

This translation of Korea's labor laws is intended mainly as a convenience to the non-Korean-reading public. If any questions arise related to the accuracy of the information contained in the translation, please refer to the official Korean version of the laws. Any discrepancies or differences created in the translation are not binding and have no legal effect for compliance or enforcement purposes.

** This Decree reflects only the amendments made until June 30, 2015*

ENFORCEMENT DECREE OF THE CERTIFIED LABOR AFFAIRS CONSULTANT ACT

Presidential Decree No. 11730, Jul. 25, 1985

Amended by Presidential Decree No. 12157, May 15, 1987
Presidential Decree No. 12282, Dec. 1, 1987
Presidential Decree No. 12306, Dec. 9, 1987
Presidential Decree No. 13169, Nov. 29, 1990
Presidential Decree No. 14628, Apr. 15, 1995
Presidential Decree No. 14977, Apr. 12, 1996
Presidential Decree No. 15781, Apr. 27, 1998
Presidential Decree No. 16243, Apr. 9, 1999
Presidential Decree No. 17193, Apr. 9, 2001
Presidential Decree No. 18312, Mar. 17, 2004
Presidential Decree No. 19367, Mar. 2, 2006
Presidential Decree No. 19513, Jun. 12, 2006
Presidential Decree No. 19848, Jan. 24, 2007
Presidential Decree No. 20171, Jul. 18, 2007
Presidential Decree No. 20485, Dec. 28, 2007
Presidential Decree No. 20681, Feb. 29, 2008
Presidential Decree No. 21087, Oct. 20, 2008
Presidential Decree No. 21928, Dec. 30, 2009
Presidential Decree No. 22151, May 4, 2010
Presidential Decree No. 22269, Jul. 12, 2010
Presidential Decree No. 22467, Nov. 2, 2010
Presidential Decree No. 22501, Nov. 19, 2010
Presidential Decree No. 22516, Dec. 7, 2010
Presidential Decree No. 22716, Mar. 22, 2011
Presidential Decree No. 23488, Jan. 6, 2012
Presidential Decree No. 23759, May 1, 2012
Presidential Decree No. 24447, Mar. 23, 2013
Presidential Decree No. 25840, Dec. 9, 2014

Article 1 (Purpose)

The purpose of this Decree is to prescribe matters delegated by the Certified Labor Affairs Consultant Act and those necessary for the enforcement thereof. *<Amended by Presidential Decree No. 20485, Dec. 28, 2007>*

Article 2 (Scope of Labor-Related Acts and Subordinate Statutes)

The scope of labor-related Acts and subordinate statutes under Article 2 (3) of the Certified Labor Affairs Consultant Act (hereinafter referred to as "Act"), which are related to the duties of a certified labor affairs consultant, shall be as specified in attached Table 1.

<This Article Wholly Amended by Presidential Decree No. 22501, Nov. 19, 2010>

Article 2-2 Deleted. <Presidential Decree No. 17193, Apr. 9, 2001>

Article 3 Deleted. <Presidential Decree No. 17193, Apr. 9, 2001>

Article 4 (Examination Method)

(1) The first examination of the qualification examination for certified labor affairs consultants under Article 3-2 of the Act (hereinafter referred to as "examination") shall be a multiple-choice test in principle, but may include write-out answer questions.

(2) The second examination shall be an essay test in principle, but may include short-answer questions.

(3) The third examination shall be an interview test and evaluate the following matters:

1. Mental attitude, such as one's view of the state and sense of mission
2. Specialized knowledge and application ability;
3. Manners and conduct and integrity;
4. Accuracy and logicity in terms of communication skills.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 5 (Examination Procedure)

Any person who fails to pass the first examination shall not apply for the second examination and any person who fails to pass the second examination shall not apply for the third examination.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 6 (Examination Subjects, etc.)

(1) The subjects and subject-wise mark allocation of the first and second examinations shall be as specified in attached Table 2.

(2) Scores for English, one of the subjects of the first examination under paragraph (1), shall be substituted by those obtained on any English proficiency test prescribed in attached Table 3 (hereinafter in this Article referred to as "English test"), which is administered after January 1st of the year to which the date exactly two years back from the announcement date of the examination belongs.

(3) A person who intends to apply for the examination shall submit his/her English test score report, along with an application.

<This Article Wholly Amended by Presidential No. 22501, Nov.

19, 2010>

Article 7 (Partial Exemption from Examination)

(1) "Some subjects prescribed by the Presidential Decree" in the parts other than each subparagraph of Article 3-3 (1) of the Act refers to labor law among the subjects of the second examination under Article 6 (1).

(2) Pursuant to Article 3-3 (2) of the Act, any person whose experience falling under any of the following subparagraphs adds up to 10 years or more shall be exempted from labor law I and labor law II among the subjects of the first examination under Article 6 (1):

1. Experience of working as a public official under Article 7-2;
2. Experience of working as a public official directly engaged in business affairs concerning the enforcement of any labor-related Act and subordinate statute referred to in Table 1 in a local government or as a maritime labor inspector of the Ministry of Oceans and Fisheries (including the Korea Maritime and Port Administration before August 7th, 1996, the Ministry of Maritime Affairs and Fisheries before February 28th, 2008 and the Ministry of Land, Transport and Maritime Affairs before March 22nd, 2013);
3. Experience of working as a full-time union official under Article 24 (2) of the Trade Union and Labor Relations Adjustment Act in a trade union with 100 members or more, which is an enterprise-level trade union, an industry-level organization or a federation under Article 10 (1) and (2) of the same Act;
4. Experience of working as a person fully in charge of managing labor affairs in a business or workplace ordinarily employing 300 workers or more;
5. Experience of working as a person fully in charge of providing guidance to member companies on the management of labor affairs in an employers' organization recognized by the Minister of Employment and Labor.

(3) A person who intends to be exempted from part of examinations pursuant to paragraphs (1) and (2) shall apply for exam exemption, as prescribed by the Ordinance of the Ministry of Employment and Labor.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 7-2 (Scope of Public Officials)

The scope of public officials engaged in labor administration under Article 3-3 (3) of the Act shall be public officials who have worked in the Ministry of Employment and Labor (including the Labor Administration before April 7th, 1981 and the Labor Bureau of the Ministry of Health and Social Affairs before August 31st, 1963) and its affiliated institutions, the National Labor Relations Commission or the Regional Labor Relations Commissions.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 8 (Examination Committee)

(1) A certified labor affairs consultant examination committee (hereinafter referred to as "committee") shall be set up to deliberate on the following matters whenever the examination is administered:

1. Making of exam questions and exam-marking;
2. Determination of successful candidates;
3. Other matters submitted to a meeting by the chairperson of the committee in regard to the examination.

(2) The committee shall be composed of examiners commissioned by the president of the Human Resources Development Service of Korea under the Act on the Human Resources Development Service of Korea (hereinafter referred to as "HRD Korea") and the Minister of Employment and Labor.

(3) The president of the HRD Korea shall be the chairperson of the committee.

(4) Examiners shall be commissioned separately for each of the first, second and third examinations from among persons with plenty of knowledge and experience related to the duties of a certified labor affairs consultant, and the number of examiners for the first and second examinations shall be three or more per subject and the number of examiners for the third examination shall be three or more.

(5) Matters necessary for the operation of the committee, other than those provided for in subparagraphs (1) through (4), shall be determined by the chairperson after a decision by the committee.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 9 (Payment of Examination Allowances)

Examiners commissioned pursuant to Article 8 (2) and persons engaged in managing and supervising the examination may be paid allowances within the limits of the budget.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 10 (Administration and Announcement of Examination)

(1) The examination shall be administered at least once every year.

