3 through 7 or a radiation management engineer as provided for in the National Technical Qualifications Act. <Amended on Dec. 22, 2020>

(2) The license referred to in paragraph (1) shall be classified as follows:

1. License for the senior nuclear operator;
2. License for the nuclear operator;
3. License for the senior nuclear fuel material handler;

4. License for the nuclear fuel material handler;
5. License for the radioisotope handler;
6. Special license for the radioisotope handler;
7. License for the senior radiation handler.

**Article 85 (Grounds for Disqualification)** None of the following persons shall be eligible for any license prescribed in Article 84: <Amended on May 21, 2014; Dec. 22, 2015; Jun. 9, 2020; Apr. 20, 2021; Jun. 10, 2022>

1. A person under 18 years of age;
2. A person under adult guardianship;
3. A person who had been sentenced to imprisonment with labor or a heavier punishment for violation of this Act, and for whom three years have not passed since the execution of such punishment was completed or a decision for non-execution thereof became final and conclusive, or a person who is under the suspension of the execution of punishment after having been sentenced to the suspension of the execution thereof;
4. A person for whom two years have not passed since his or her license was canceled pursuant to Article 86;
5. A person engaged in the construction, repair and maintenance of a nuclear reactor and relevant facilities or in the delivery and inspection of materials, parts, etc. for a nuclear reactor and relevant facilities who had been sentenced to imprisonment with labor or a heavier punishment for committing any of the crimes provided for in Articles 129, 130, 132 and 133 of the Criminal Act in relation to his or her duties and for whom five years have not passed since the execution of such punishment was completed or a decision for non-execution thereof became final and conclusive, or who is under the suspension of the execution of punishment after having been sentenced to the suspension of the execution thereof.

**Article 86 (Cancellation of Licenses)** (1) When a person who has obtained a license under Article 84 falls under any of the following cases, the Commission may cancel his or her license or suspend his or her license for a fixed period not exceeding three years: Provided, That the Commission must cancel his or her license where he or she falls under subparagraph 1 or 2: <Amended on May 21, 2014>

1. Where he or she has obtained a license by fraud or other improper means;
2. Where he or she falls under any of subparagraphs 1 through 3 and 5 of Article 85;
3. Where he or she has violated Article 88 (2);
4. Where he or she has violated Article 106 (2).

(2) Criteria for the cancellation or suspension of the license under paragraph (1) shall be prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013>

**Article 87 (License Examinations)** (1) Any person intending to obtain a license under Article 84 shall pass the license examination conducted by the Commission.

(2) When a person who has obtained a license falling under any subparagraph of Article 84 (2) or a foreign license equivalent thereto intends to obtain a license referred to in paragraph (1) of the same Article, the Commission may exempt all or some subjects of the license examination referred to in paragraph (1) as prescribed by Presidential Decree. <Amended on May 21, 2014>

(3) When a person who has applied for the license examination referred to in paragraph (1) engages in cheating behavior in the examination, the relevant examination shall be nullified, and he or she shall be disqualified for the license examination for three years from the date on which he or she applied for the examination.

(4) Qualifications for application, subjects and methods of the license examination referred to in paragraph (1) and other matters necessary therefor shall be prescribed by Presidential Decree.

**Article 88 (License Certificate)** (1) The Commission shall issue a license certificate to a person who has passed the license examination as referred to in Article 87 as prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013>

(2) Any person who has obtained a license certificate as referred to in paragraph (1) shall be prohibited from lending or illegally using his or her license.

## CHAPTER IX REGULATION AND SUPERVISION

**Article 89 (Establishment of Restricted Areas)** (1) When the State installs a nuclear reactor and relevant facilities, nuclear fuel cycle facilities, radioactive wastes management facilities, etc., it may establish restricted areas in a specific size to protect health, physical objects, and the general public from radiation-related risks. <Amended on Jan. 20, 2015>

- (2) An order may be issued to prevent ordinary people's access to or residence in restricted areas established under paragraph (1).
- (3) The scope of restricted areas to be established under paragraph (1), and matters necessary for restricting the access or residence of the general public under paragraph (2) shall be prescribed by Presidential Decree.
- (4) Due compensation shall be paid for any loss caused by the restriction imposed under paragraph (2). In such cases, matters necessary for the payment thereof shall be prescribed by Presidential Decree.
- (5) Any person, other than the State, who intends to install and operate a nuclear reactor and relevant facilities, nuclear fuel cycle facilities, radioactive wastes management facilities, etc., shall secure a site in a specific size, as prescribed by Presidential Decree, and establish a restricted area under paragraph (1) within such site and shall restrict ordinary people's access or residence in the restricted area. <Amended on Jan. 20, 2015>

**Article 90 (Restrictions on Installation of Hazardous Facilities)** (1) The head of a relevant administrative agency that intends to permit, authorize, or approve the installation of any facilities hazardous to a nuclear reactor and relevant facilities, nuclear fuel cycle facilities, radioactive wastes management facilities, etc. within the range prescribed by Presidential Decree from the site in which said facilities are under construction or in operation with the permit and license granted under Article 10, 20, 35, or 63 shall consult in advance with the Commission. <Amended on Jan. 20, 2015>

(2) Facilities subject to consultation between the heads of relevant administrative agencies and the Commission pursuant to paragraph (1) shall be prescribed by Presidential Decree.

**Article 91 (Measures to Prevent Radiation Damage)** (1) Each nuclear energy-related business operator shall take the following measures to prevent radiation damage as prescribed by Presidential Decree:

1. Measurement of radiation dose and radioactive contamination;
2. Health examination;
3. Control of exposure;
4. Measures necessary to rationally maintain the dose of emissions of radioactive materials and the radiation exposure dose as low as reasonably achievable.



(2) Each nuclear energy-related business operator shall take measures necessary to keep the radiation exposure dose to radiation workers and other persons having frequent access prescribed by Presidential Decree under the dose limit prescribed by Presidential Decree.

(3) Each nuclear energy-related business operator shall take necessary measures such as restrictions on access to nuclear power utilization facilities and other measures for health for any person suffering from radiation damage or other person suspected to have suffered from such radiation damage.

