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POLICE ACT

[Enforcement Date 26. Jul, 2017.] [Act No.14839, 26. Jul, 2017., Amendment
by Other Act]

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CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to perscribe the basic structure and scope of duty of the national police and other necessary matters therefor for the democratic management and operation, and efficient performance of duty of the national police.

[This Article Wholly Amended by Act No. 10745, May 30, 2011]

Article 2 (Structure of National Police)(1) The National Police Agency shall be

established under the control of the Minister of the Interior and Safety to administer affairs concerning public security. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014; Act No. 14839, Jul. 26, 2017 >

(2) In order to perform affairs of the National Police Agency by allotting them among regions, regional police agencies shall be established under the control of a Special Metropolitan City Mayor, Metropolitan City Mayors and Do Governors (hereinafter referred to as the "City Mayor/Do Governor") and police stations shall be established under the control of commissioners of regional police agencies. In such cases, two local police agencies may be established under the control of each City Mayor/Do Governor in consideration of population, administrative districts, area, geographical characteristics, traffic and other conditions.<Amended by Act No. 11335, Feb. 22, 2012 >

[This Article Wholly Amended by Act No. 10745, May 30, 2011]

Article 3 (Duties of National Police)

The duties of the national police shall be as follows:<Amended by Act No. 12062, May 20, 2014 >

1. Protection of people's lives, health and property;
2. Prevention, suppression and investigation of crimes;
3. Performance of guard duty, security escort of very important persons, and counter - espionage and counter - terrorism operations;

4. Collection, preparation and distribution of information on public security;
5. Traffic control and prevention of danger and injuries;
6. International cooperation with foreign government agencies and international organizations;
7. Other activities to maintain public peace, order, etc.

[This Article Wholly Amended by Act No. 11032, Aug. 4, 2011]

Article 4 (Prohibition of Abuse of Power)

The national police shall, in conducting its duties, respect the liberty and rights of citizens in accordance with the Constitution and Acts, and maintain impartiality and neutrality as a civil servant of the entire citizens and shall not abuse authority vested in it.

[This Article Wholly Amended by Act No. 10745, May 30, 2011]

CHAPTER II POLICE COMMITTEE

- Article 5 (Establishment of Police Committee)**(1) The Police Committee shall be established in the Ministry of the Interior and Safety to deliberate on and resolve matters concerning police administration in each subparagraph of Article 9 (1) (hereinafter referred to as the "Committee"). <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014; Act No. 14839, Jul. 26, 2017>
- (2) The Committee shall be comprised of seven members including one chairperson, and the chairperson and five members shall be non - permanent, while one member shall be a permanent.
- (3) A permanent member among the members referred to in paragraph (2) shall be in political service.

[This Article Wholly Amended by Act No. 10745, May 30, 2011]

- Article 6 (Appointment and Grounds for Disqualification of Members)**(1) A member shall be appointed by the President on the recommendation of the Minister of the Interior and Safety through the Prime Minister. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014; Act No. 14839, Jul. 26, 2017>
- (2) The Minister of the Interior and Safety shall, when recommending the appointment of a member, endeavor to secure the political neutrality of the national

police. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014; Act No. 14839, Jul. 26, 2017 >

(3) Two out of the members shall be qualified as a court judge.

(4) No person falling under any of the following subparagraphs shall become a member:

1. A person for whom three years have not passes since he/she seceded from a political party;
2. A person for whom three years have not passed since he/she retired from an elective public office;
3. A person for whom three years have not passed since he/she retired from the police, prosecutors' office, National Intelligence Service or military office;
4. A person falling under any subparagraph of Article 33 of the State Public Officials Act.

[This Article Wholly Amended by Act No. 10745, May 30, 2011]

Article 7 (Term of Office and Guarantee of Status of Members)(1) The term of office of members shall be three years, and they shall not be reappointed consecutively. In such cases, the term of office of a member filling a vacancy shall be the remainder of his/her predecessor's term of office.

(2) Each member shall resign as a matter of course when he/ she joins a political party, assumes or is appointed to a post referred to in Article 6 (4) 2 or 3 or falls under subparagraph 4 of the same Article.

(3) Each member shall not be dismissed from office against his/her will unless he/she becomes unable to perform his/her duties due to serious physical or mental disabilities.

[This Article Wholly Amended by Act No. 10745, May 30, 2011]

Article 8 (Application Mutatis Mutandis of the State Public Officials Act)

Articles 60 and 65 of the State Public Officials Act shall apply mutatis mutandis to members.