(2) The Minister of Employment and Labor shall announce the application qualifications, examination subjects, date and time, place and application procedures of the examination and other matters necessary for the examination in daily newspapers at least 90 days prior to the date of examination so that prospective applicants can know them. *<Amended by Presidential Decree No. 23759, May 1, 2012>*

(3) The Minister of Employment and Labor may determine and announce the minimum number of successful candidates to be selected in the second examination, in view of the supply and demand of certified labor affairs consultants, etc., after deliberation by the Certified Labor Affairs Consultant Qualification Deliberation Committee under Article 3-4 of the Act (hereinafter referred to as "Deliberation Committee").

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 11 (Applications and Fees)

(1) A person who intends to apply for the examination shall submit an application, as prescribed by the Ordinance of the Ministry of Employment and Labor.

(2) When submitting an application pursuant to paragraph (1), the person shall pay the HRD Korea the amount of fee determined as prescribed by the Ordinance of the Ministry of Employment and Labor either in cash or by means of electronic currency, electronic settlement, etc., using an information and communications network. *<Amended by Presidential Decree No. 22716, Mar. 22, 2011>*

(3) The president of the HRD Korea shall refund all or part of the fee in cases prescribed by the Ordinance of the Ministry of Employment and Labor, such as where a person who has paid a fee pursuant to paragraph (2) has paid that fee in excess or in error or withdraws his/her application within a certain period before the date of examination. *<Amended by Presidential Decree No. 22716, Mar. 22, 2011>*

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 12 (Determination and Announcement of Successful Candidates)

(1) Successful candidates in the first examination shall be those who score not less than 40 marks in each subject and an average of not less than 60 marks in all subjects excluding English, and successful candidates in the second examination shall be those who score not less than 40 percent of the full marks in each subject and not less than 60 percent of the total full marks in all subjects together: Provided, That where the number of those who score not less than 40 percent of the full marks in each subject and not less than 60 percent of the total full marks in all subjects together in the second examination falls short of the minimum number of successful candidates under Article 10 (3), additional successful candidates whose number shall not exceed the shortfall shall be determined on the basis of the aggregate marks across all subjects ranked in descending order, from among those who score not less than 40 percent of the full marks in each subject.

(2) In determining successful candidates pursuant to the proviso to paragraph (1) in regard to those exempted from some of the subjects of the second examination pursuant to Article 3-3 (1) of the Act, marks calculated by multiplying the sum of the marks for each subject of a person scoring not less than 40 percent of the full marks in each subject by 1.5 shall be deemed his/her aggregate marks across all subjects.

(3) In determining successful candidates pursuant to the proviso to paragraph (1) and paragraph (2), if the minimum number of successful candidates to be selected in the second examination is exceeded due to those who score the same marks, all of those who score the same marks shall be determined as successful candidates. In such cases, the marks of those who score the same marks shall be rounded off to the nearest hundredth, leaving two digits after the decimal point.

(4) In the third examination, applicants shall be rated as "good" (3 points), "moderate" (2 points) or "poor" (1 point) on each evaluation element of the interview test under each subparagraph of Article (3) with 12 points being the perfect score, and those whose rating given by each examiner is not lower than "moderate" (8 points) on average shall be determined as successful candidates: Provided, That where a majority of examiners rate an applicant as "poor" on the same evaluation element, the applicant shall be rejected.

(5) When final successful candidates have been determined, the Minister of Employment and Labor shall announce their list in a manner that all applicants can know, and notify the successful candidates of the fact that they have passed the

examination.

(6) The detailed method of calculating examination scores and other matters necessary for determination of successful candidates shall be prescribed by the Ordinance of the Ministry of Employment and Labor. <Newly Inserted by Presidential Decree No. 22716, Mar. 22, 2011>

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 13 Deleted. <Presidential Decree No. 20485, Dec. 28, 2007>

Article 14 (Issuance of Qualification Certificates)

The Minister of Employment and Labor shall issue a qualification certificate for certified labor affairs consultant to a person who qualifies as a certified labor affairs consultant pursuant to Article 3 of the Act, as prescribed by the Ordinance of the Ministry of Employment and Labor.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 14-2 (Composition of Certified Labor Affairs Consultant Qualification Deliberation Committee)

(1) The Deliberation Committee shall be composed of not more than 11 members including one chairperson.

(2) A public official assigned to the position at the highest grade level from among general public officials belonging to the Senior Civil Service who are in charge of business affairs concerning certified labor affairs consultants in the Ministry of Employment and Labor shall be the chairperson of the Deliberation Committee and the following persons shall be its members:

1. A person designated by the Minister of Employment and Labor from among public officials of Grade III or higher or general public officials belonging to the Senior Civil Service in the Ministry of Employment and Labor;
2. A person commissioned by the Minister of Employment and Labor from among those falling under any of the following items:
 - A. A person who is serving or served as an associate professor or in a higher position in the field of labor economics or labor law or any other field related thereto at a school under Article 2 of the Higher Education Act;
 - B. A person recommended by a trade union which is a federation under Article 10 (2) of the Trade Union and Labor Relations Adjustment Act;
 - C. A person recommended by an employers' organization

with nationwide reach;

D. A person recommended by a non-profit non-governmental organization under Article 2 of the Assistance for Non-Profit Non-Governmental Organizations Act;

E. A person who has plenty of knowledge and experience about labor-related Acts and subordinate statutes and is recommended by the Certified Labor Affairs Consultant Association under Article 24 of the Act (hereinafter referred to as "Certified Labor Affairs Consultant Association");

F. Any other person who has plenty of knowledge and experience about labor-related Acts and subordinate statutes.

(3) The term of office of a member commissioned by the Minister of Employment and Labor shall be three years.

(4) The Deliberation Committee shall have one secretary to manage the business affairs of the Deliberation Committee, and the secretary shall be designated by the chairperson of the Deliberation Committee from among the public officials of the Ministry of Employment and Labor.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 14-3 (Meetings of Deliberation Committee)

(1) Any decision at meetings of the Deliberation Committee shall be made with the attendance of a majority of all members and with the approval of a majority of those present.

(2) Matters necessary for the operation, etc., of the Deliberation Committee, other than those provided for in this Decree, shall be determined by the chairperson after a decision by the Deliberation Committee.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 14-4 (Allowances, etc., for Members)

Members who attend the Deliberation Committee may be paid allowances and travel expenses within the limits of the budget: Provided, That this shall not apply to cases where a member who is a public official attends the Deliberation Committee in direct relation to his/her duties.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 15 (Procedure for Registering Commencement of Duties)

(1) A person who intends to register commencement of duties

pursuant to Article 5 (1) of the Act shall submit an application for registration of commencement of duties to the Minister of Employment and Labor, as prescribed by the Ordinance of the Ministry of Employment and Labor.

(2) Upon receipt of an application for registration under paragraph (1), the Minister of Employment and Labor shall enter the following matters in the register of certified labor affairs consultants commencing their duties and issue a registration certificate to the applicant:

1. Address, name and resident registration number of the certified labor affairs consultant;
2. Name and location of the office;
3. Registration number;
4. Other matters prescribed by the Ordinance of the Ministry of Employment and Labor.

(3) When matters registered under paragraph (2) have been altered or business has been suspended, the certified labor affairs consultant shall notify the Minister of Employment and Labor thereof without delay.

(4) If a registration certificate issued pursuant to paragraph (2) has been lost or worn out and unable to be used or if any alteration in registered matters has been notified pursuant to paragraph (3), the certified labor affairs consultant shall be issued with a registration certificate again, as prescribed by the Ordinance of the Ministry of Employment and Labor.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 16 (Training)

(1) The period of training for certified labor affairs consultants under Article 5-2 (1) of the Act shall be at least six months but not more than one year.

(2) Training under paragraph (1) shall be provided by any organization, institution or university prescribed by the Ordinance of the Ministry of Employment and Labor (hereinafter referred to as "training institution") from among institutions which meet the criteria for designated training institutions under Article 18.

