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NATIONAL HUMAN RIGHTS COMMISSION ACT

[Enforcement Date 03. Feb, 2016.] [Act No.14028, 03. Feb, 2016., Partial
Amendment]

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CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to contribute to the recognition of human dignity and worth as well as to the safeguard of the basic order of democracy by establishing the National Human Rights Commission to ensure that inalienable fundamental human rights of all individuals are protected and the standards of human rights are improved.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 2 (Definitions)

The definitions of terms used in this Act shall be as follows: <Amended by Act No. 14028, Feb. 3, 2016>

1. The term "human right" means any of human dignity and worth, liberty and rights which are guaranteed by the Constitution of the Republic of Korea, and recognized by international human rights treaties that the Republic of Korea signs and ratifies and by international customary laws;
2. The term "confinement or caring facility" means any of the following facilities:
 - (a) Prison, juvenile prison, detention center and its branch, protective custody office, medical treatment and custody facility, juvenile reformatory, and Juvenile Classification and Examination Center;
 - (b) Detention cell and facility where a judicial police officer investigates, detains, and accommodates persons in order to perform his/her duties;
 - (c) Military prison (including its branch, a detention house for the unconvicted and a military police guardhouse);
 - (d) Foreigner detention center;
 - (e) Facility for caring for many persons (referring to a facility for protecting and accommodating many persons, which is prescribed by Presidential Decree);

3. The term "discriminatory act violating the equal right" means any of the following acts, without reasonable grounds, on the grounds of sex, religion, disability, age, social status, region of origin (referring to a place of birth, place of registration, principal area of residence before coming of age, etc.), state of origin, ethnic origin, physical condition such as features, marital status such as single, separated, divorced, widowed, remarried, married de facto, or pregnancy or childbirth, types or forms of family, race, skin color, ideology or political opinion, record of crime whose effect of punishment has been extinguished, sexual orientation, academic career, medical history, etc.: Provided, That the temporary favorable treatment to a particular person (including a group of particular persons; hereafter the same shall apply in this Article) to solve the existing discrimination, the enactment and amendment of statutes and the formulation and enforcement of policy to this effect shall not be deemed a discriminatory act violating the equal right (hereinafter referred to as "discriminatory act"):

- (a) An act of favorably treating, excluding, discriminating against or unfavorably treating a particular person regarding employment (including recruitment, appointment, education, posting, promotion, payment of wage and any other money or valuables, financing, age limit, retirement, dismissal, etc.);
- (b) An act of favorably treating, excluding, discriminating against or unfavorably treating a particular person regarding the supply or use of goods, services, means of transportation, commercial facilities, land and residential facilities;
- (c) An act of favorably treating, excluding, discriminating against or unfavorably treating a particular person regarding education and training at educational facilities or institutions for workplace skill development, or the use thereof;
- (d) An act of sexual harassment (referring to making people feel sexually humiliated or loathsome in business, employment or other settings or giving disadvantage in employment on the pretext of disobedience to sexual comments or other demands by a working person, an employer or an employee of a public agency (referring to State agencies, local governments, various levels of schools established under Article 2 of the Elementary and Secondary Education Act, Article 2 of the Higher Education Act and other Acts, and agencies affiliated with public services pursuant to Article 3 - 2 (1) of the Public Service Ethics Act) who takes advantage of their superior position or sexual comments, etc. with regard

to their duties, etc.);

4. The term "disability" means the condition where one is suffering from substantial restriction in his/her daily life or social activity for a long time due to physical, mental or social factors;
5. The term "civic group" means any non - profit, non - governmental organization registered with the head of a central administrative agency or a Mayor/Do Governor under Article 4 of the Assistance for Non - Profit, Non - Governmental Organizations Act, any non - profit corporation that has obtained permission from the competent administrative agency under Article 32 of the Civil Act, any public interest corporation that has obtained permission for establishment from the competent administrative agency under Article 4 of the Act on the Establishment and Operation of Public Interest Corporations, or any other corporation established pursuant to special Acts.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 3 (Establishment and Independence of National Human Rights Commission) (1)

There is hereby established a National Human Rights Commission (hereinafter referred to as the "Commission") to deal with affairs to protect and improve human rights under this Act.

(2) The Commission shall independently deal with the matters which fall under its jurisdiction.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 4 (Scope of Application)

This Act shall apply to all citizens of the Republic of Korea and foreigners residing therein.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

CHAPTER II ORGANIZATION AND OPERATION OF COMMISSION

Article 5 (Organization of Commission) (1) The Commission shall be comprised of 11 commissioners for human rights (hereinafter referred to as "commissioners"), including one chairperson and three full - time commissioners.

(2) The following persons shall be appointed to be commissioners by the President of the Republic of Korea: <Amended by Act No. 14028, Feb. 3, 2016 >

1. Four persons selected by the National Assembly (including two full - time commissioners);
2. Four persons nominated by the President of the Republic of Korea (including one full - time commissioner);
3. Three persons nominated by the Chief Justice of the Supreme Court.

(3) Commissioners shall be any of the following persons who have expertise and experience in human rights issues and are deemed capable of performing duties to protect and improve human rights fairly and independently: <Newly Inserted by Act No. 14028, Feb. 3, 2016 >

1. A person who has served for at least ten years at a university or an authorized research institute as an associate professor or higher or in a position equivalent thereto;
2. A person who has served as a judge, prosecutor, or attorney - at - law for at least ten years;
3. A person who has been engaged in activities for human rights for at least ten years, such as working for a non - profit, non - governmental organization, corporation, or international organization in the field of human rights;
4. Any other person highly respected in society, who is recommended by civic groups.

(4) When selecting or nominating commissioners, the National Assembly, the President, or the Chief Justice of the Supreme Court shall receive recommendations for candidates or hear opinions from various social groups to ensure that commissioners represent each social group related to protecting and improving human rights. <Newly Inserted by Act No. 14028, Feb. 2, 2016 >

(5) The chairperson shall be appointed by the President from among the commissioners. In such cases, the chairperson shall undergo a confirmation hearing held by the National Assembly. <Amended by Act No. 11413, Mar. 21, 2012; Act No. 14028, Feb. 3, 2016 >

(6) The chairperson and full - time commissioners of the Commission shall be appointed as public officials in political service.