**Article 92 (Measures for Prevention of Radiation Damage and Reporting)** (1) Where each nuclear energy-related business operator falls under any of the following subparagraphs, he or she shall take safety measures and report such fact to the Commission without delay, as prescribed by Presidential Decree:

1. Where the nuclear energy utilization facilities or radioactive materials, etc. are jeopardized or are feared to be jeopardized due to earthquake, fire or other disasters;
2. Where a breakdown, etc. occurs in the nuclear energy utilization facilities;
3. Where radiation damage occur.

(2) Where the Commission has received a report pursuant to paragraph (1), it may order the relevant nuclear energy-related business operator to suspend the use of the nuclear power utilization facilities, relocate radioactive materials, etc., remove contaminants, or take other measures necessary to prevent radiation damage.

(3) Where a nuclear energy-related business operator finds any matter that does not conform to the standards prescribed by Presidential Decree for the prevention of harm to public health and the environment pursuant to Article 21 (1) 3, 36 (1) 3, subparagraph 3 of Article 46 and Article 64 (1) 3, he or she shall report such fact to the Commission without delay. <Newly Inserted on Dec. 28, 2021>

(4) The Commission shall determine and publicly notify the matters required to be reported by nuclear energy-related business operators to the Commission under paragraph (1), including procedures therefor. <Newly Inserted on Apr. 20, 2021; Dec. 28, 2021>

**Article 92-2 (Periodic Updates of Decommissioning Plans)** Every operator of a nuclear power reactor, every operator of a research nuclear reactor, and every operator of a nuclear fuel cycle facility shall periodically update his or her plan to decommission the relevant nuclear reactor, relevant facilities, and nuclear fuel cycle facility, as prescribed by Ordinance of the

Prime Minister, and report the updated plan to the Commission.

[This Article Newly Inserted on Jan. 20, 2015]

**Article 93 (Expropriation or Transfer of Nuclear Materials)** (1) The Government may expropriate the right for the relevant nuclear materials, or radioisotopes, etc. from the manufacturer, possessor or manager of the relevant nuclear materials, or radioactive isotopes, etc., or may order him or her to transfer the right to a person designated by the Commission as prescribed by separate Acts.

(2) When the right has been expropriated or transferred pursuant to paragraph (1), due compensation shall be made therefor.

**Article 94 (Restriction on Possession, Transfer or Takeover of Radioactive Materials or Radiation Generating Devices)** Except for cases falling under any of the following subparagraphs, any possession, transfer or takeover of radioactive materials, etc. or radiation generating devices shall be prohibited: Provided, That the same shall not apply where nuclear materials are transferred or acquired by the State in accordance with international agreements or acquired from the State: <Amended on Mar. 23, 2013>

1. Where a nuclear energy-related business operator acquires or possesses radioactive materials, etc. or radiation generating devices within the limit licensed, designated or reported, or transfers such materials or devices to other nuclear energy-related business operator under this Act;
2. Where a nuclear energy-related business operator whose license or designation has been canceled pursuant to Articles 17, 24, 32, 38, 48, 57 and 66 possesses radioactive materials, etc. or radiation generating devices which were in his or her possession at the time such permit and license or designation was canceled or prohibited from being used or transfers them to another nuclear energy-related business operator as prescribed by Ordinance of the Prime Minister;
3. Where a nuclear energy-related business operator who discontinues business or duty possesses radioactive materials, etc. or radiation generating devices which were in his or her possession at the time such business or duty was discontinued or transfers them to another nuclear energy-related business operator as prescribed by Ordinance of the Prime Minister;

4. Where a person who has been entrusted with the transportation of radioactive materials, etc. or radiation generating devices by a nuclear energy-related business operator possesses the entrusted radioactive materials, etc. or radiation generating devices;
5. Where an employee of the nuclear energy-related business operator possesses radioactive materials, etc. or radiation generating devices while performing his or her duty;
6. Where a successor to a deceased nuclear energy-related business operator possesses radioactive materials, etc. or radiation generating devices: Provided, That any successor falling under subparagraphs 1 through 3 of Article 14 shall be excluded.

**Article 95 (Measures following Cancellation of License or Discontinuation of Business)** (1) Any nuclear energy-related business operator whose license or designation has been canceled under this Act (including the prohibition of use) or who has discontinued his or her business or the use pursuant to the provisions of this Act, shall take measures necessary for transfer, temporal storage, discharge, storage, processing, disposal, decontamination, recorded transfer of radioactive materials, etc. or radiation generating devices or protection against radiation damage as prescribed by Presidential Decree, and report to the Commission thereon within 30 days from the date such measures are taken.

(2) When a nuclear energy-related business operator fails to take the measures referred to in paragraph (1), or it is deemed necessary to protect local residents or the surrounding environment from radioactive materials etc. or radiation generating devices notwithstanding such measures, the Commission may take necessary measures, such as removal of radioactive materials, etc. or radiation generating devices, and decommissioning of contaminated facilities, etc.

(3) The Commission may require the relevant nuclear energy-related business operator to bear the expenses incurred to take the measures referred to in paragraph (2).

(4) Where the Commission receives a report under paragraph (1), it shall review the details thereof and accept the report if it complies with this Act. <Newly Inserted on Jun. 10, 2022>

**Article 96 (Restriction on Handling of Nuclear Energy Utilization Facilities)** No person may allow a person under 18 years of age to handle nuclear energy utilization facilities or radioactive materials, etc.: Provided, That the same shall not apply where such person

handles such facilities or radioactive materials for the purpose of educational training, etc. which is recognized by the Commission.

**Article 97 (Reporting on Theft)** When there has occurred a theft, loss, fire, or other accident in connection with radiation generating devices or radioactive materials, etc. in his or her possession, a nuclear energy-related business operator shall report such fact to the Commission without delay.

**Article 98 (Reporting and Inspection)** (1) The Commission may, when deemed necessary for the enforcement of this Act, order any nuclear energy-related business operator, any dosimeter reading service provider, any business operator participating in construction or operation of a nuclear reactor and relevant facilities, or any person who deals with internationally controlled materials or is engaged in the relevant research, as prescribed by Presidential Decree, to report the business, submit documents or supplement any submitted documents.