(3) Training shall consist of job training and in-service training as prescribed by the Ordinance of the Ministry of Employment and Labor.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 17 (Refresher Training)

(1) Refresher training under Article 5-2 (2) of the Act shall

consist of training concerning the duties of a certified labor affairs consultant (hereinafter referred to as "specialized training") and training concerning professional ethics (hereinafter referred to as "ethics training").

(2) Refresher training under paragraph (1) shall be for eight hours annually and include one hour or more of ethics training.

<This Article Newly Inserted by Presidential No. 22501, Nov. 19, 2010>

Article 18 (Criteria, etc., for Designated Training Institutions)

(1) Pursuant to Article 5-2 (3) of the Act, the Minister of Employment and Labor shall designate a training institution from among non-profit corporations, public institutions under Article 4 (1) of the Act on the Management of Public Institutions and universities under subparagraph 1 of Article 2 of the Higher Education Act, which meet all of the following requirements:

1. It shall have a lecture room that can hold 50 people or more;
2. It shall be deemed to have training capacity as it has at least three workers with specialized knowledge and experience in the field of employment and labor.

(2) Application for designation of training institutions, designation procedure and other necessary matters shall be prescribed by the Ordinance of the Ministry of Employment and Labor.

<This Article Newly Inserted by Presidential No. 22501, Nov. 19, 2010>

Article 19 (Joint Office)

If a certified labor affairs consultant who has registered pursuant to Article 5 (1) of the Act (hereinafter referred to as "practicing labor affairs consultant") intends to establish a joint office under Article 7 (1) of the Act, he/she shall prepare rules on the operation of the joint office and report them to the Minister of Employment and Labor, as prescribed by the Ordinance of the Ministry of Employment and Labor.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 19-2 (Application for Authorization for Establishment of Labor Consulting Corporation)

(1) A person who intends to obtain authorization for the establishment of a labor consulting corporation under the former part of Article 7-4 (1) of the Act shall submit to the Minister of Employment and Labor an application for authorization for establishment of labor consulting corporation, along with the

following documents, as prescribed by the Ordinance of the Ministry of Employment and Labor:

1. Articles of incorporation;
2. Business plans and budgetary documents;
3. Other documents determined by the Minister of Employment and Labor.

(2) When the Minister of Employment and Labor has granted authorization for the establishment of a labor consulting corporation under the former part of Article 7-4 (1) of the Act, he/she shall enter the following matters in the register of authorized labor consulting corporations and issue a certificate of authorization for establishment of labor consulting corporation to the applicant:

1. Authorization number and year and date of authorization;
2. Name of the labor consulting corporation;
3. Locations of the principal and branch offices;
4. Names and addresses of members;
5. Other matters deemed necessary by the Minister of Employment and Labor.

(3) If the Minister of Employment and Labor has issued a certificate of authorization for establishment of labor consulting corporation to an applicant pursuant to paragraph (2), he/she shall notify the Certified Labor Affairs Consultant Association thereof.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 19-3 (Application for Authorization for Modification of Articles of Incorporation of Labor Consulting Corporation)

(1) A person who intends to obtain authorization for modification of the articles of incorporation of a labor consulting corporation pursuant to the latter part of Article 7-4 (1) of the Act shall submit to the Minister of Employment and Labor an application for authorization for modification of articles of incorporation, along with the following documents, as prescribed by the Ordinance of the Ministry of Employment and Labor:

1. A statement of reasons for the modification of the articles of incorporation;
2. Proposed modifications to the articles of incorporation;
3. A copy of the minutes of the labor consulting corporation's general meeting of members on the modification of the articles of incorporation.

(2) When the Minister of Employment and Labor has granted authorization for modification of the articles of

incorporation of a labor consulting corporation under paragraph (1), he/she shall enter the meanings thereof in the register of authorized labor consulting corporations and issue a certificate of authorization for modification of articles of incorporation of labor consulting corporation to the applicant.

(3) Article 19-2 (3) shall apply mutatis mutandis with regard to authorization for modification of the articles of incorporation of a labor consulting corporation.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 19-4 (Matters to be Entered in Articles of Incorporation)

"Matters prescribed by the Presidential Decree" in Article 7-4

(2) 7 of the Act refers to the following matters:

1. Matters concerning members representing the labor consulting corporation;
2. Matters concerning restrictions on the rights and duties of members executing the business of the labor consulting corporation;
3. Matters concerning general meetings of members.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 19-5 (Registration of Establishment of Labor Consulting Corporation)

(1) Registration of the establishment of a labor consulting corporation under Article 7-4 (3) of the Act shall be applied for at the seat of the principal office of the labor consulting corporation within 14 days from the date on which the certificate of authorization for establishment under Article 19-2 (2) is obtained.

(2) The registration under paragraph (1) shall include the following matters;

1. Purpose;
2. Name;
3. Names and addresses of members;
4. Locations of the principal and branch offices;
5. Types of contributions by members and in the case of property contribution, the price and contributed parts of the property;
6. Period of existence or other grounds for dissolution if such period or grounds are determined;
7. Names of members representing the labor consulting corporation if such members are determined.

(3) Registration of a labor consulting corporation shall be

applied for collectively by all members and an application therefor shall be accompanied by the following documents:

1. Articles of incorporation;
2. Certificate of authorization for establishment of labor consulting corporation;
3. Documents attesting contributed parts in relation to property contribution.
- (4) In regard to the contents of registration of establishment under paragraph (1), the Minister of Employment and Labor shall confirm the certified transcript of corporate register through the sharing of administrative information under Article 36 (1) of the Electronic Government Act.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 19-6 (Registration of Establishment of Branch Offices, etc.)

(1) Articles 181 through 183 of the Commercial Act shall apply mutatis mutandis with regard to registration of the establishment of a branch office by a labor consulting corporation, registration of the relocation of its principal or branch office and registration of changes to matters falling under any subparagraph of Article 19-5 (2), and if there is any matter to be authorized by the Minister of Employment and Labor, the registration period shall be counted from the date on which the certificate of authorization is obtained.

(2) If pursuant to paragraph (1), the registration period is counted from the date on which the certificate of authorization is obtained as there is a matter to be authorized by the Minister of Employment and Labor, the application for registration shall be accompanied by the certificate of authorization.

(3) In regard to the contents of registration under paragraph (1), the Minister of Employment and Labor shall confirm the certified transcript of corporate register through the sharing of administrative information under Article 36 (1) of the Electronic Government Act.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 19-7 (Mutatis Mutandis Application)

Article 3, Article 4, Article 5 (2) and (3), Articles 6 through 15, Articles 17 through 29, Article 56, Articles 58 through 73, Articles 114 through 128 and Article 131 of the Commercial Registration Act shall apply mutatis mutandis with regard to registration of labor consulting corporations, except for matters provided for in the Act and this Decree.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 19-8 Deleted. *<Presidential Decree No. 22501, Nov. 11, 2010>*

Article 19-9 Deleted. *<Presidential Decree No. 16243, Apr. 9, 1999>*

Article 20 Deleted. *<Presidential Decree No. 20485, Dec. 28, 2007>*

Article 20-2 (Subscription to Guarantee Insurance)

(1) Pursuant to Article 12-4 of the Act, a labor consulting corporation or practicing labor affairs consultant shall take out guarantee insurance worth 100 million won or more within 15 days after authorization for the establishment of the labor consulting corporation is obtained and guarantee insurance worth 20 million won or more per practicing labor affairs consultant within 15 days after the establishment of the office or joint office is reported, respectively, and submit evidentiary documents thereon to the Certified Labor Affairs Consultant Association.