(7) The number of commissioners of any gender shall not exceed 6/10 of the total number of commissioners. <Amended by Act No. 14028, Feb. 3, 2016>

(8) Where the term of office of a commissioner expires, he/she shall continuously perform his/her duties until his/her successor is appointed.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 6 (Duties of Chairperson of Commission) (1) The chairperson of the Commission shall represent the Commission and exercise the overall control of the affairs thereof.

(2) Where the chairperson of the Commission is unable to perform his/her duties for unavoidable circumstances, a full-time commissioner, whom the chairperson designates in advance, shall act on behalf of the president.

(3) The chairperson of the Commission may present himself/herself at the National Assembly and state opinions on affairs falling under the jurisdiction of the Commission, and shall, if required by the National Assembly, present himself/herself and make a report or reply.

(4) The chairperson of the Commission may attend a meeting of the State Council to present his/her opinion and recommend the Prime Minister to submit a bill related to affairs falling under the jurisdiction of the Commission (including the draft Presidential Decree concerning the enforcement of this Act).

(5) When the chairperson of the Commission performs duties related to the budget of the Commission, he/she shall be deemed the head of a central administrative agency under Article 6 (3) of the National Finance Act.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 7 (Term of Office of Chairperson and Commissioners of Commission) (1) The term of office of the chairperson and commissioners of the Commission shall be three years, but the consecutive appointment may be permitted for only one time.

(2) When the post of commissioner falls vacant, the President of the Republic of Korea shall appoint a successor within 30 days from the date of such vacancy.

(3) The term of office of the commissioner who is appointed as successor of a vacancy shall start anew.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 8 (Status Guarantee of Commissioners)

No commissioner shall be removed from his/her office against his/her will unless he/she is sentenced to imprisonment without labor or a heavier punishment: Provided, That in case it is very impracticable or impossible for him/her to perform his/her duties due to prolonged physical or mental weakness, he/she may retire from his/her office by the resolution of consent of 2/3 or more of all commissioners.

[<Amended by Act No. 14028, Feb. 3, 2016>](#)

[\[This Article Wholly Amended by Act No. 10679, May 19, 2011\]](#)

Article 8 - 2 (Exemption from Responsibilities)

No commissioner shall assume any civil or criminal responsibility for his/her remark or decisions made in the course of performing his/her duties in the standing committee or subcommittees established under Article 12, unless he/she makes such remarks or decisions willfully or negligently.

[\[This Article Newly Inserted by Act No. 14028, Feb. 3, 2016\]](#)

Article 9 (Disqualifications for Commissioners) (1) A person who falls under any of the following subparagraphs shall be disqualified for a commissioner:

1. A person who is not a citizen of the Republic of Korea;
2. A person who falls under any subparagraph of Article 33 of the State Public Officials Act;
3. A member of a political party;
4. A person who is registered as a candidate in any such election as held under the Public Official Election Act.

(2) Where a commissioner falls under any subparagraph of paragraph (1) above, he/she shall, ipso facto, retire from his/her office.

[\[This Article Wholly Amended by Act No. 10679, May 19, 2011\]](#)

Article 10 (Prohibition of Concurrent Positions of Commissioners) (1) A commissioner shall neither concurrently hold any of the following positions nor perform the duties thereof during his/her office:

1. A position of a member of the National Assembly or any local council;
2. A position of a public official of any other State organization or a local government (excluding a public official for education);

3. Other positions or affairs as determined by the rules of the Commission.

(2) A commissioner shall neither join a political party nor participate in political activities.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 11 Deleted. <by Act No. 7651, Jul. 29, 2005>

Article 12 (Standing Committee and Subcommittees) (1) The Commission may establish a standing committee and subcommittees including the subcommittee for relief from infringement and the subcommittee for correction of discrimination (hereinafter referred to as the "subcommittees") in order to let them perform part of its duties.

(2) The standing committee shall consist of a president and full-time commissioners, and the subcommittees shall consist of not less than three but not more than five commissioners.

(3) The standing committee and the subcommittees may have specialized committees segmented by category such as sex, disability, etc., to study and examine matters subject to deliberation.

(4) Necessary matters concerning the composition, duties and operation of the standing committee, subcommittees and specialized committees, and the qualifications, term of office, entrustment, etc., of specialized commissioners shall be stipulated by the rules of the Commission.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 13 (Meeting Proceedings and Resolution Quorum) (1) The chairperson of the Commission shall preside over a meeting of the Commission and the resolution thereof shall, except as otherwise expressly provided for by this Act, require the consent of a majority of all the incumbent commissioners.

(2) The meetings of the standing committee and subcommittees shall be resolved by the attendance and with the consent of three or more commissioners on the register.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 14 (Publication of Proceedings)

The proceedings of the Commission shall be made public: Provided, That they may not be made public if deemed necessary by the Commission or the standing

committee or the subcommittees.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 15 (Advisory Organ) (1) The Commission may have an advisory organ in order to ask for advice on matters which are necessary to perform its duties.

(2) Matters necessary for the organization and operation of the advisory organ shall be prescribed by the rules of the Commission.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 16 (Secretariat) (1) There is hereby established a Secretariat within the Commission to deal with general affairs of the Commission.

(2) There shall be one Secretary General and necessary staff in the Secretariat, and the Secretary General shall be appointed by the President of the Republic of Korea on the recommendation of the chairperson of the Commission after the deliberation thereof.

(3) Public officials in Grade V or higher or public officials in general service belonging to the Senior Civil Service Corps from among the staff belonging to the Secretariat shall be appointed by the President of the Republic of Korea on the recommendation of the chairperson of the Commission and those in Grade VI or lower shall be appointed by the chairperson of the Commission.

(4) The Secretary General shall, under the direction of the chairperson of the Commission, exercise the overall control of the affairs of the Secretariat and command and supervise the staff belonging thereto.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 17 (Establishment of Disciplinary Committee) (1) There is hereby established a disciplinary committee within the Commission to resolve on disciplinary action against the staff belonging to the Commission.