(2) When necessary to confirm on the spot the contents reported or documents submitted pursuant to paragraph (1), when deemed especially necessary for the safety of nuclear energy utilization facilities, or when necessary to conduct various inspections under this Act, the Commission may have public officials under its control enter the relevant business place, factory, ship, research facilities, sites, etc. to inspect account books, documents, facilities and other necessary articles, make inquiries to the interested persons, and collect samples necessary for testing at a minimum quantity.

(3) When the Commission finds as a result of the inspection, etc. conducted pursuant to the provisions of paragraph (2) that there are matters contrary to this Act or international commitments, it may order the correction or supplementation thereof.

(4) Persons who are designated by the International Atomic Energy Agency or other persons who are designated by the government of a country involved in the supply of internationally controlled materials in accordance with international commitments may enter the business place, factory, ship, research facilities, sites, etc. of any person who deals with internationally controlled materials or is engaged in the relevant research to inspect account books, documents, facilities and other necessary articles, question relevant persons or collect a minimum quantity of samples necessary for testing under the supervision of public officials belonging to and designated by the Commission and within the scope

determined by international commitments.

(5) Any person designated by the International Atomic Energy Agency may install any facilities to monitor any movement of internationally controlled materials or attach the seal thereto within the limit prescribed by international commitments, under the supervision of public officials belonging to and designated by the Commission.

(6) The Commission may take a measure necessary to confirm any movement of, or manage any information on, internationally controlled materials, as prescribed by Presidential Decree.

(7) Any person who performs his or her duties to conduct any inspection or to monitor and confirm any movement of the internationally controlled materials pursuant to paragraphs (2) and (4) through (6) shall produce a certificate indicating his or her authority to the interested persons.

## CHAPTER X SUPPLEMENTARY PROVISIONS

**Article 99 (Conditions for Permit and License or Designation)** (1) Conditions necessary to secure safety may be attached to the Permit and License or designation granted under this Act.

(2) Conditions referred to in paragraph (1) shall be the minimum for the enforcement of this Act, and shall not impose unreasonable obligations upon a person who has obtained the permit and license or designation.

**Article 100 (Approval of Topical Reports)** (1) When a person intending to install and operate a nuclear reactor and relevant facilities, or a person participating in the construction and operation of a nuclear reactor and relevant facilities, applies for an approval of a topical report prescribed by Ordinance of the Prime Minister, the Commission may approve it.

<Amended on Mar. 23, 2013>

(2) Among the matters to be stated in the documents of application for the permit and license referred to in Articles 10 (2), 20 (2), 30 (2) and 30-2 (2), the matters approved in advance pursuant to paragraph (1) need not be stated. <Amended on May 21, 2014>

**Article 101 (Hearings)** When the Commission intends to impose a disposition falling under any of the following subparagraphs, it shall hold a hearing:

1. Cancellation of the permit and license or registration referred to in Article 17 (1), 24 (1), 32, 48, 57 (1), 66 (1) or 81;
2. Cancellation of the license or designation referred to in Article 38 (1);
3. Cancellation of license referred to in Article 86.

**Article 102 (Protection for Workers)** No nuclear energy-related business operator or dosimeter reading service provider may dismiss nor disadvantage any worker he or she employs on the ground that the worker has conducted any of the following: <Amended on May 21, 2014; Jun. 10, 2022>

1. Observing the operational technical guidelines referred to in Article 20 (2) or 30-2 (2), the safety management regulations referred to in Article 35 (3), 45 (2), 53 (3) or 63 (2), and the quality assurance plan with respect to dosimeter reading referred to in Article 78 (3);
2. Informing the Commission or heads of agencies delegated or entrusted with the authority of the Commission of the fact that the nuclear energy-related business operator or the dosimeter reading service provider has violated or is feared to violate any of the technical specifications, safety management regulations or quality assurance plans concerning the dosimeter reading service as referred to in subparagraph 1;
3. Testifying or submitting evidence to respond to inspections or investigations conducted under Articles 16 (including where it is applied mutatis mutandis in Article 34), 22 (including where it is applied mutatis mutandis in Article 34), 37, 47, 56, 61, 65, 77, 80 and 98;
4. Performing the duties of a radiation safety manager under Article 53-3 (1) 1 through 4, taking measures or making recommendations for radiation safety management under paragraph (5) of the same Article as a radiation safety manager or requesting measures or cooperation necessary for safety management under Article 59-2 (7) as such.

**Article 103 (Gathering Consensus from Residents)** (1) Where any of the following persons (hereafter referred to as "applicant" in this Article) prepares a radiological environmental impact assessment report under Article 10 (2) and (5), 20 (2), or 63 (2), he or she shall make the draft radiological environmental impact assessment report under paragraph (3) available to the public for inspection through online information disclosure or the provision to the relevant local government and shall gather consensus from residents within the

scope determined by the Commission by holding a public hearing, etc. to reflect such consensus in the radiological environmental impact assessment report. In such cases, he or she shall hold a public hearing, etc., if the head of a local government having jurisdiction over the area in which residents' consensus are to be gathered, or residents within the scope prescribed by Presidential Decree, so request: <Amended on Jan. 20, 2015; Dec. 22, 2020>

1. A person who intends to obtain a permit or approval pursuant to Article 10 (1) or (3);
2. A person who intends to obtain alteration to his or her license under the latter part of Article 20 (1) in order to continue operating his or her nuclear power reactor and relevant facilities after the design lifespan expires;
3. A person who intends to obtain a permit to construct and operate radioactive waste disposal facilities or spent nuclear fuel storage facilities pursuant to Article 63 (1).