(2) A labor consulting corporation or practicing labor affairs consultant shall, if the guarantee period has expired after subscription to guarantee insurance, take out guarantee insurance again no later than the date of expiration and submit evidentiary documents thereon to the Certified Labor Affairs Consultant Association.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 20-3 (Payment, etc., of Guarantee Insurance Money)

(1) If a client intends to receive guarantee insurance money as damages, he/she shall submit to the Certified Labor Affairs Consultant Association an agreement on compensation for damage between the client and the labor consulting corporation or practicing labor affairs consultant, a conciliation protocol, a copy of the final and conclusive court judgment and other documents having an effect equivalent thereto, along with an application prescribed by the Ordinance of the Ministry of Employment and Labor. In such cases, the Certified Labor Affairs Consultant Association shall issue a confirmation of reasons for payment of guarantee insurance money prescribed by the Ordinance of the Ministry of Employment and Labor without delay.

(2) When a labor consulting corporation or practicing labor affairs consultant has made compensation for damage with guarantee insurance money, it/he/she shall take out guarantee insurance again within 15 days.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 20-4 Deleted. *<Presidential Decree No. 22501, Nov. 19, 2010>*

Article 20-5 (Composition of Disciplinary Committee)

(1) The Disciplinary Committee for Certified Labor Affairs Consultants under Article 20-2 (2) of the Act (referred to as "Disciplinary Committee") shall be composed of seven members including one chairperson.

(2) A person designated by the Minister of Employment and Labor from among general public officials belonging to the Senior Civil Service in the Ministry of Employment and Labor shall be the chairperson of the Disciplinary Committee (hereinafter referred to as "chairperson of the Disciplinary Committee") and the following persons shall be the other members:

1. Each person designated by the Minister of Government Legislation and the chairperson of the National Labor Relations Commission from among public officials of Grade III or higher or general public officials belonging to the Senior Civil Service in those institutions;
2. Two persons designated by the Minister of Employment and Labor from among public officials of Grade III or higher or general public officials belonging to the Senior Civil Service in the Ministry of Employment and Labor;
3. One person designated by the Minister of Justice from among those who qualify as an attorney-at-law;
4. One person designated by the Minister of Employment and Labor from among certified labor affairs consultants recommended by the head of the Certified Labor Affairs Consultant Association.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 20-6 (Chairperson of Disciplinary Committee)

(1) The chairperson of the Disciplinary Committee shall represent the Disciplinary Committee, exercise overall control over its business affairs and call and preside over its meetings.

(2) If the chairperson is unable to perform his/her duties due to an inevitable reason, a member designated by the chairperson in advance shall act on his/her behalf.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 20-7 (Request for Disciplinary Decision)

- (1) If the Minister of Employment and Labor deems a

certified labor affairs consultant to have a reason falling under any subparagraph of Article 20 (1) of the Act, he/she shall prepare evidentiary documents thereon and request the Disciplinary Committee to make a disciplinary decision.

(2) Upon receipt of a request under paragraph (1), the Disciplinary Committee shall notify the subject of disciplinary action of the details thereof without delay.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 20-8 (Deadline for Disciplinary Decision)

The Disciplinary Committee shall make a decision on disciplinary action within 30 days from the date on which it receives a request for disciplinary decision: Provided, That the period may be extended by up to 30 days where it is unable to make a decision within that period due to an inevitable reason.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 20-9 (Decisions of Disciplinary Committee)

Any decision at meetings of the Disciplinary Committee shall be made with the attendance of a majority of all members and with the approval of a majority of those present.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 20-10 (Exclusion and Challenge)

(1) Any member of the Disciplinary Committee who is a relative of the subject of disciplinary action or is related to the reason for disciplinary action shall be excluded from deliberation and decision on the disciplinary case.

(2) If there is a good reason to suspect that a member of the Disciplinary Committee is likely to render an unfair decision, the subject of disciplinary action may provide a written explanation of the reason and file a challenge against the member.

(3) If there is a challenge under paragraph (2), the Disciplinary Committee shall decide whether or not to challenge the member concerned. In such cases, the member against whom the challenge is filed shall not take part in making that decision.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 20-11 (Notification, etc., of Disciplinary Decision)

When the Disciplinary Committee has made a disciplinary decision against the subject of disciplinary action, it shall notify the Minister of Employment and Labor thereof, clearly stating the

reason therefor, without delay.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 21 (Bylaws)

The bylaws of the Certified Labor Affairs Consultant Association under Article 24 (3) of the Act shall include the following matters:

1. Purpose;
2. Name and the location of the office;
3. Matters concerning officers including the chairperson, vice chairperson, directors and auditors;
4. Matters concerning the composition and operation of a general meeting;
5. Matters concerning the composition and operation of a general meeting of delegates elected from among members;
6. Matters concerning reporting of the results of a general meeting under subparagraph 4 and a general meeting of delegates under subparagraph 5 to the Minister of Employment and Labor;
7. Matters concerning admission, withdrawal and discipline of members;
8. Matters concerning training of certified labor affairs consultants;
9. Matters concerning maintenance of members' dignity and promotion of their welfare;
10. Matters concerning business plans, membership dues, budgets and accounting;
11. Matters concerning the establishment and operation of the Certified Labor Affairs Consultant Association and its branch offices;
12. Matters concerning modification of the bylaws.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 22 (Business Plan and Budget)

The Certified Labor Affairs Consultant Association shall prepare a business plan and a budget proposal and finally determine them after a decision of a general meeting every business year.

<This Article Newly Inserted by Presidential Decree No. 20485, Dec. 28, 2007>

Article 23 Deleted. *<Presidential Decree No. 16243, Apr. 9, 1999>*

Article 24 Deleted. *<Presidential Decree No. 16243, Apr. 9, 1999>*

Article 25 Deleted. <Presidential Decree No. 16243, Apr. 9, 1999>

Article 26 (Entrustment of Duties)

The Minister of Employment and Labor shall entrust the following duties to the Certified Labor Affairs Consultant Association pursuant to Article 26 (1) of the Act:

1. Registration under Article 5 of the Act;
2. Acceptance of reports on discontinuation of business under Article 9 of the Act;
3. Cancellation of registration under Article 19 of the Act;
4. Acceptance of reports on joint office under Article 19.

(2) The Minister of Employment and Labor shall entrust the following duties concerning examination management to the Human Resources Development Service of Korea pursuant to Article 26 (2) of the Act:

1. Acceptance of applications for partial examination from examinations under Article 7 (3);
2. Commission of examiners under Article 8 (2);
3. Payment of examination allowances under Article 9;
4. Administration and announcement of examinations under Article 10;
5. Determination, announcement and notification of successful candidates under Article 12.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 27 (Imposition of Fines for Negligence)

(1) The criteria for imposition of fines for negligence under Article 30 (2) of the Act shall be as specified in attached Table 4.

(2) The Minister of Employment and Labor may reduce the amount of fine for negligence under Table 4 by up to half thereof in light of the number of offences, the severity of offences, etc.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 28 (Delegation of Authority)

The Minister of Employment and Labor shall delegate his/her authority over the following matters to the heads of local employment and labor offices pursuant to Article 31 of the Act:
<Amended by Presidential Decree No. 22716, Mar. 22, 2011>

1. Authorization for establishment of labor consulting corporations and modification under the former part of Article 7-4 (1) of the Act;
2. Acceptance of reports on dissolution of labor consulting

- corporations under Article 7-5 of the Act;
3. Cancellation of authorization for establishment of labor consulting corporations and orders of suspension of business under Article 7-6 of the Act;
 4. Orders of reporting or of submission of materials, entry and inspections under Article 18 of the Act;
 5. Imposition and collection of fines for negligence under Article 30 of the Act.