(2) The composition, competence and deliberation procedures of the disciplinary committee, types and effects of disciplinary action and other necessary matters therefor shall be prescribed by the rules of the Commission.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 18 (Organization and Operation of Commission) (1) Except as otherwise expressly provided for by this Act, matters necessary for the organization of the

Commission shall be prescribed by Presidential Decree, with utmost consideration given to ensure the independence of the Commission and to enable it to perform its duties effectively. <Amended by Act No. 14028, Feb. 3, 2016>

(2) Except as otherwise expressly provided for by this Act, matters necessary for the operation of the Commission shall be determined by its rules.<Newly Inserted by Act No. 14028, Feb. 3, 2016>

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

CHAPTER III DUTIES AND AUTHORITIES OF COMMISSION

Article 19 (Duties)

The Commission shall perform the following duties:

1. Investigation and research on statutes (including bills submitted to the National Assembly), institutions, policies and practices related to human rights, and presentation of recommendations or opinions on matters requiring improvement thereof;
2. Investigation and remedy with respect to human rights violations;
3. Investigation and remedy with respect to discriminatory acts;
4. Investigation on actual conditions of human rights;
5. Education and promotion of human rights;
6. Presentation and recommendation of guidelines as to categories of and determination standards for human rights violations, and preventive measures therefor;
7. Research and provisions of recommendations on the conclusion of any international treaty on human rights and the implementation of the said treaty, or presentation of opinions thereon;
8. Cooperation with organizations and individuals engaged in activities to protect and improve human rights;
9. Exchanges and cooperation with human rights - related international organizations or foreign organizations for human rights;
10. Other matters deemed necessary to guarantee and improve human rights.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 20 (Consultations with Related Agencies, etc.) (1) If the head of a related State administrative agency or a local government intends to establish or amend statutes which include any details likely to affect the protection and improvement of human rights, he/she shall notify the Commission in advance.

(2) The Commission may, if deemed necessary to perform its duties, request State agencies, local governments and other public or private organizations (hereinafter referred to as "related agencies, etc.") to consult with it.

(3) Those related agencies, etc. in receipt of a request under paragraph (2) shall comply therewith in good faith unless there exists any justifiable ground.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 21 (Hearing of Commission's Opinions in Preparing Governmental Reports)

When a related State administrative agency prepares a governmental report under the provisions of any international treaty on human rights, it shall hear the opinions of the Commission.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 22 (Submission of Materials and Reference for Information) (1) The Commission may, if deemed necessary to perform its duties, require the related agencies, etc. to submit necessary materials or refer to the said agencies, etc., for information.

(2) The Commission may require any person who is deemed to know the facts necessary to perform its duties or deemed to have expertise or experience to present himself/herself in order to hear his/her statement.

(3) Those agencies which are so required or referred to under paragraph (1) shall, without delay, comply with such requirement or reference.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 23 (Hearings) (1) The Commission may, if deemed necessary to perform its duties, require the representatives of related agencies, etc., interested persons or other persons with considerable knowledge and experience of relevant matters to present themselves and hear the statements of the relevant facts and opinions from them.

(2) The procedures and methods of hearings held by the Commission under paragraph (1) above shall be prescribed by the rules of the Commission.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 24 (Visits and Investigation of Facilities) (1) The Commission (including the standing committee and subcommittees; hereinafter the same shall apply in this Article) may, if deemed necessary, visit a confinement or caring facility to make an investigation by its resolution.

(2) A commissioner who visits and investigates under paragraph (1) may be accompanied by staff members of the Commission and experts who are deemed necessary to perform his/her duties, and may designate detailed matters and delegate the investigation on the said matters to them. In such cases, the delegated expert for such investigation shall be accompanied by of staff members of the Commission.

(3) A commissioner, a staff member of the Commission or an expert who visits and investigates under paragraph (2) (hereafter referred to as "commissioner, etc." in this Article) shall show interested persons an identification card verifying his/her authority to do so, and the head or the administrator of a confinement or caring facility subject to visit and investigation by the commissioner, etc., shall immediately provide convenience necessary for such visit and investigation.

(4) A commissioner, etc., who visits and investigates under paragraph (2) may hold an interview with staff members or internees (hereinafter referred to as "internees") of the relevant confinement or caring facility and also may have them present oral or written statements or opinions.

(5) A staff member of the relevant confinement or caring facility may be present at interviews with internees held by a commissioner, etc.: Provided, That it shall be prohibited to record the content of the said interviews.

(6) Other necessary matters for the procedures and methods of visit to and investigation into a confinement or caring facility shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 25 (Recommendation of Improvement or Correction of Policies and Practices)

(1) The Commission may, if deemed necessary to protect and improve human rights, recommend related agencies, etc., to improve or correct specific policies and practices, or present opinions thereon.

(2) The heads of related agencies, etc., receiving any recommendations under paragraph (1) shall respect and endeavor to implement the said recommendations.

(3) The heads of related agencies, etc., who receive any recommendation under paragraph (1) shall notify the Commission of a plan to implement such recommendation within 90 days from the date on which the recommendation is received.<Amended by Act No. 11413, Mar. 21, 2012>

(4) Where the heads of related agencies, etc., who has received any recommendation under paragraph (1) fail to implement such recommendation, they shall notify the Commission of the reasons.<Newly Inserted by Act No. 11413, Mar. 21, 2012>

(5) The Commission may, if deemed necessary, announce publicly its recommendations and opinions under paragraph (1) and the details notified by the heads of related agencies, etc., who has received any recommendations under paragraph (4).<Amended by Act No. 11413, Mar. 21, 2012>

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 26 (Education and Promotion of Human Rights) (1) The Commission shall conduct education and promotional activities necessary to awaken and enhance everyone's awareness of human rights.

(2) The Commission may consult with the Minister of Education in order for human rights - related content to be included in the curricula of schools under Article 23 of the Elementary and Secondary Education Act. <Amended by Act No. 11690, Mar. 23, 2013>

(3) The Commission may consult with the heads of schools established under Article 2 of the Higher Education Act on necessary matters for the development of human rights education and research on human rights.

(4) The Commission may consult with the heads of State agencies or local governments in order for human rights - related content to be included in employment or promotion examinations, and training or education courses, for public officials.