(2) Where a person who intends to obtain approval pursuant to Article 28 (1) prepares a decommissioning plan prescribed in Article 28 (2), he or she shall make the draft decommissioning plan under paragraph (3) available to the public for inspection through online information disclosure or the provision to the relevant local government and shall gather consensus from residents within the scope determined by the Commission by holding a public hearing, etc. to reflect such consensus in the decommissioning plan. In such cases, he or she shall hold a hearing, etc. if the head of a local government having jurisdiction over the area in which residents' consensus are to be gathered, or residents within the scope prescribed by Presidential Decree, so request. <Newly Inserted on Jan. 20, 2015; Dec. 22, 2020>

(3) Where an applicant or a person who intends to obtain approval pursuant to Article 28 (1) intends to gather consensus from residents pursuant to paragraphs (1) and (2), he or she shall prepare a draft radiological environmental impact assessment report or a draft decommissioning plan in advance, as prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013; Jan. 20, 2015>

(4) Methods and procedures for gathering consensus from residents under paragraphs (1), (2), and (3), and other necessary matters, shall be prescribed by Presidential Decree. <Amended on Jan. 20, 2015>

(5) An applicant or a person who intends to obtain approval pursuant to Article 28 (1) shall bear expenses incurred in gathering consensus from residents under paragraphs (1) and

(2), as prescribed by Presidential Decree. <Amended on Jan. 20, 2015>

**Article 103-2 (Obligation to Disclose Information)** (1) The Commission shall fully disclose information prescribed by Presidential Decree, such as the results of evaluations concerning construction permits for and operating licenses of nuclear energy utilization facilities and the inspection findings of nuclear safety management to secure public safety: Provided, That the Commission need not disclose the information where disclosure would be likely to prejudice substantially significant national interests.

(2) Methods and procedures for disclosure of the information provided for in paragraph (1) and other necessary matters shall be prescribed by Presidential Decree.

[This Article Newly Inserted on Jun. 22, 2015]

**Article 104 (Preservation of Environment)** (1) Each installer and operator of the facilities falling under any of the following subparagraphs shall conduct the survey of radiation environment and the assessment of the impact of radiation on environment and report the results thereof to the Commission, as prescribed by Ordinance of the Prime Minister, and shall make them public within 30 days from the date of report: <Amended on Mar. 23, 2013; Dec. 8, 2020>

1. Nuclear power reactor;
2. Nuclear research reactor capable of generating thermal power of not less than 100 kilowatts;
3. Nuclear fuel cycle facilities;
4. Intermediate facilities for the storage of spent nuclear fuel;
5. Radioactive waste disposal facilities.

(2) The Commission shall conduct the survey of radiation environment at least once a year to ascertain the results of the survey of radiation environment and the assessment of the impact of radiation on environment under paragraph (1). <Amended on Dec. 8, 2020>

(3) When the Commission deems it is feared that there may be any adverse impact on nearby environment according to the result of the report as prescribed in paragraph (1) or the result of conducting inspection on radiation environment as prescribed in paragraph (2), it may order the installer and operator of facilities referred to in paragraph (1) to take necessary measures for the preservation of the environment.



(4) The Commission shall submit the results of conducting the survey of radiation environment under paragraph (2) to the competent standing committee of the National Assembly. <Newly Inserted on Dec. 8, 2020>

**Article 105 (Monitoring of Nationwide Radioactive Environment)** (1) In order to protect people's health and the environment from radiation by detecting any radioactive emergency situation at home and abroad at the early stage, the Commission shall monitor nationwide the radiation and radioactivity on environment as prescribed by Presidential Decree and assess the outcomes thereof, and may evaluate the impact of radiation on environment if any irregularities are found according to the results of such assessment. <Amended on Apr. 20, 2021>

(2) The Commission may establish and operate central and local radioactivity monitoring stations to systematically perform the affairs as prescribed in paragraph (1).

(3) Matters necessary for the establishment and operation of the radioactivity monitoring stations as referred to in paragraph (2) shall be prescribed by Ordinance of the Prime Minister. <Amended on Mar. 23, 2013>

**Article 105-2 (Surveys on Impact of Radiation on Health)** (1) In order to understand the impact of radiation use on the health of the people, the Commission may conduct a survey on the impact of radiation on the health of persons who have lived, or living, in an area withing the scope determined by the Commission, among areas adjacent to nuclear power reactors, research reactors (excluding research reactors with the thermal output of not more than two megawatts) and the related facilities, and that of radiation workers. <Amended on Aug. 10, 2021; Jun. 10, 2022>

(2) The Commission may request the relevant institutions to provide cooperation, such as the submission of the following information and data or the statement of opinions, if necessary to conduct a survey on the impact of radiation on health under paragraph (1). In such cases, the relevant institutions requested to provide cooperation shall comply with such request, unless there is a compelling reason not to do so: <Amended on Aug. 10, 2021>

1. Information on the resident registration entered in the resident registration cards under Article 7 of the Resident Registration Act;

2. Data on qualifications, medical treatment, health checkups, etc. managed by the National Health Insurance Service under Article 14 of the National Health Insurance Act;
3. Data on cancer registration statistics services under Article 14 of the Cancer Control Act and cancer information services under Article 15 of the same Act;
4. Data on occupations, diseases, causes of death, etc. among statistical data under subparagraph 4 of Article 3 of the Statistics Act;
5. Data on general health examinations under Article 129 of the Occupational Safety and Health Act and special health examinations under Article 130 of the same Act;
6. Data on the recognition of occupational accidents under the Industrial Accident Compensation Insurance Act;
7. Data on the use of aircrafts among immigration data under the Immigration Act;
8. Data on health examination records under Article 7-3 of the School Health Act;
9. Data on medical benefits under Article 7 of the Medical Care Assistance Act;
10. Other information and data deemed by the Commission as necessary for conducting a survey on the impact of radiation on health.

(3) A person who engages or engaged in the affairs related to surveys on the impact of radiation on health under paragraph (1) shall not divulge personal information or confidential information that he or she becomes aware of in the course of performing his or her duties or use such information for purposes other than official purposes.

[This Article Newly Inserted on Dec. 22, 2020]

**Article 106 (Education and Training)** (1) Nuclear energy-related business operators shall provide radiation workers and other persons having access to the radiation controlled areas with educational training, which are necessary for securing safety and for preventing radiation damage from the utilization of nuclear energy, as prescribed by Presidential Decree.

(2) Persons who hold a license pursuant to Article 84 shall undergo the refresher training conducted by the Commission, as prescribed by Presidential Decree.