<This Article Wholly Amended by Presidential No. 22501, Nov. 19, 2010>

Article 29 (Management of Sensitive Information and Unique Identifying Information)

The Minister of Employment and Labor (including any person to whom the duties of the Minister of Employment and Labor is entrusted pursuant to Article 26) may manage information corresponding to criminal records under subparagraph 2 of Article 18 of the Enforcement Decree of the Personal Information Protection Act and data containing resident registration numbers or foreigner registration numbers under subparagraph 1 or 4 of Article 19 of the same Enforcement Decree if it is unavoidable in order to carry out the following business affairs:

1. Business affairs concerning the qualification examination for certified labor affairs consultants under Article 3-2 of the Act;
2. Business affairs concerning partial exemption from examinations under Article 3-3 of the Act;
3. Business affairs concerning registration and cancellation of registration under Article 5 or 19 of the Act.

<This Article Newly Inserted by Presidential Decree No. 23488, Jan. 6, 2012>

Article 30 (Review of Regulations)

With regard to the requirements for establishment of joint offices under Article 19, the Minister of Employment and Labor shall review the reasonableness thereof and take measures, such as making improvements, every two years (referring to no later than the day before January 1st of every second year) starting from January 1st, 2015.

<This Article Newly Inserted by Presidential Decree No. 25840, Dec. 9, 2014>

Addenda *<Presidential Decree No. 11730, Jul. 25, 1985>*

(1) (Enforcement Date)

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

(2) (Applicability concerning Qualification Examination for Certified Labor Affairs Consultants)

Notwithstanding Article 10 (1), the qualification examination for certified labor affairs consultants may not be administered in 1985.

Addenda <Presidential Decree No. 12157, May. 15, 1987; Revision of the Presidential Decree on the Organizational Structure of Local Labor Offices>

Article 1 (Enforcement Date)

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

Article 2 (Revision of Other Acts and Subordinate Statutes)

(1) Omitted.

(2) Parts of the Enforcement Decree of the Certified Labor Affairs Consultant Act shall be revised as follows:

"Head of the local labor office of the Ministry of Labor (including the head of the branch office; hereinafter the same shall apply)" in Article 15 shall be changed to "head of the local labor office of the Ministry of Labor or the head of the office".

"Head of the local labor office of the Ministry of Labor" in Articles 19 (1), 20 (2) and 28 shall be changed to "head of the local labor office of the Ministry of Labor or the head of the office".

(3) and (9) Omitted.

Article 3 Omitted.

Addenda <Presidential Decree No. 12282, Dec. 1, 1987>

(1) (Enforcement Date)

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

(2) (Transitional Measures Following Change in Method of Determining Successful Candidates of First Examination)

A person who passed the first examination pursuant to the previous provisions before this Decree enters into force shall be deemed to have passed the first examination pursuant to this

Decree, and by the time the second examination for certified labor affairs consultants has been administered at least three times, "number of successful candidates of the three second examinations administered recently" in the amended provisions of Article 12 (1) shall be read "number of successful candidates of all the second examinations administered before the examination concerned".

(3) (Transitional Measures Following Change in Permission Criteria)

In applying the criteria for permitting commencement of duties, any person who passed the qualification examination for certified labor affairs consultants administered before this Decree enters into force and has experience falling under any subparagraph of Article 7 (1) shall be subject to the previous provisions notwithstanding the amended provisions of Article 16.

Addenda *<Presidential Decree No. 12306, Dec. 9, 1987; Revision of the Presidential Decree on the Organizational Structure of Local Labor Offices>*

Article 1 (Enforcement Date)

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

Article 2 (Revision of Other Acts and Subordinate Statutes)

(1) Omitted.

(2) Parts of the Enforcement Decree of the Certified Labor Affairs Consultant Act shall be revised as follows:

"Head of the local labor office of the Ministry of Labor" in Articles 15, 19 (1), 20 (2) and 28 shall be changed to "head of the regional labor office".

(3) and (11) Omitted.

Article 3 Omitted.

Addenda *<Presidential Decree No. 13169, Nov. 29, 1990>*

Article 1 (Enforcement Date)

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

Article 2 (Applicability concerning Examinations)

The amended provisions of Article 7 (2) and Table 2 shall

apply to examinations administered after January 1, 1992.

Article 3 (Transitional Measures concerning In-Service Training)

(1) A person who completed the practical training prescribed by the Ordinance of the Ministry of Employment and Labor pursuant to the previous provisions after the entry into force of the Act but before this Decree enters into force shall be deemed to have completed job training among in-service training under Article 16, and the period of in-service training at the office shall be six months or less.

(2) A person who falls under paragraph (3) of the Addenda amended by Presidential Decree no. 12282 at the time this Decree enters into force shall be deemed to have completed in-service training under Article 16.

Addenda *<Presidential Decree No. 14628, Apr. 15, 1995; Revision of the Enforcement Decree of the Industrial Accident Compensation Insurance Act>*

Article 1 (Enforcement Date)

This Decree shall enter into force on May 1, 1995.

Articles 2 and 3 Omitted.

Article 4 (Revision of Other Acts and Subordinate Statutes)

(1) through (3) Omitted.

(4) Parts of the Enforcement Decree of the Certified Labor Affairs Consultant Act shall be revised as follows:

Subparagraph 7 of Table 1 shall be deleted.

"Act on the Operations of Industrial Accident Compensation Insurance and Their Inspection" in the 'remarks' column of the 'labor law' row of Table 2 shall be deleted.

(5) and (15) Omitted.

Article 5 Omitted.

Addenda *<Presidential Decree No. 14977, Apr. 12, 1996>*

(1) (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 2-2 and 20-4 shall enter into force on June 7, 1996 and the amended provisions of Articles 10 (1), 20-2 and 20-3 on January 1, 1997.

(2) (Applicability)

Notwithstanding the amended provisions of Article 20-2 (1), a labor consulting corporation which obtained authorization for its establishment before December 31, 1996 or a practicing labor affairs consultant who reported the establishment of his/her office before December 31, 1996 shall take out guarantee insurance no later than January 15, 1997 and report this to the head of the competent local labor office.

Addendum <Presidential Decree No. 15781, Apr. 27, 1998>

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 19-9 shall enter into force on December 25, 1998.

Addenda <Presidential Decree No. 16243, Apr. 9, 1999>

(1) (Enforcement Date)

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

(2) (Transitional Measures concerning Application for Registration, etc.)

A person who has submitted to the Certified Labor Affairs Consultant Association, an application for registration of commencement of duties, a report on alteration of registered matters, an application for authorization for establishment of labor consulting corporation or an application for modification of articles of incorporation of labor consulting corporation pursuant to the previous provisions at the time this Decree enters into force shall be deemed to have submitted it to the Minister of Labor pursuant to this Decree. In such cases, the Certified Labor Affairs Consultant Association shall send it to the Minister of Labor without delay.

(3) (Revision of Other Acts and Subordinate Statutes)

Parts of the Regulations on the Delegation and Entrustment of Administrative Authority shall be revised as follows:
Subparagraph 3 of Article 50 shall be deleted.

Addenda <Presidential Decree No. 17193, Apr. 9, 2001>

(1) (Enforcement Date)

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

(2) (Training Required to Acquire Qualification as Certified Labor Affairs Consultant)

"Training prescribed by the Presidential Decree" in paragraph (3) of the Addenda of the Certified Labor Affairs Consultant Act amended by Act no. 6333 refers to 60 hours or more of training provided by an institution designated by the Minister of Labor. In such cases, necessary matters concerning training, such as training contents, methods and institutions, shall be determined by the Minister of Labor.

Addendum *<Presidential Decree No. 18312, Mar. 17, 2004; Revision of the Regulations on the Management of Parolees for Electronic Handling of Civil Affairs>*

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

Addenda *<Presidential Decree No. 19367, Mar. 2, 2006; Revision of the Presidential Decree on the Organizational Structure of the Ministry of Labor and Its Affiliated Institutions>*

Article 1 (Enforcement Date)

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

Article 2 Omitted.

Article 3 (Revision of Other Acts and Subordinate Statutes)

(1) through (2) Omitted.

(3) Parts of the Enforcement Decree of the Certified Labor Affairs Consultant Act shall be revised as follows:

"Head of the regional labor office" in Article 19 (1) shall be changed to "head of the regional office".