(5) The Commission may, in consultation with the heads of research institutions or the Research Council established under Articles 8 and 18 of the Act on the Establishment, Operation and Fostering of Government - Funded Research Institutes Etc. and Articles 8 and 18 of the Act on the Establishment, Operation and Fostering of Government - Funded Science and Technology Research Institutions Etc., request

research on human rights from such research institutions or Research Council, or jointly carry out such research with them.

(6) The Commission may recommend the heads of lifelong education organizations under subparagraph 2 of Article 2 of the Lifelong Education Act to include human rights - related details in their education programs.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 27 (Human Rights Library) (1) The Commission may establish the Human Rights Library. <Amended by Act No. 11413, Mar. 21, 2012>

(2) The Human Rights Library shall collect, arrange and preserve domestic and foreign information and data concerning human rights, and may provide them to the public.<Amended by Act No. 11413, Mar. 21, 2012>

(3) Deleted.<by Act No. 11413, Mar. 21, 2012>

(4) Necessary matters for the establishment and operation of the Human Rights Library shall be prescribed by the rules of the Commission.<Amended by Act No. 11413, Mar. 21, 2012>

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 28 (Presentation of Opinions to Courts and Constitutional Court) (1) Where proceedings liable to affect the protection and improvement of human rights are pending, the Commission may, if requested by a court or the Constitutional Court or if deemed necessary by the Commission, present its opinions on de jure matters to the competent division of the court or the Constitutional Court.

(2) Where proceedings with respect to a case investigated or dealt with by the Commission under the provisions of Chapter IV are pending, it may, if requested by a court or the Constitutional Court or if deemed necessary by the Commission, present its opinions on de facto and de jure matters to the competent division of the court or the Constitutional Court.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 29 (Preparation, etc. of Reports) (1) The Commission shall prepare an annual report on its activities for the preceding year, the human rights situation and improvement measures and shall report thereon to the President of the Republic of Korea and the National Assembly.

(2) Except for a report under paragraph (1), the Commission may, if deemed necessary, make any other special report to the President of the Republic of Korea and the National Assembly.

(3) Related agencies, etc. may present to the Commission their opinions on a report made under paragraphs (1) and (2) as well as the results of measures which they have already taken or the plans for measures to be taken.

(4) The Commission shall make available a report under paragraphs (1) and (2) to the public: Provided, That any matter which requires confidentiality on the ground of national security, or protection of honor or privacy of an individual, or any matter of which disclosure is restrained by any other Act, may not be made public.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

CHAPTER IV INVESTIGATION OF VIOLATIONS OF HUMAN RIGHTS AND DISCRIMINATORY ACTS, AND REMEDY THEREFOR

Article 30 (Matters Subject to Investigation by Commission) (1) In any of the following cases, a person who has suffered from a violation of human rights or been discriminated against, (hereinafter referred to as "victim") or any other person or organization that is aware of such violation or discrimination, may file a petition to the Commission: <Amended by Act No. 10679, May 19, 2011; Act No. 11413, Mar. 21, 2012>

1. Where any of the human rights guaranteed in Articles 10 through 22 of the Constitution has been violated or a discriminatory act has been committed in connection with the performance of duties (excluding legislation by the National Assembly and trials by a court or the Constitutional Court) by a State agency, a local government, a school established by Article 2 of the Elementary and Secondary Education Act, Article 2 of the Higher Education Act, and other Acts, a public service - related organization pursuant to Article 3 - 2 (1) of the Public Service Ethics Act, or a confinement or caring facility;

2. Where a discriminatory act has been committed by a juristic person, an organization or a private individual.

(2) Deleted.<by Act No. 7651, Jul. 29, 2005>

(3) Even if any petition under paragraph (1) is not filed, the Commission may, ex officio, initiate an investigation when it deems that there exists a reasonable ground

for believing that a violation of human rights or a discriminatory act exists and that such violation or act is serious.<Amended by Act No. 10679, May 19, 2011 >

(4) Necessary matters concerning the procedures and methods to petition under paragraph (1) shall be prescribed by the rules of the Commission.<Amended by Act No. 10679, May 19, 2011 >

Article 31 (Guarantee of Petition Rights of Internees at Confinement or Caring Facilities)

(1) If an internee of any relevant confinement or caring facility intends to file a petition to the Commission, a public official or a staff member belonging to the said facility (hereinafter referred to as "public official concerned, etc.") shall immediately afford the internee a reasonable time, place and convenience necessary to prepare the written petition.

(2) Where any internee intends to file a petition in the presence of a commissioner or a staff member of the Commission, a public official concerned, etc., shall immediately notify the Commission of such intention.

(3) A public official concerned, etc., shall immediately send the written petition which is prepared by an internee under paragraph (1) to the Commission and deliver the certificate of the document receipt which is issued by the Commission to the internee. A document verifying the notification under paragraph (2) and a document stating a fixed interview date, which are issued by the Commission shall be delivered immediately to the said internee who intends to file a petition.

(4) Where the Commission is notified under paragraph (2) or deems that there exists any reasonable ground that an internee truly intends to file a petition, it shall have a commissioner or a staff member of the Commission visit the relevant confinement or caring facility to receive an oral or written petition from the said internee. In such cases, the commissioner or staff member of the Commission who receives the petition shall immediately prepare a document verifying such receipt and deliver that document to the same internee.

(5) With respect to visits to a confinement or caring facility and the receipt of petitions by commissioners or staff members of the Commission under paragraph (4) above, Article 24 (3) and (4) of this Act shall apply mutatis mutandis.

(6) No staff member of the relevant confinement or caring facility shall participate in an interview which a commissioner or staff member of the Commission holds with an

internee who has filed a petition (including any internee who intends to do so), or shall hear or record the content of such interview: Provided, That the said staff may watch the internee at a distance of visibility.

(7) No public official concerned, etc. shall peruse a petition or written document prepared by an internee for the purpose of presentation thereof to the Commission.