(3) Nuclear energy-related business operators and nuclear energy-related research institutions shall require persons prescribed by Presidential Decree to receive education on nuclear control provided by the Commission, as prescribed by Ordinance of the Prime Minister. <Amended on Dec. 19, 2017>

**Article 107 (Importation and Exportation Procedures)** The Commission shall determine procedures for importation and exportation of nuclear reactors and relevant facilities, nuclear materials, radioisotopes, etc. in consultation with the Minister of Trade, Industry and Energy. <Amended on Mar. 23, 2013>

**Article 107-2 (International Cooperation)** (1) The Commission may develop and implement policies to facilitate international cooperation with international organizations, foreign governments or other institutions in order to promote nuclear safety and security.  
 (2) The Government may designate specialized assistance institutions to ensure efficient implementation of policies for international cooperation under paragraph (1) and pay them contributions or subsidies to cover all or some of the expenses incurred by them in conducting their assistance activities.  
 (3) Matters necessary for promoting international cooperation under paragraph (2), including the designation of and assistance to the specialized institutions, shall be prescribed by Presidential Decree.  
 [This Article Newly Inserted on May 21, 2014]

**Article 108 (Confidentiality)** Any member of the Commission, member of a specialized committee of the Nuclear Safety and Security Commission under Article 15 of the Act on the Establishment and Operation of the Nuclear Safety and Security Commission or any public official who conducts or has conducted the duties under this Act shall not divulge confidential information relating to nuclear energy which he or she has learned in the course of performing his or her duties, nor shall he or she use such confidential information for purposes other than the purposes of the enforcement of this Act.

**Article 109 (Allowances for Public Officials Related to Nuclear Safety and Security)** Research allowances, danger allowances or health allowances, in addition to remuneration and other allowances under the State Public Officials Act, may be paid to public officials engaged in nuclear safety and security, as prescribed by Presidential Decree.

**Article 110 (Compensation)** Any person who has suffered damage to his or her body or properties from radiation during nuclear utilization and safety control ensuing therefrom shall receive due compensation as prescribed by Presidential Decree.

**Article 110-2 (Payment of Monetary Rewards)** (1) The Commission may, within the budget limits, pay a monetary reward to any person who contributes to nuclear safety by reporting or informing any violation of this Act and providing supporting evidence.

(2) Matters necessary for the criteria, procedures, etc. for payment of monetary rewards under paragraph (1) shall be prescribed by Presidential Decree.

[This Article Newly Inserted on May 21, 2014]

**Article 110-3 (Mitigation or Remission of Punishment)** (1) If a person who has reported a violation of this Act is found to be involved in such violation, his or her punishment may be mitigated or remitted.

(2) Paragraph (1) shall apply mutatis mutandis to any disciplinary action taken by public institutions.

(3) No report on any violation of this Act shall be deemed to constitute any violation of the official duty to maintain confidentiality, notwithstanding relevant provisions of other Acts and subordinate statutes, collective agreements, employment regulations, etc.

[This Article Newly Inserted on May 21, 2014]

**Article 111 (Entrustment of Authority)** (1) The Commission may entrust its authority provided for in this Act over the following duties to the institution established under Article 5 (2), KINAC, the Safety Foundation and other relevant specialized institutions or administrative agencies, as prescribed by Presidential Decree: <Amended on May 21, 2014; Jan. 20, 2015; Dec. 22, 2015; Dec. 22, 2020; Jun. 10, 2022>

1. Safety examinations conducted in relation to authorization, permits, licenses and designation provided for in the former and latter parts of Article 10 (1), the former and latter parts of Article 12 (1), the former and latter parts of Article 20 (1), the former and latter parts of Article 30 (1), the former and latter parts of Article 35 (1) and the former part of Article 35 (2), the former and latter parts of Article 45 (1), the former and latter parts of Article 53 (1) and the former and latter parts of Article 63 (1);

2. Safety examinations conducted in relation to approval provided for in Article 10 (3) (including where such provisions shall apply mutatis mutandis under Article 69), the former and latter parts of Article 15 (1) (including where such provisions shall apply mutatis mutandis under Articles 29, 34, 44, 51 and 69), the former and latter parts of Article 28 (1) (including where such provisions shall apply mutatis mutandis under Article

- 34), the latter part of Article 35 (2), the former and latter parts of Article 42 (1), the former and latter parts of Article 60 (1), the former and latter parts of Article 68-3 (1), the former and latter parts of Article 68-4 (1), the former and latter parts of Article 76 (1), the former and latter parts of Article 77-2 (1), and Article 100 (1);
3. Research and establishment of the criteria and standards (including technical standards) provided for in subparagraphs 2 and 4 of Article 11 (including where such provisions shall apply mutatis mutandis under Article 30 (3)), subparagraphs 2 and 4 of Article 21 (including where such provisions shall apply mutatis mutandis under Article 30-2 (3)), subparagraph 3 of Article 36, subparagraph 3 of Article 46, Article 50 (1), Article 52 (2), subparagraphs 1 and 3 of Article 55 (1), Article 59 (1), Article 64 (1) 2, 4-2, and 5, Article 68 (1), Article 72 and subparagraph 2 of Article 79;
  4. Inspections, confirmations, and examinations provided for in Article 16 (1) (including where such provisions shall apply mutatis mutandis under Article 34), Article 22 (1) (including where such provisions shall apply mutatis mutandis under Article 34), the latter part of 28 (3) and paragraph (6) of the same Article (including where such provisions shall apply mutatis mutandis under Articles 34 and 44), Article 37 (1), Article 47 (1), the main clause of Article 56 (1), the main clause of Article 61 (1), the main clause of Article 65 (1), Article 75 (1), the main clause of Article 77 (1) and Article 80 (1);
  5. License examinations provided for in Article 87;
  6. Management of the information on internationally controlled materials provided for in Article 98 (6);
  7. Management of records and reports on exposure to radiation of those who are engaged in radiation work, which are read by dosimeter reading service providers pursuant to Articles 82 and 98 (1);
  8. Receipt of reports filed under the proviso of Article 10 (1), the proviso of Article 15 (1) (including where such provisions shall apply mutatis mutandis under Articles 29, 34, 44, 51 and 69), 15-2 (including where such provisions shall apply mutatis mutandis under Articles 29 and 34), the proviso of Article 20 (1), the proviso of Article 28 (1) (including where such provisions shall apply mutatis mutandis under Article 34), the proviso of Article 30 (1), the proviso of Article 30-2 (1), Article 33, the provisos of Article 35 (1) and (2), the proviso of Article 42 (1), Article 43 (including where such provisions shall apply mutatis mutandis under Articles 51, 62, 69 and 83), the proviso of Article 45 (1), Article