(4) and (6) Omitted.

Article 4 Omitted.

Addenda *<Presidential Decree No. 19513, Jun. 12, 2006; Revision of the Regulations on Personnel Management for the Senior Civil Service>*

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2006.

Articles 2 and 3 Omitted.

Article 4 (Revision of Other Acts and Subordinate Statutes)

(1) through (18) Omitted.

(19) Parts of the Enforcement Decree of the Certified Labor Affairs Consultant Act shall be revised as follows:

"Public officials of Grade II or III" in Article 14-2 (2) 1 shall be changed to "public officials of Grade III or general public officials belonging to the Senior Civil Service".

"Public officials of Grade I who belong to the Ministry of Labor" in the parts other than each subparagraph of Article 20-5 (2) shall be changed to "public officials belonging to the Senior Civil Service in the Ministry of Labor", "public officials of Grade III or higher who belong to the National Labor Relations Commission" in subparagraph 1 of the same paragraph to "public officials of Grade III or general public officials belonging to the Senior Civil Service in the National Labor Relations Commission", and "public officials of Grade III or higher who belong to the Ministry of Labor" in subparagraph 2 of the same paragraph to "public officials of Grade III or general public officials belonging to the Senior Civil Service in the Ministry of Labor".

(20) and (241) Omitted.

Addendum <Presidential Decree No. 19848, Jan. 24, 2007>

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 28 shall enter into force on July 1, 2007.

Addenda <Presidential Decree No. 20171, Jul. 18, 2007; Revision of the Enforcement Decree of the Electronic Government Act>

Article 1 (Enforcement Date)

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

Article 2 (Revision of Other Acts and Subordinate Statutes)

(1) through (5) Omitted.

(6) Parts of the Enforcement Decree of the Certified Labor Affairs Consultant Act shall be revised as follows:

"Act on the Promotion of the Digitalization of Administrative Affairs, etc., for Creation of Electronic

Government" in the proviso to Article 19-5 (4) and the proviso to Article 19-6 (3) shall be changed to "Electronic Government Act".

(7) and (16) Omitted.

Article 3 Omitted.

Addenda <Presidential Decree No. 20485, Dec. 28, 2007>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2008: Provided, That the amended provisions of Article 14-2 (2) 2 E, Article 21 (1) and Article 22 shall enter into force on February 4, 2008, parts of the amended provisions of Article 19-7, which stipulate the mutatis mutandis application of Article 12 and Article 18 (2) and (4) of the Commercial Registration Act shall enter into force on April 1, 2008, and the amended provisions of Article 6, Article 7 (1) and Article 12 (1) (limited to parts relating to English) and of Tables 2 and 3 shall enter into force on January 1, 2010.

Article 2 (Applicability)

The amended provisions of Article 10 (2) and (3) and Article 12 (1) (excluding parts relating to English), (2) and (3) shall apply to qualification examinations for certified labor affairs consultants administered after January 1, 2008.

Article 3 (Transitional Measures concerning Calculation of Aggregate Marks After Introduction of Minimum Number of Successful Candidates)

In determining successful candidates corresponding to a shortfall in the minimum number of successful candidates in a qualification examination for certified labor affairs consultants administered on any day between January 1, 2008 and December 31, 2009, in regard to those exempted from some of the subjects of the second examination, marks calculated by multiplying the sum of the marks for each subject of a person scoring not less than 40 percent in each subject by two shall be deemed his/her aggregate marks across all subjects notwithstanding the amended provisions of Article 12 (2).

Addenda <Presidential Decree No. 20681, Feb. 29, 2008; Revision of the Presidential Decree on the Organizational Structure of the Ministry of Labor and Its Affiliated Institutions>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation.<Proviso omitted>

Articles 2 through 4 Omitted.

Article 5 (Revision of Other Acts and Subordinate Statutes)

(1) through (3) Omitted.

(4) Parts of the Enforcement Decree of the Certified Labor Affairs Consultant Act shall be revised as follows:

"Ministry of Maritime Affairs and Fisheries" in Article 7 (2) 2 shall be changed to "Ministry of Land, Transport and Maritime Affairs".

(5) through (20) Omitted.

Addenda <Presidential Decree No. 21087, Oct. 20, 2008; Partial Revision of the Enforcement Decree of the Lifelong Education Act, etc., to Overhaul Administrative Agency-Affiliated Committees>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That Article 10 shall enter into force on November 1, 2008, Articles 24 through 26 on January 1, 2010, Article 29 on July 1, 2009 and Article 48 on January 1, 2013.

Article 2 (Transitional Measures Following Revision of the Decree on Disciplinary Action against Public Officials)

(1) The First Central Disciplinary Committee and the Second Central Disciplinary Committee under the previous Decree on Disciplinary Action against Public Officials at the time this Decree enters into force shall be deemed the Central Disciplinary Committee under this Decree.

(2) Any request for disciplinary decision received by the First Central Disciplinary Committee and the Second Central Disciplinary Committee under the previous Decree on Disciplinary Action against Public Officials at the time this Decree enters into force shall be deemed to have been received by the Center Disciplinary Committee under this Decree.

(3) Any decision by the First Central Disciplinary Committee and the Second Central Disciplinary Committee under the previous Decree on Disciplinary Action against Public Officials at the time this Decree enters into force shall be deemed a decision by the Central Disciplinary Committee under this Decree.

(4) Any member of the Second Central Disciplinary Committee

under the previous Decree on Disciplinary Action against Public Officials at the time this Decree enters into force shall be deemed to have been appointed or commissioned as a member of the Central Disciplinary Committee under this Decree.

Article 3 (Transitional Measures Following Revision of the Enforcement Decree of the Framework Act on Logistics Policies)

Any matter carried out by the Minister of Land, Transport and Maritime Affairs after deliberation and decision by the Logistics Administrator Examination Committee pursuant to the previous Enforcement Decree of the Framework Act on Logistics Policies at the time this Decree enters into force shall be deemed to have been carried out by the Minister of Land, Transport and Maritime Affairs pursuant to this Decree.

Article 4 (Revision of Other Acts and Subordinate Statutes)

(1) Parts of the Regulations on Exemplary Public Officials shall be revised as follows:

"Assessment by the National Meritorious Service Assessment Committee under Article 12 of the Government Commendation Regulations" in Article 4 shall be changed to "consultation with the Minister of Public Administration and Security".

(2) Parts of the Presidential Decree on the Organizational Structure of the Ministry of Justice and Its Affiliated Institutions shall be revised as follows:

Article 13 (3) 57 shall be deleted.

(3) Parts of the Presidential Decree on the Organizational Structure of the Ministry for Health, Welfare and Family Affairs and Its Affiliated Institutions shall be revised as follows:

Article 14 (3) 37 E shall be deleted.

(4) Parts of the Presidential Decree on the Organizational Structure of the Ministry of Public Administration and Security and Its Affiliated Institutions shall be revised as follows:

Article 9 (2) 17 shall be deleted.

(5) Parts of the Presidential Decree on the Organizational Structure of the Multifunctional Administrative City Construction Agency and Its Affiliated Institutions shall be revised as follows:

Article 10 (3) 4 shall be deleted.

Addenda <Presidential Decree No. 21928, Dec. 30, 2009; Revision of the Enforcement Decree of the Framework Act on Employment Policy>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2010.

Article 2 Omitted.

Article 3 (Revision of Other Acts and Subordinate Statutes)

- (1) Omitted.
- (2) Parts of the Enforcement Decree of the Certified Labor Affairs Consultant Act shall be revised as follows:
Subparagraph 16 of Table 1 shall be as follows:
16. Framework Act on Employment Policy
- (3) and (11) Omitted.

Article 4 Omitted.