(8) Measures which a confinement or caring facility shall take to guarantee the free preparation and presentation of a petition by an internee and other necessary procedures and methods, shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 32 (Rejection of Petition, etc.) (1) The Commission shall reject a petition which falls under any of the following subparagraphs:

1. Where the content of the said petition does not fall under the scope of matters subject to the investigation of the Commission;
2. Where the content of the said petition is deemed manifestly false or ill - founded;
3. Where the said petition is filed by any person other than a victim, and it is manifest that the victim does not want an investigation;
4. Where the said petition is filed after one or more years have elapsed since the fact causing the petition occurred: Provided, That this shall not apply to any case in which the prosecution or civil prescription with respect to such fact has not been completed and which the Commission determines to investigate;
5. Where the trial at a court or the Constitutional Court, the criminal investigation by an investigation agency or the procedures for remedies for infringement of rights under any other Act are in progress or terminated with respect to the fact causing the petition, at the time when the said petition is filed to the Commission: Provided, That this shall not apply where the Commission receives a petition against cases identical with those falling under crimes of Articles 123 through 125 of the Criminal Act which are being recognized and investigated by the investigation agency;
6. Where the said petition is filed under any pseudonym or anonym;
7. Where the Commission deems it improper to investigate the said petition;
8. Where the said petition is withdrawn by the petitioner;
9. Where the said petition is re - filed against the fact identical with any other petition which has already been dismissed by the Commission;

10. Where the purport of the said petition is contrary to the final judgment of a court or a decision of the Constitutional Court on the fact causing the petition.

(2) Where the Commission rejects a petition under paragraph (1), it may, if deemed necessary, deliver such petition to related agencies, etc. In such cases, the related agencies, etc., to which the petition is delivered shall, if requested by the Commission, inform the Commission of the results of treatment thereof without delay.

(3) The Commission may, even after initiating an investigation on a petition, reject the petition if it corresponds to a case referred to in any subparagraph of paragraph (1).

(4) Where the Commission rejects or delivers a petition, it shall, without delay, notify the petitioner by specifying the reasons therefor.

(5) Where the Commission notifies a petitioner under paragraph (4), the Commission may, if deemed necessary, advise the relevant victim or the petitioner on the procedures and measures for the relief of his/her infringed rights.

[\[This Article Wholly Amended by Act No. 10679, May 19, 2011\]](#)

Article 33 (Procedures for Other Remedies and Transfer) (1) Where the Commission deems that the petitioner manifestly intends to file a petition to any other competent State agency, as prescribed by any other Act, it shall transfer such petition to the said State agency without delay.

(2) Where the Commission initiates an investigation on a petition under Article 30 (1), and then a criminal investigation on any case identical with the fact causing the petition is initiated by other petition or accusation of the relevant victim, the Commission shall transfer such petition to the competent investigation agency.

(3) Where the Commission transfers a petition under paragraphs (1) and (2), it shall inform the petitioner of the content thereof without delay, and the State agency to which such petition is transferred shall notify the Commission of the results of treatment of such petition upon request by of the Commission.

[\[This Article Wholly Amended by Act No. 10679, May 19, 2011\]](#)

Article 34 (Cooperation between Investigation Agency and Commission) (1) Where there exists any reasonable ground that the fact causing a petition corresponds to a Criminal act and it is deemed that there exists a necessity either for preventing the

suspect from escaping or destroying evidence, or for securing evidence, the Commission may request the Prosecutor General or the head of the competent investigation agency to initiate an investigation as well as to take necessary measures.

(2) The Prosecutor General or the head of the competent investigation agency who receives a request under paragraph (1) shall, without delay, inform the Commission of the results of measures taken by him/her.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 35 (Limit to Purpose of Investigation) (1) The Commission shall endeavor not to impede the performance of functions of State agencies in the course of its investigation.

(2) The Commission shall not carry out an investigation for the purpose of infringing on the privacy of any individual or unduly participating either in pending proceedings or in prosecution for any case of which the investigation is in progress.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 36 (Methods of Investigation) (1) The Commission may investigate petitions by methods as prescribed in the following subparagraphs:

1. To require a petitioner, a victim or a respondent (hereinafter referred to as "the party") or an interested person to present himself or herself, hear statements or submit a written statement;
2. To require the party, an interested person or a related agency, etc., to submit such materials as deemed related to matters subject to investigation;
3. To carry out a field examination or appraisal of any such place, facility or material as deemed related to matters subject to investigation;
4. To refer to the party, an interested person or a related agency, etc., for such fact or information as deemed related to matters subject to investigation.

(2) The Commission may, if deemed necessary for an investigation, have a commissioner or a staff member of the Commission visit any relevant place or facility to carry out a field examination or appraisal of any such place or facility or other materials. In such cases, the Commission may require the party or a related person to present himself/herself at such place or facility and hear statements.

(3) Any person required to submit a written statement under paragraph (1) 1 shall submit it within 14 days.

(4) The presence of a respondent under paragraphs (1) and (2) above may be required only where it is impracticable to judge the relevant case by his/ her written statement because he/she is the very person who violates human rights or commits a discriminatory act and there exists any reasonable ground that a violation of human rights or a discriminatory act under Article 30 (1) is deemed to have occurred.

(5) A commissioner or a staff member of the Commission who carries out an investigation under paragraph (2) may require the head or the staff member managing the relevant place or facility to submit necessary materials or articles.

(6) A commissioner or a staff member of the Commission who carries out an investigation under paragraph (2) shall carry an identification card indicating his/her authority and show it to the head or the staff member managing the relevant place or facility.

(7) Where the Commission requires the submission of relevant materials or articles or intends to carry out a field examination or appraisal of the said materials, articles or relevant facilities, the head of any related State agency may reject such submission, inspection or appraisal by clearly explaining to the Commission that those materials, articles or facilities fall under any of the following subparagraphs. In such cases, the Commission may require the ascertainment of necessary matters of the said head, who shall, in turn, comply with such requirement in good faith:

1. State confidentiality liable to have any substantial effect on State security or diplomatic relations;
2. Any such case as deemed to be liable to present a serious obstacle to any criminal investigation or pending trial.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 37 (Authority to Interrogate or Inspect) (1) If the Commission intends to know about either the place where there are materials, etc., necessary for an investigation under Article 36 or related persons, it may interrogate a person who has any reasonable ground for believing that he/she knows the content thereof or inspect the documents and other articles in which there exists any reasonable ground that they include such content.