- 52 (1), the proviso of Article 53 (1) and paragraph (2) of that Article, Article 53-3 (1) and (3), Article 54 (2), the proviso of Article 60 (1), the proviso of Article 63 (1), the proviso of Article 68-3 (1), the proviso of Article 68-4 (1), Article 71, the proviso of Article 76 (1), the proviso of Article 77-2 (1), Article 78 (2) and Article 95 (1);
9. Implementation of supplementary educational training provided for in Article 106 (2) and implementation of the education on nuclear power control under paragraph (3) of the same Article;
10. Issuance of licenses provided for in Article 88 (1), expropriation and transfer of nuclear materials, etc. provided for in Article 93, reporting provided for in Articles 98 (1) and 104 (1), and duties related to importation and exportation provided for in Article 107;
11. Requests for submission and supplementation of documents provided for in Article 98 (1) within the extent necessary for performing the entrusted duties provided for in subparagraphs 1 through 8;
12. Safety examinations conducted in relation to registration provided for in Articles 54 (1) and 78 (1);
13. Surveys on radiation in the natural environment provided for in Article 104 (2), and the monitoring and assessment of the radiation and radioactivity on the natural environment provided for in Article 105 (1);
14. Safety examinations conducted in relation to periodic safety reviews provided for in Article 23 (1) (including where such provisions shall apply *mutatis mutandis* under Article 34 (1)) and Article 65-2 (1);
- 14-2. Prior examination of whether the permission criteria for a large-scale radiation generating device under Article 53-2 (1) are satisfied;
15. Surveys on the impact of radiation on health under Article 105-2;
16. Other affairs prescribed by Presidential Decree.
- (2) The Commission may provide a subsidy for the institutions entrusted with the authority pursuant to paragraph (1), where deemed necessary.
- (3) Deleted. <Jun. 22, 2015>
- (4) Deleted. <Jun. 22, 2015>
- (5) The head of each institution entrusted with the authority pursuant to paragraph (1) shall establish the regulations on the performance of entrusted duties to efficiently exercise entrusted authority and obtain approval from the Commission, as prescribed by

Presidential Decree. The same shall also apply to any amendment thereto.

(6) Deleted. <Jun. 22, 2015>

**Article 111-2 (Nuclear Safety Management Charges)** (1) The Commission may impose a nuclear safety management charge (hereinafter referred to as "charge") on, and collect the charge from, an applicant for any permit, designation, approval, registration, prior examination, or education or training pursuant to this Act, nuclear energy-related business operators or dosimeter reading service providers (hereinafter referred to as "nuclear energy-related business operators, etc.") for the smooth performance of the duties provided for in the subparagraphs of Article 111 (1). <Amended on Jun. 10, 2022>

(2) The amount of the charge and standards for calculation thereof shall be prescribed by Presidential Decree, taking into account the demand for nuclear safety management generated by each nuclear energy-related business operator, etc. and the demand for the protection of related facilities and the prevention of radioactivity.

(3) Methods and time of payment of the charge and other necessary matters shall be prescribed by Presidential Decree.

(4) The Commission shall consult with the heads of related central administrative agencies to revise any necessary matter in relation to the amount, standards for calculation, methods or time of payment of the charge.

[This Article Newly Inserted on Jun. 22, 2015]

**Article 111-3 (Compulsory Collection)** (1) Where any nuclear energy-related business operator, etc. fails to pay the charge within the payment deadline, the Commission shall demand the payment of such charges within seven days after the lapse of the payment deadline.

(2) Where any charge or charge in arrears is not paid by the payment deadline, a late-payment penalty shall be collected applying mutatis mutandis Article 47-4 of the Framework Act on National Taxes. <Amended on Aug. 27, 2019>

(3) A payment period that shall be between 10 days to 60 days shall be specified in a demand notice issued under paragraph (1).

(4) Where a person in receipt of a demand notice issued under paragraph (1) fails to pay the charge and late-payment penalty provided for in paragraph (2) within the specified deadline, the Commission may collect such charge and late-payment penalty in the same

manner as delinquent national taxes are collected.

[This Article Newly Inserted on Jun. 22, 2015]

**Article 111-4 (Financial Resources and Purposes of Nuclear Safety Regulation Account of Nuclear Energy Fund)** (1) The financial resources of the nuclear safety regulation account provided for in Article 17 (2) of the Nuclear Energy Promotion Act shall be as follows:

<Amended on Jun. 8, 2021>

1. Charges provided for in Article 111-2 (1) and late-payment penalties provided for in Article 111-3 (2);
2. Charges under Article 45-2 and additional charges under Article 45-3 of the Act on Physical Protection and Radiological Emergency;
3. Penalty surcharges and administrative fines collected under this Act and the Act on Measures for the Protection of Nuclear Facilities and Prevention of Radiation Disasters;
4. Indemnity fees provided for in Article 7 of the Act on Indemnity Agreements for Nuclear Damage Compensation;
5. Contributions from the Government;
6. Contributions and donations from persons other than the Government;
7. Money transferred from general accounts;
8. Gains generated by operating the nuclear safety regulation account;
9. Deposits received from the public capital management fund established under the Public Capital Management Fund Act;
10. Loans provided for in Article 17 (3) of the Nuclear Energy Promotion Act;
11. Other gains prescribed by Presidential Decree.