Addenda *<Presidential Decree No. 22151, May. 4, 2010; Revision of the Presidential Decree of the Electronic Government Act>*

Article 1 (Enforcement Date)

This Decree shall enter into force on May 5, 2010.

Articles 2 and 3 Omitted.

Article 4 (Revision of Other Acts and Subordinate Statutes)

- (1) through (21) Omitted.
- (22) Parts of the Enforcement Decree of the Certified Labor Affairs Consultant Act shall be revised as follows:
"Article 21 (1) of the Electronic Government Act" in the proviso to Article 19-5 (4) and the proviso to Article 19-6 (3) shall be changed to "Article 36 (1) of the Electronic Government Act".
- (23) and (192) Omitted.

Addenda *<Presidential Decree No. 22269, Jul. 12, 2010; Revision of the Presidential Decree on the Organizational Structure of the Ministry of Employment and Labor and Its Affiliated Institutions>*

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation. <Proviso omitted>

Article 2 (Revision of Other Acts and Subordinate Statutes)

- (1) through (24) Omitted.
- (25) Parts of the Enforcement Decree of the Certified Labor Affairs Consultant Act shall be revised as follows:

"Minister of Labor" in Article 7 (2) 5, Article 8 (2), Article 10 (2) and (3), Article 11 (2), Article 12 (5), Article 14, Article 14-2 (2) 1, the parts other than each item of Article 14-2 (2) 2, Article 14-2 (3), Article 15 (1), the parts other than each subparagraph of Article 15 (2), Article 15 (3), Article 16 (2) through (4), the parts other than each subparagraph of Article 19-2 (1), Article 19-2 (1) 6, the parts other than each subparagraph of Article 19-2 (2), Article 19-2 (2) 5, Article 19-2 (3), the parts other than each subparagraph of Article 19-3 (1), Article 19-3 (2), the main sentence of Article 19-5 (4), Article 19-6 (1), the parts other than each subparagraph of Article 20-5 (2), Article 20-5 (2) 2 and 4, Article 20-7 (1), Article 20-11, Article 21 (1) 4-3, the parts other than each subparagraph of Article 26, Article 27 (1), the former part of Article 27 (2), Article 27 (3), the parts other than each subparagraph of Article 28 and the 'remarks' column of Table 4 shall be changed to "Minister of Employment and Labor".

"Ordinance of the Ministry of Labor" in Article 7 (3), Article 11 (1), Article 14, Article 15 (1), Article 15 (2) 4, Article 15 (4), Article 16 (2) and (4), Article 19 (1), the parts other than each subparagraph of Article 19-2 (1), the parts other than each subparagraph of Article 19-3 (1) and the former and latter parts of Article 20-3 (1) shall be changed to "Ordinance of the Ministry of Employment and Labor".

"Ministry of Labor" in Article 7-2, the parts other than each subparagraph of Article 14-2 (2), Article 14-2 (2) 1, Article 14-2 (4), Article 20-4, the parts other than each subparagraph of Article 20-5 (2) and Article 20-5 (2) 2 shall be changed to "Ministry of Employment and Labor".

"Head of the regional labor office" in Article 19 (1) shall be changed to "head of the regional employment and labor office".

"Local labor office" in Article 19 (1), Article 19-2 (3), the main sentence of Article 19-5 (4), the main sentence of Article 19-6 (3), Article 20-2 (1) and (2), the former and latter parts of Article 20-3 (1) and the parts other than each subparagraph of Article 28 shall be changed to "local employment and labor office".

(26) and (136) Omitted.

Addendum <Presidential Decree No. 22467, Nov. 2, 2010; Partial Revision of the Enforcement Decree of the Economic Education Support Act, etc., to Share Administrative Information and Reduce Paper>

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

Addenda *<Presidential Decree No. 22501, Nov. 19, 2010>*

Article 1 (Enforcement Date)

This Decree shall enter into force on November 26, 2010: Provided, That the amended provisions of Article 17 shall enter into force on January 1, 2011.

Article 2 (Transitional Measures concerning Subscription to Guarantee Insurance)

Any guarantee insurance taken out and reported to the head of a local employment and labor office pursuant to the previous provisions before this Decree enters into force shall be deemed to have been submitted to the Certified Labor Affairs Consultant Association pursuant to this Decree.

Article 3 (Transitional Measures concerning Fines for Negligence)

(1) The application of the criteria for imposition of fines for negligence to any offence committed before this Decree enters into force shall be governed by the previous provisions notwithstanding the amended provisions of Table 4.

(2) No disposition to impose a fine for negligence for any offence committed before this Decree enters into force shall be included in the calculation of the number of offences under the amended provisions of Table 4.

Addenda *<Presidential Decree No. 22516, Dec. 7, 2010; Revision of the Enforcement Decree of the Framework Act on Labor Welfare>*

Article 1 (Enforcement Date)

This Decree shall enter into force on December 9, 2010.

Articles 2 through 6 Omitted.

Article 7 (Revision of Other Acts and Subordinate Statutes)

(1) Parts of the Enforcement Decree of the Certified Labor Affairs Consultant Act shall be revised as follows:

"Framework Act on Workers' Welfare" in subparagraph 14 of Table 1 shall be changed to "Framework Act on Labor Welfare" and "Employee Welfare Fund Act" in subparagraph 15 of the same Table shall be deleted.

"Framework Act on Workers' Welfare" in subparagraph 1 of

Table 2 shall be changed to "Framework Act on Labor Welfare".
(2) and (10) Omitted.

Article 8 Omitted.

Addendum *<Presidential Decree No. 22716, Mar. 22, 2011>*

This Decree shall enter into force on April 1, 2011.

Addenda *<Presidential Decree No. 23488, Jan. 6, 2012; Partial Revision of the Enforcement Decree of the Act on the Submission and Management of Taxation Data, etc., to Establish Legal Ground for Managing Sensitive Information and Unique Identifying Information>*

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation. *<Proviso omitted>*

Article 2 Omitted.

Addenda *<Presidential Decree No. 23759, May. 1, 2012; Partial Revision of the Enforcement Decree of the Security Service Industry Act, etc., to Provide Convenience for Examinees and Give Them Enough Exam Preparation Period>*

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation. *<Proviso omitted>*

Article 2 (Applicability concerning Announcement of Examination)

The provisions of this Decree concerning the amendment of the deadline for announcement of examinations, etc., shall apply to examinations administered after January 1, 2013.

Addenda *<Presidential Decree No. 24447, Mar. 23, 2013; Revision of the Presidential Decree on the Organizational Structure of the Ministry of Employment and Labor and Its Affiliated Institutions>*

Article 1 (Enforcement Date)

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

Article 2 Omitted.

Article 3 (Revision of Other Acts and Subordinate Statutes)

(1) through (3) Omitted.

(4) Parts of the Enforcement Decree of the Certified Labor Affairs Consultant Act shall be revised as follows:

"Ministry of Land, Transport and Maritime Affairs" and "Korea Maritime and Port Administration before August 7th, 1996" in Article 7 (2) 2 shall be changed to "Ministry of Oceans and Fisheries" and "Korea Maritime and Port Administration before August 7th, 1996, the Ministry of Maritime Affairs and Fisheries before February 28, 2008 and the Ministry of Land, Transport and Maritime Affairs before March 22nd, 2013".

(5) through (11) Omitted.

Addenda *<Presidential Decree No. 25840, Dec. 9, 2014; Partial Revision of the Enforcement Decree of the Building Act, etc., to Make Regulatory Reforms such as Setting Deadline for Review of Regulations>*

Article 1 (Enforcement Date)

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

Articles 2 through 16 Omitted.