(2) The provisions of Article 36 (5) through (7) shall apply mutatis mutandis for the purpose of paragraph (1) of this Article.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 38 (Exclusion, etc., of Commissioners) (1) Any commissioner (including any member of the mediation committee under Article 41: hereafter the same shall apply in this Article) who corresponds to any of the following subparagraphs shall be excluded from deliberation and resolution on a petition:

1. Where the commissioner or any person who is or was his/her spouse is the party of the relevant petition or the joint holder of any rights or joint obligor of any duties with the said party in regard to the relevant petition;
2. Where the commissioner is or was a blood relative of the party of the relevant petition;
3. Where the commissioner has testified or appraised the relevant petition;
4. Where the commissioner participates or participated in the relevant petition as an agent of the party;
5. Where the commissioner has participated in any criminal investigation or trial with respect to the relevant petition or relief procedures under any other Act.

(2) Where there exist circumstances wherein the participation of a commissioner would prejudice the fairness of deliberation and resolution, the party may file an application to the chairperson of the Commission to recuse such commissioner, and the chairperson of the Commission shall, in turn, make a decision thereon without referring the request to the Commission for resolution: Provided, That if it is inadequate that the chairperson of the Commission makes the decision, the said request shall be referred to the Commission for the resolution.

(3) Any commissioner may voluntarily recuse himself/herself from deliberation and resolution on the relevant petition, where he/she falls under either any of the subparagraphs of paragraph (1) or paragraph (2).

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 39 (Dismissal of Petition) (1) The Commission shall dismiss a petition if the content thereof turns out to fall under any of the following subparagraphs as a result of investigation:

1. Where it is evident that the content of the petition is not true, or there is no objective proof that it is true;
2. Where it does not correspond to a violation of human rights or a discriminatory act pursuant to Article 30 (1) as a result of investigation;
3. Where it is deemed that any further remedy is not required because the damage related to the petition has already been recovered.

(2) The Commission shall, if dismissing a petition, inform the party concerned of the result of such dismissal and grounds therefor.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 40 (Recommendations on Agreement)

With respect to any petition of which the investigation is in progress or has been completed, the Commission may propose a remedy necessary for the fair resolution of the case concerning the petition and offer recommendations on agreement to the party.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 41 (Establishment and Composition of Mediation Committee) (1) There may

hereby be established a mediation committee for each category, such as sex, disability, etc., within the Commission to ensure the speedy and fair handling of conciliation.

(2) Members of the mediation committee (hereinafter referred to as "member of the mediation committee") shall be commissioned for each category by the chairperson from among the following persons:

1. A person who has expertise and experience relevant to the issues of human rights and has worked in a human rights - related field in a State agency or a private organization for ten years or more;
2. A person who has more than ten years of professional experience as a judge, a prosecutor, a military judge advocate or an attorney - in - law;
3. A person who has more than ten years of professional experience as an assistant professor or higher in an university or college or a publicly certified research institution.

(3) A meeting of a mediation committee shall consist of the following persons:

1. One person designated by the chairperson at each meeting from among members of the mediation committee who are commissioners of the Commission;
2. Two persons designated by the chairperson at each meeting from among member of the mediation committee for each category under paragraph (2).

(4) Necessary matters concerning the commission and term of office of members of the mediation committee, the composition and operation of mediation committees and the procedures for mediation, etc., shall be prescribed by the rules of the Commission.

(5) With respect to matters concerning the procedures for mediation by the Commission, which are neither prescribed by this Act nor the rules of the Commission, the Judicial Conciliation of Civil Disputes Act shall apply mutatis mutandis.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 42 (Mediation by Mediation Committee) (1) A mediation committee may initiate the procedure of conciliation regarding a petition submitted to a mediation committee upon the application of the party or ex officio on the case of a violation of human rights or a discriminatory act.

(2) Mediation shall be completed at the time when, after the procedures therefor are initiated, both parties state the compromised matters in mediation documents, and sign and seal such documents, and the competent mediation committee, in turn, ascertains no flaw of those documents.

(3) If both parties fail to reach an agreement during the course of mediation procedures, the competent mediation committee may make a decision in lieu of the mediation in order to fairly settle the case.

(4) A decision in lieu of mediation may include any of the following:

1. Cessation of a violation of human rights or a discriminatory act subject to investigation;
2. Reinstatement, compensation for damage or other necessary remedies;
3. Measures necessary for the prevention of recurrence of the same or similar violation of human rights or discriminatory acts.

(5) If a mediation committee makes a decision in lieu of conciliation, it shall serve both parties with the written decision without delay.

(6) If any party fails to file a complaint within 14 days after he/she has been served with a written decision under paragraph (5), he/she shall be deemed to accept the mediation.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 43 (Effect of Mediation by Mediation Committee)

A mediation under Article 42 (2) and a decision in lieu of mediation in case of no complaint under Article 42 (6) shall have the same effect as a settlement at court.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 44 (Recommendation of Remedies, etc.) (1) If the Commission deems that there occurred any violation of human rights or discriminatory acts as a result of the investigation of any petition, it may recommend the respondent or the head of the institution or the organization to which he/she belongs or the supervisory institution thereof (hereinafter referred to as the "competent institution, etc.") to take the following measures: <Amended by Act No. 14028, Feb. 3, 2016>

1. Implementation of the remedies under the subparagraphs of Article 42 (4);
2. Rectification or improvement of any relevant statute, institution, policy or practice.

(2) The provisions of Article 25 (2) through (5) shall apply mutatis mutandis to the head of the competent institution, etc., who has received a recommendation under paragraph (1). <Amended by Act No. 11413, Mar. 21, 2012>

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 45 (Accusation and Recommendation of Disciplinary Action) (1) If the Commission deems, as a result of the investigation of any petition, that the content of the petition corresponds to a criminal act against which a criminal punishment is required, it may file an accusation to the Prosecutor General: Provided, That where the accused is a member of military personnel or civilian personnel in the military, the accusation may be filed to the Chief of General Staff of the armed forces concerned or the Minister of National Defense.