(2) The nuclear safety regulation account shall be used for any of the following purposes:

1. Safety management of nuclear energy utilization facilities;
2. Safety management for the prevention of damage caused by radiation and radioactive materials;
3. Nuclear control;
4. Protection of nuclear energy utilization facilities and prevention of radioactivity;
5. Installation and operation of facilities, tools, materials, equipment, and information system necessary for the purposes provided for in subparagraphs 1 through 4;
6. Research and development of nuclear safety to establish standards, procedures, guidelines, etc. necessary for the purposes provided for in subparagraphs 1 through 4;



7. Education and training of human resources pertaining to subparagraphs 1 through 4;
8. International cooperation pertaining to subparagraphs 1 through 4;
9. Compensation provided for in Article 9 of the Nuclear Damage Compensation Act;
10. Basic expenses necessary for the operation of the institution specialized in nuclear safety and security provided for in Article 5 and the KINAC provided for in Article 6;
11. Deposits received from the public capital management fund established under the Public Capital Management Fund Act and the repayment of the principal of and interest on the loans provided for in Article 17 (3) of the Nuclear Energy Promotion Act;
12. Other affairs related to the safety management of nuclear energy utilization facilities prescribed by Presidential Decree, safety management to prevent damage caused by radiation and radioactive materials, nuclear control, and protection of nuclear facilities, etc. and the prevention of radioactivity.

(3) The Commission may provide a grant or subsidy for any institution or organization that engages in any of the activities provided for in the subparagraphs of paragraph (2) to cover expenses incurred.

[This Article Newly Inserted on Jun. 22, 2015]

**Article 112 (Fees)** Each person who applies for the permit and license, designation, approval, license, registration or inspection under this Act shall pay fees as prescribed by Ordinance of the Prime Minister: Provided, That the Commission may exempt the payments of such fees for the State, local governments, schools established under the Elementary and Secondary Education Act, the Higher Education Act, and other Acts and subordinate statutes, and other institutions prescribed by Presidential Decree to which the Government pays contributions under this Act or other Acts. <Amended on Mar. 23, 2013>

## CHAPTER XI PENALTY PROVISIONS

**Article 113 (Penalty Provisions)** (1) Any person who damages human lives, bodies or property, or disturbed public safety and security by destructing a nuclear reactor shall be punished by a death sentence, life imprisonment, or imprisonment with prison labor for a limited term of at least three years.

(2) Any person who commits a crime referred to in paragraph (1) in time of war, natural disaster, or a state of emergency equivalent thereto shall be punished by a death sentence

or life imprisonment.

(3) A criminal attempt of the crimes referred to in paragraphs (1) and (2) shall be punished.

(4) Any person who prepares, conspires or agitates with intent to commit crimes referred to in paragraph (1) or (2) shall be punished by imprisonment with prison labor for a limited term of at least three years.

**Article 114 (Penalty Provisions)** (1) Any person who causes danger to human lives or bodies by improperly manipulating radioactive materials, etc., a nuclear reactor and relevant facilities, nuclear fuel cycle facilities or radiation generating devices shall be punished by imprisonment with prison labor for a term of at least one year, but not exceeding 10 years. <Amended on May 21, 2014>

(2) Any person who causes another person's death by committing the offense referred to in paragraph (1) shall be punished by imprisonment with prison labor for a limited term of at least three years.

**Article 115 (Penalty Provisions)** Any person in violation of Article 108 shall be punished by imprisonment with labor for a term not exceeding 10 years. <Amended on May 21, 2014>

**Article 116 (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 30 million won: <Amended on May 21, 2014; Dec. 22, 2020>

1. A person who engages in activities, such as use, possession, and operation of business, prescribed in each relevant Article without a permit and license, registration or designation, in violation of the former part of Article 10 (1) , the former part of Article 20 (1), the former part of Article 30 (1), the former part of Article 30-2 (1), the former part of Article 35 (1) and the former part of Article 35 (2), the former part of Article 45 (1), the former part of Article 53 (1), Article 54 (1), the former part of Article 63 (1) or 78 (1);
2. A person who violates any of the orders issued under Article 27 (including where it is applied mutatis mutandis in Article 34), 41, 50 (2), 68-2, or 92 (2);
3. A person who continues his or her business or duties in violation of an order to suspend such business or duties issued under Article 17 (1), 24 (1), 32, 38 (1), 48, 57 (1), 59-2 (3), 66 (1) or 81 (1);
4. A person who divulges any personal information or confidential information that he or she becomes aware of in the course of performing his or her duties to others or use

such information for purposes other than official purposes, in violation of Article 105-2 (3).

- Article 117 (Penalty Provisions)** Any of the following persons shall be punished by imprisonment with labor for up to one year, or by a fine not exceeding 10 million won, or by both: <Amended on May 21, 2014; Jan. 20, 2015; Dec. 22, 2020; Apr. 20, 2021>
1. A person who alters any term or condition of a permit or license or designation without obtaining a permit or approval for such alteration, in violation of the latter part of Article 10 (1), the latter part of Article 20 (1), the latter part of Article 30 (1), the latter part of Article 30-2 (1), the latter parts of Article 35 (1) and (2), the latter part of Article 45 (1), the latter part of Article 53 (1), or the latter part of Article 63 (1);
  2. A person who fails to obtain approval, in violation of Article 10 (4) (including cases applied mutatis mutandis in Article 69), the former part of Article 15 (1) (including cases applied mutatis mutandis in Articles 29, 34, 44, 51 and 69), Article 26 (6) (including cases applied mutatis mutandis in Article 34), the former part of Article 28 (1) (including cases in which such provision applies mutatis mutandis in Article 34), the former part of Article 42 (1), the former part of Article 60 (1), the former part of Article 68-3 (1), the former part of Article 68-4 (1), the former part of Article 76 (1), or the former part of Article 111 (5);
  3. A person who fails to undergo an inspection, in violation of Article 16 (1) (including cases in which such provision applies mutatis mutandis in Article 34), 22 (1) (including cases in which such provision applies mutatis mutandis in Article 34), 37 (1), 47 (1), 56 (1), 65 (1), 75 (1), 77 (1), 77-3 (1), or 80 (1), or who refuses, interferes with or evades an inspection conducted under Article 98 (2) and (4), or makes a false statement;
  4. A person who enters or resides in a restricted area, in violation of the restriction order issued under Article 89 (2), or violates paragraph (5) of the same Article;
  5. A person who violates any of the orders issued under Article 31 (3), 52 (3), 59 (2), 59-2 (2), or 98 (1) and (3);
  6. A person who violates Article 70 (1) or (2), 77 (2), or 77-3 (2), the main clause of Article 84 (1), or Article 94, 96, or 97;
  7. A person who fails to report or files a false report, in violation of Article 15-3 (including cases in which such provision applies mutatis mutandis in Articles 29 and 34), 15-4 (2), 74 (2), 92 (1), 92-2, 98 (1), or 104 (1).