[Table 1] *<Amended on Dec. 7, 2010>*

Scope of Labor-related Acts and Subordinate Statutes

(related to Article 2)

1. Labor Standards Act;
2. Act on Equal Employment and Support for Work-Family Reconciliation;
3. Minimum Wage Act;
4. Occupational Safety and Health Act;
5. Act on the Prevention of Pneumoconiosis and Protection, etc., of Pneumoconiosis Workers;
6. Industrial Accident Compensation Insurance Act;
7. Trade Union and Labor Relations Adjustment Act;
8. Act on the Promotion of Worker Participation and Cooperation;
9. Labor Relations Commission Act;
10. Employment Security Act;
11. Act on Employment Promotion and Vocational Rehabilitation for Disabled Persons;
12. Workers Vocational Skills Development Act;
13. Act on the Encouragement of Technical Skills;
14. Framework Act on Labor Welfare;
15. Deleted. <Dec. 7, 2010>
16. Framework Act on Employment Policy;
17. Employment Insurance Act;
18. Act on Prohibition of Age Discrimination in Employment and Aged Employment Promotion;
19. Seafarers Act;
20. Act on the Employment Improvement, etc., of Construction Workers;
21. Act on the Protection, etc., of Dispatched Workers;
22. Wage Claim Guarantee Act;
23. Act on the Establishment, Operation, etc., of Trade Unions

- for Teachers;
24. Act on the Collection, etc., of Premiums for Employment Insurance and Industrial Accident Compensation Insurance;
 25. Act on the Establishment, Operation, etc., of Public Officials' Trade Unions;
 26. Employee Retirement Benefit Security Act;
 27. Act on Foreign Workers' Employment, etc.;
 28. Act on Accident Compensation Insurance for Fishing Vessels and Their Crew Members;
 29. Act on the Protection, etc., of Fixed-Term and Part-Time Employees;
 30. Social Enterprise Promotion Act;
 31. National Human Rights Commission Act (limited to labor-related cases among cases subject to investigation under Article 30 of the same Act);
 32. Public Officials Pension Act (limited to Chapter IV 'benefits' and provisions concerning requests for review in Chapter VII of the same Act);
 33. Subordinate statues based on the Acts referred to in subparagraphs 1 through 32.

[Table 2] <Amended on Dec. 7, 2010>

Subjects and Subject-Wise Mark Allocation of Qualification
Examination for Certified Labor Affairs Consultants
 (related to Article 6 (1))

1. First examination (6 subjects)

	Subject	Marks allotted to each subject	Remarks (exam coverage)
Compulsory subjects (5)	Labor Law I	100	Labor Standards Act, Act on the Protection, etc., of Dispatched Workers, Act on the Protection, etc., of Fixed-Term and Part-Time Employees, Occupational Safety and Health Act, Employment Security Act, Act on Equal Employment and Support for Work-Family Reconciliation, Minimum Wage Act, Employee Retirement Benefit Security Act, Wage Claim Guarantee Act, Framework Act on Labor Welfare and Act on Foreign Workers' Employment, etc.
	Labor Law II	100	Trade Union and Labor Relations Adjustment Act, Act on the Promotion of Worker Participation and Cooperation, Labor Relations Commission Act, Act on the Establishment,

			Operation, etc., of Public Officials' Trade Unions and Act on the Establishment, Operation, etc., of Trade Unions for Teachers
	Civil Law	100	Part I. General Provisions and Part III. Claims
	Social Insurance Law	100	Framework Act on Social Security, Employment Insurance Act, Industrial Accident Compensation Insurance Act, National Pension Act, National Health Insurance Act, and Act on the Collection, etc., of Premiums for Employment Insurance and Industrial Accident Compensation Insurance
	English	-	
Elective subject (1)	Either Principles of Economics or Introduction to Business Management	100	

Note: Labor Law I or II covers a general theory of labor law, including its basic ideology.

2. Second examination (4 subjects)

	Subject	Marks	Remarks (exam coverage)
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		alloted to each subject	
Compulsory subjects (3)	Labor Law	150	Labor Standards Act, Act on the Protection, etc., of Dispatched Workers, Act on the Protection, etc., of Fixed-Term and Part-Time Employees, Occupational Safety and Health Act, Industrial Accident Compensation Insurance Act, Employment Insurance Act, Trade Union and Labor Relations Adjustment Act, Act on the Promotion of Worker Participation and Cooperation, Labor Relations Commission Act, Act on the Establishment, Operation, etc., of Public Officials' Trade Unions and Act on the Establishment, Operation, etc., of Trade Unions for Teachers
	Personnel and Labor Management Theory	100	
	Administrative Dispute Law	100	Parts of the Administrative Appeals Act, the Administrative Litigation Act and Civil

			Procedure Act, which are related to administrative disputes
Elective subject (1)	One subject among Business Organization Theory, Labor Economics and Civil Procedure Law	100	

Note: Labor Law covers a general theory of labor law, including its basic ideology.

[Table 3] <Amended on Nov. 19, 2010>

Types of English Proficiency Tests Substituting for English and
Scores Required for Passing
 (related to Article 6 (2))

Types of english proficiency tests		Passing scores
TOEFL	Test of English as a Foreign Language administered by the Educational Testing Service. It is classified into PBT (Paper Based Test), CBT (Computer Based Test) and IBT (Internet Based Test) according to the way it is administered.	PBT: 530 or above CBT: 197 or above IBT: 71 or above
TOEIC	Test of English for International Communication administered by the Educational Testing Service	700 or above
TEPS	Test of English Proficiency developed by Seoul National University	625 or above
G-TELP	General Tests of English Language Proficiency organized by the International Testing Services Center of the U.S.	65 or above at level 2
FLEX	Foreign Language Examination offered by Hankuk University of Foreign Studies	625 or above

[Table 4] <Amended on Nov. 19, 2010>

Criteria for Imposition of Fines for Negligence
(related to Article 27 (1))

1. General criteria

The criteria for imposition of fines for negligence based on the number of offences shall apply to cases where a fine for negligence has been imposed for the same kind of offence in the past one year (excluding subparagraph 3 A). In such cases, the number of offences shall be calculated based on the date on which a fine for negligence was imposed for an offence and the date on which an offence of the same kind was found again.

2. Criteria for reduction of fines

In any of the following cases, the amount of fine for negligence determined according to the criteria for imposition specified in subparagraph 3 may be reduced by up to half thereof: Provided, That such reduction shall not exceed one half of the amount of fine for negligence even in cases where there are multiple reasons for reduction.

- A. Where the offender falls under any subparagraph of Article 2-2 (1) of the Enforcement Decree of the Act on the Regulation of Violations of Public Order;
- B. Where the offender committed the relevant offence for the first time and has practiced his/her profession for at least ten years and has ever shown exemplary performance,

such as in supporting socially vulnerable groups;

C. Where the offence is deemed to have been caused by the offender's negligence, such as minor carelessness or error;

D. Where the offender has rectified or corrected his/her violation immediately.

3. Individual criteria

O f f e n c e	Relevant provision	Amount of fine for negligence		
		1st offence	2 offence	3rd and subsequent offences
A. Where a person fails to receive refresher training under Article 5-2 (2) of the Act	Article 30 (1) 1 of the Act	1 million won	1.5 million won	2 million won
B. Where a person violates the obligation to report discontinuation of business under Article 9 of the Act	Article 30 (1) 2 of the Act			
1) Reporting delay of less than one month		200,000 won		
2) Reporting delay of one month or more but less than six months		500,000 won		

3) Reporting delay of six months or more		1 million won		
C. Where a person fails to take out guarantee insurance under Article 12-4 of the Act (including cases to which it shall apply mutatis mutandis pursuant to Article 7-10 (2) of the Act)	Article 30 (1) 2-2 of the Act	1 million won	1.5 million won	2 million won
D. Where a person violates the obligation to prepare, manage and preserve books relating to his/her duties under Article 17 (1) of the Act (including cases to which it shall apply mutatis mutandis pursuant to Article 7-10 (2) of the Act)	Article 30 (1) 3 of the Act	500,000 won	1 million won	1.5 million won