(2) If it is deemed that there occurred any violation of human rights as a result of the investigation of any petition, the Commission may recommend a disciplinary action against the respondent or any other person responsible for the same violation to the head of the competent institution, etc.

(3) The Prosecutor General, the Chief of General Staff of the armed forces or the Minister of National Defense who has received an accusation under paragraph (1) shall terminate the criminal investigation within three months from the date on which he/she has been accused and notify the Commission of the results thereof: Provided, That he/she shall, if failing to do so within three months, clarify the reason therefor.

(4) The head of the competent institution, etc. who has received a recommendation from the Commission under paragraph (2), shall respect the said recommendation and notify the Commission of the results thereof.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 46 (Provision of Opportunities to State Opinions) (1) The Commission shall provide the respondent with an opportunity to state his/her opinion before making a recommendation or taking a measure under Article 44 or 45.

(2) In the case of paragraph (1), any party or any interested person may present verbal or written opinions or submit necessary materials to the Commission.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 47 (Request for Legal Aid for Victims) (1) The Commission may, if deemed necessary for the Commission's investigation or the securement of evidence or the recovery of rights of victims relating to any petition, request the Korea Legal Aid Corporation or any other institution to render legal aid to the said victims.

(2) No request for legal aid under paragraph (1) shall be made against the intent manifested by the relevant victim.

(3) Necessary matters concerning procedures, content and methods of legal aid under paragraph (1) shall be prescribed by the rules of the Commission.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 48 (Recommendation of Urgent Relief Measures) (1) After the Commission receives any petition, if it is deemed highly likely that any violation of human rights or a discriminatory act against a person subject to investigation is in progress and then it is deemed likely that any damage impracticable to recover where such violation or discrimination is left unattended, the Commission may recommend the respondent or the head of the competent institution, etc. to take measures falling under any of the following subparagraphs on the application by the petitioner or

victim or ex officio before making a decision on such petition:

1. Provision of medical services, meals, clothing, etc.;
2. Participation in the on - site inspection and appraisal of any relevant place, facility or materials, etc., or the verification and appraisal which is conducted by any other institution;
3. Change of the detention or accommodation place of the relevant internee;
4. Cessation of a violation of human rights or a discriminatory act;
5. Displacement of any public official who is deemed to commit a violation of human rights or a discriminatory act from his/her present position;
6. Other necessary matters for protecting the life or physical safety of such victim.

(2) The Commission may, if deemed necessary, take necessary measures for protecting the life, physical safety and honor of any party or any interested person, securing any relevant evidence or preventing the destruction thereof, or recommend such measures to the interested person and the head of the competent institution, etc.

[\[This Article Wholly Amended by Act No. 10679, May 19, 2011\]](#)

Article 49 (Non disclosure of Investigation and Mediation, etc.)

The investigation, mediation and deliberation by the Commission relating to any petition shall be off the record: Provided, That they may be disclosed to the public if the Commission makes a resolution in favor of such disclosure.

[\[This Article Wholly Amended by Act No. 10679, May 19, 2011\]](#)

Article 50 (Disclosure of Results, etc. of Settlement)

The Commission may publish the content and results of any investigation and mediation, recommendations to the related agencies, etc., and measures, etc., taken by the related agencies, etc., under this Chapter: Provided, That this shall not apply where such publication is restrained by any other Act or it is likely to infringe on the privacy of any individual.

[\[This Article Wholly Amended by Act No. 10679, May 19, 2011\]](#)

CHAPTER V SUPPLEMENTARY PROVISIONS

Article 51 (Prohibition on False Personation)

No person shall exercise the authority of the Commission by falsely pretending to be a commissioner or a staff member of the Commission.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 52 (Prohibition against Disclosure of Confidential Information)

A person who is or was a commissioner, member of the mediation committee, advisory member or staff member of the Commission and any other person who performs or performed duties of the Commission after having been dispatched to or commissioned by the Commission shall not disclose any confidential information which comes to the knowledge of or is acquired by such person in the course of performing his/her duties.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 53 (Prohibition on Use of Similar Name)

No person other than the Commission shall use the name "the National Human Rights Commission" or any other name similar thereto.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

- Article 54 (Dispatch of Public Officials, etc.)** (1) The Commission may, if deemed necessary to perform its duties, request the heads of related agencies, etc., to dispatch public officials or staff members under their supervision to the Commission.
- (2) The heads of related agencies, etc., in receipt of a request under paragraph (1) may dispatch public officials or staff members under their supervision to the Commission in consultation with the Commission.
- (3) The public officials or staff members dispatched to the Commission under paragraph (2) shall perform duties of the Commission independently from the competent agencies.
- (4) The heads of related agencies, etc., who have dispatched public officials or staff members under his/her supervision to the Commission under paragraph (2) shall not take unfavorable measures against the said public officials or staff members in the personnel, treatment or working conditions.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

- Article 55 (Prohibition on Unfavorable Treatment, and Supports)** (1) No person shall be subject to unfavorable treatment such as removal from his/her office, transference, disciplinary action, unfair treatment, and other disadvantages related to status or working conditions on account of his/her petition, statement, testimony, submission of materials, etc., or replies under this Act.
- (2) The Commission may give any necessary support or reward to a person who either reveals the fact of a violation of human rights or a discriminatory act, or finds or presents relevant evidence or materials.
- (3) The content and procedures of support or reward under paragraph (2) and other necessary matters shall be prescribed by the rules of the Commission.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

CHAPTER VI PENALTY PROVISIONS

- Article 56 (Obstruction of Performance of Human Rights Protection Duties)** (1) A person who falls under any of the following subparagraphs shall be punished by imprisonment with labor for not more than five years or by a fine not exceeding 30 million won:
1. A person who assaults or intimidates a commissioner or a staff member of the Commission in the performance of his/her duties;
 2. A person who assaults or intimidates a commissioner or a staff member of the Commission for the purpose of coercing or hindering any act in relation to the performance of duties of the said commissioner or the said staff member or compelling the said commissioner or the said staff member to resign his/her position;
 3. A person who obstructs the performance of duties of a commissioner or a staff member of the Commission by deceptive means;
 4. A person who destroys, falsifies or alters evidence related to other person's case of a violation of human rights or a discriminatory act subject to investigation by the Commission under Chapter IV of this Act, or uses evidence so falsified or altered.