**Article 118 (Penalty Provisions)** Any of the following persons shall be punished by a fine not exceeding three million won: <Amended on May 21, 2014; Jan. 20, 2015; Dec. 22, 2020; Apr. 20, 2021>

1. A person who violates any of the orders issued under Article 15-4 (3), 16 (2) (including cases in which such provision applies mutatis mutandis in Article 34), 22 (2) (including cases in which such provision applies mutatis mutandis in Article 34), 23 (2) (including cases in which such provision applies mutatis mutandis in Article 34 (1)), 28 (7) (including cases in which such provision applies mutatis mutandis in Articles 34, 44, and 68-3 (3)), 37 (2), 47 (2), 56 (2), 65 (2), 65-2 (2), 68-4 (4), 75 (2), or 104 (3);
2. A person who violates Article 23 (1) (including cases applied mutatis mutandis in Article 34 (1)), Article 26 (1) through (5) (including cases applied mutatis mutandis in Article 34), 40 (1), 65-2 (1), 68 (1), 88 (2), or 102;
3. A person who alters any term or condition of approval without obtaining approval for such alteration, in violation of the latter part of Article 15 (1) (including cases in which such provision applies mutatis mutandis in Articles 29, 34, 44, 51, and 69), the latter part of Article 28 (1) (including cases in which such provision applies mutatis mutandis in Article 34), the latter part of Article 68-3 (1), or the latter part of Article 68-4 (1);
4. A person who fails to provide safe working conditions, in violation of Article 59-2 (1);
5. A person who fails to report, in violation of Article 59-2 (6), or files a false report;
6. A person who violates any term or condition of the permit, license, or designation imposed under Article 99 (1).

**Article 119 (Administrative Fines)** (1) Any of the following persons shall be subject to an administrative fine not exceeding 30 million won: <Amended on May 21, 2014; Oct. 24, 2017; Dec. 19, 2017; Aug. 14, 2018; Dec. 22, 2020; Jun. 10, 2022>

1. A person who fails to report or files a false report in violation of the proviso of Article 10 (1), the proviso of Article 15 (1) (including where it is applied mutatis mutandis in Articles 29, 34, 44, 51 and 69), Article 15-2 (including where it is applied mutatis mutandis in Articles 29 and 34), Article 19 (3) (including where it is applied mutatis mutandis in Articles 29, 34, 44, 51, 62, 69 and 83), the proviso of Article 20 (1), the proviso of Article 28 (1) (including where it is applied mutatis mutandis in Article 34), the proviso of Article 30 (1), the proviso of Article 30-2 (1), Article 31 (1) or 33, the provisos of Article 35 (1) and (2), the proviso of Article 42 (1), Article 43 (including where it is

applied mutatis mutandis in Articles 51, 62, 69 and 83), the proviso of Article 45 (1), Article 52 (1), the proviso of Article 53 (1) and paragraph (2) of that Article, Article 53-3 (1) and (3), Article 54 (2), the proviso of Article 60 (1), the proviso of Article 63 (1), the proviso of Article 68-3 (1), the proviso of Article 68-4 (1), Article 71, the proviso of Article 76 (1), the proviso of Article 77-2 (1), or Article 78 (2) or 95 (1);

2. A person who violates any of Article 40 (2), 50 (1) and (3), 52 (2), 53-3 (4) and (5), 59 (1) and (3), 59-2 (7), 61, 68 (2), 70 (3) and (4), 72, 73, 74 (1), 91 or 106 (1);
3. A person who fails to make records or makes false records in violation of Article 18 (including where it is applied mutatis mutandis in Article 34), 25 (including where it is applied mutatis mutandis in Article 34), 39, 49, 52 (4), 58, 67 or 82;
4. A person who violates any of the orders issued under Article 80 (2);
5. A person who alters the approved matters without obtaining approval for such alteration, in violation of the latter part of Article 28 (1) (including where it is applied mutatis mutandis in Article 34), the latter part of Article 42 (1), the latter part of Article 60 (1), the latter part of Article 76 (1), the latter part of Article 77-2 (1), or the latter part of Article 111 (5);
6. A person who forges or fabricates any document regarding performance testing referred to in Article 15-2;
7. A person who fails to appoint a person acting on behalf, in violation of Article 53-3 (6);
8. A person who fails to require a specified person to receive education, in violation of Article 106 (3).

(2) Administrative fines referred to in paragraph (1) shall be imposed and collected by the Commission, as prescribed by Presidential Decree. <Amended on May 21, 2014>

(3) Deleted. <May 21, 2014>

**Article 120 (Joint Penalty Provisions)** (1) When a representative of a corporation, or an agent, employee or other servant of the corporation or an individual commits an offense referred to in any of Articles 113 through 115 in connection with the business of the corporation or the individual, not only shall the offender be punished, but the corporation or the private individual also shall be punished by a fine not exceeding 100 million won: Provided, That the same shall not apply where such corporation or individual has not been negligent in giving due attention and supervision concerning the relevant duties to prevent such offense.

(2) When a representative of a corporation, or an agent, employee or other servant of the corporation or an individual commits an offense referred to in any of Articles 116 through 118 in connection with the business of the corporation or the individual, not only shall the offender be punished, but the corporation or the individual shall also be punished by a fine prescribed in the relevant Articles: Provided, That the same shall not apply where such corporation or the private individual has not been negligent in giving due attention and supervision concerning the relevant duties to prevent such offense.

**Article 121 (Legal Fiction as Public Officials in Application of Penalty Provisions)** Any person who falls under any of the following subparagraphs shall be deemed a public official in applying the penalty provisions of the Criminal Act and other Acts: <Amended on May 21, 2014>

1. A person who is engaged in performance testing at a performance testing institute;
2. A person who is engaged in performance test management at a performance test management institution;
3. An executive officer or employee of an institution or relevant specialized institution that is engaged in duties entrusted pursuant to Article 111.