(2) If a blood relative commits a crime under paragraph (1) 4 for himself/herself, they shall not be punished.

[[This Article Wholly Amended by Act No. 10679, May 19, 2011](#)]

Article 57 (Obstruction of Preparation, etc. of Written Petitions)

A person who fails to allow or obstructs any petition in violation of Article 31 shall be punished by imprisonment with labor for not more than three years or by a fine not exceeding 30 million won.<[Amended by Act No. 12500, Mar. 18, 2014](#)>

[[This Article Wholly Amended by Act No. 10679, May 19, 2011](#)]

Article 58 (False Personation)

A person who exercises the authority of the Commission by falsely pretending to be a commissioner or a staff member of the Commission in violation of Article 51 shall be punished by imprisonment with labor for not more than two years or by a fine not exceeding seven million won.

[[This Article Wholly Amended by Act No. 10679, May 19, 2011](#)]

Article 59 (Disclosure of Confidential Information)

A person who discloses any such confidential information as coming to his/her knowledge or acquired by him/her in the course of performing his/her duties in violation of Article 52 shall be punished by imprisonment with labor for not more than two years, suspension of qualifications for not more than five years or a fine not exceeding 20 million won.<[Amended by Act No. 12500, Mar. 18, 2014](#)>

[[This Article Wholly Amended by Act No. 10679, May 19, 2011](#)]

Article 60 (Obstruction of Urgent Relief Measures)

A person who obstructs measures taken by the Commission under Article 48 (1) or (2) shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding five million won.

[[This Article Wholly Amended by Act No. 10679, May 19, 2011](#)]

Article 61 (Violation of Confidentiality)

A person who violates confidentiality in violation of Article 31 (6) or (7) shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding 30 million won.<[Amended by Act No. 12500, Mar. 18, 2014](#)>

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 62 (Legal Fiction as Public Official in Application of Penal Provisions)

Any person other than a public official from among commissioners of the Commission shall be deemed to be a public official in the application of penal provisions under the Criminal Act or any other Act.

[This Article Wholly Amended by Act No. 10679, May 19, 2011]

Article 63 (Administrative Fines) (1) A person who falls under any of the following subparagraphs shall be punished by an administrative fine not exceeding ten million won:

1. A person who refuses, obstructs or evades either a visit and investigation under Article 24 (1) or a practical on - spot inspection under Article 36 without any justifiable reason;
2. A person who fails to comply with the requisition for submitting a written statement by or presenting himself/herself in front of the Commission under Article 36 (1) 1 or (2) without any justifiable reason;
3. A person who fails to comply with the requisition for submission of materials and the reference for any fact under Article 36 (1) 2 and 4 or (5) without any justifiable reason, or submits false materials.

(2) A person who violates the provisions of Article 53 shall be punished by an administrative fine not exceeding three million won.

(3) An administrative fine as prescribed in paragraphs (1) and (2) shall be imposed by the chairperson of the Commission in accordance with the Presidential Decree.

(4) A person who is dissatisfied with any disposition of an administrative fine as prescribed in paragraph (3) may raise an objection to the chairperson of the Commission within 30 days after being notified of the said disposition.

(5) If a person who is subject to a disposition of an administrative fine under paragraph (3) raises an objection under paragraph (4), the imposition authority shall, without delay, notify the competent court of such fact and the competent court so notified shall proceed to a trial on an administrative fine pursuant to the Non - Contentious Case Litigation Procedure Act. <Amended by Act No. 7651, Jul. 29, 2005>

(6) If an objection is not raised within the period as prescribed in paragraph (4) and an administrative fine is not paid, the administrative fine shall be collected in the

same matter as delinquent national taxes are collected.

ADDENDA <No. 7427, 31. Mar, 2005 >

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

ADDENDA <No. 7651, 29. Jul, 2005 >

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

ADDENDA <No. 7655, 04. Aug, 2005 >

Article 1 (Enforcement Date)

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

Articles 2 through 8 Omitted.

ADDENDA <No. 7796, 29. Dec, 2005 >

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <No. 8050, 04. Oct, 2006 >

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2007. (Proviso Omitted.)

Articles 2 through 12 Omitted.

ADDENDA <No. 8435, 17. May, 2007 >

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2008. (Proviso Omitted.)

Articles 2 through 9 Omitted.

ADDENDA <No. 9402, 03. Feb, 2009 >

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <No. 10679, 19. May, 2011 >

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

ADDENDA <No. 11413, 21. Mar, 2012 >

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 5 (3) shall enter into force on May 30, 2012.

Article 2 (Applicability)

The amended provisions of Article 25 (3) and (4) shall apply, beginning with the first case of recommendation after this Act enters into force.

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

Article 1 (Enforcement Date)

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

(2) Omitted.

Articles 2 through 7 Omitted.

ADDENDA <No. 12500, 18. Mar, 2014 >

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

ADDENDA <No. 14028, 03. Feb, 2016>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Exempting Commissioners from Responsibilities for Remarks, etc. Made in the Course of Performing Their Duties)

The amended provisions of Article 8 - 2 shall apply beginning with the first remarks and decisions made after this Act enters into force by commissioners in the course of performing their duties.

Article 3 (Transitional Measures concerning Selection, Nomination, or Appointment of Commissioners)

Any person who is a commissioner as at the time this Act enters into force shall be deemed to have been selected, nominated, or appointed under the amended provisions of Articles 5 (3) and 4.

Article 4 (Transitional Measures, etc. concerning Organization of Commissioners of the Commission)

(1) Where the amended provisions of Article 5 (7) are not met as at the time commissioners are selected, nominated, or appointed after this Act enters into force (excluding where a commissioner serves consecutive terms), commissioners of a certain gender shall be selected, nominated, or appointed until the relevant amended provisions are met.

(2) The previous Article 5 (5) shall apply to the composition of the commissioners of the Commission until the amended provisions of Article 5 (7) are met pursuant to paragraph (1).