[This Article Wholly Amended by Act No. 10745, May 30, 2011]

Article 9 (Matters subject to Deliberation and Resolution by Committee)(1) The

Committee shall deliberate and pass resolutions on the following: <Amended by Act

No. 11690, Mar. 23, 2013; Act No. 12062, May 20, 2014; Act No. 12844, Nov. 19, 2014; Act No. 14839, Jul. 26, 2017 >

1. Matters concerning major policies for the national police, such as personnel, budget, equipment and communications, and development of duties of the national police;
2. Matters concerning the operation and improvement of the national police with respect to protection of human rights;
3. Matters concerning major policies to prevent corruption and improve integrity of the national police;
4. Matters concerning requests from other State agencies for cooperation in business, other than duties of the national police;
5. Matters concerning major policies for support and cooperation, coordination in concluding agreements, etc. of the national police for the autonomous police of the Jeju Special Self - Governing Province;
6. Other matters deemed important and tabled to a meeting of the Committee by the Minister of the Interior and Safety and the Commissioner of the National Police Agency.

(2) When the Minister of the Interior and Safety determines that a matter deliberated and resolved pursuant to paragraph (1) is inappropriate, he/she may request reconsideration. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014; Act No. 14839, Jul. 26, 2017 >

[This Article Wholly Amended by Act No. 10745, May 30, 2011]

Article 10 (Operation, etc. of Committee)(1) The affairs of the Committee shall be performed by the National Police Agency.

(2) Meetings of the Committee shall be resolved in the presence of a majority of registered members and with the consent of a majority of members present.

(3) Except as otherwise provided for in this Act, matters necessary for the operation of the Committee, specific scope of matters subject to deliberation and resolution referred to in each subparagraph of Article 9 (1), requests for reconsideration, etc. shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10745, May 30, 2011]

CHAPTER III NATIONAL POLICE AGENCY

Article 11 (Commissioner of National Police Agency)(1) The National Police Agency shall have the Commissioner of the National Police Agency, and the Commissioner the National Police Agency shall be appointed as the commissioner general.

<Amended by Act No. 10745, May 30, 2011 >

(2) The Commissioner of the National Police Agency shall be appointed by the President with a recommendation of the Minister of the Interior and Safety under the consent of the Police Committee through the Prime Minister. In such cases, the Commissioner shall undergo a personnel hearing of the National Assembly.<Amended by Act No. 10745, May 30, 2011; Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014; Act No. 14839, Jul. 26, 2017 >

(3) The Commissioner of the National Police Agency shall administer general affairs concerning the national police, supervise the duties of the National Police Agency, and direct and supervise public officials and the heads of national police agencies of each rank under his/her control.<Amended by Act No. 10745, May 30, 2011 >

(4) Deleted.<by Act No. 7035, Dec. 31, 2003 >

(5) The term of office of the Commissioner of the National Police Agency shall be two years and shall not be reappointed.<Amended by Act No. 10745, May 30, 2011 >

(6) When the Commissioner of the National Police Agency contravenes the Constitution or Acts in the course of performing his/her duties, the National Assembly may resolve to impeach him/her.<Amended by Act No. 10745, May 30, 2011 >

Article 12 (Deputy Commissioner)(1) The National Police Agency shall have the Deputy Commissioner and the Deputy Commissioner shall be appointed as the chief superintendent general.

(2) The Deputy Commissioner shall assist the Commissioner of the National Police Agency, and when the Commissioner of the National Police Agency is unable to perform his/her duty due to unavoidable circumstances, the Deputy Commissioner shall act on his/her behalf.

[This Article Wholly Amended by Act No. 10745, May 30, 2011]

Article 13 (Sub - organization)(1) The sub - structures of the National Police Agency shall consist of bureaus or departments, and divisions.

(2) The assistant officer, who serves the Commissioner, Deputy Commissioner, the heads of bureaus or the heads of departments of the National Police Agency by formulating policies, drafting plans and conducting surveys and research, may be appointed under the direct control of them.

(3) The names of sub - organizations of the National Police Agency, allotment of affairs among them, and the number of public officials shall be determined by Presidential Decree or by Ordinance of the Ministry of the Interior and Safety by applying Article 2 (4) and (5) of the Government Organization Act mutatis mutandis.

<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014; Act No. 14839, Jul. 26, 2017 >

[This Article Wholly Amended by Act No. 10745, May 30, 2011]

CHAPTER IV LOCAL POLICE

Article 14 (Commissioners of Local Police Agencies)(1) Each local police agency shall have the commissioner of a police agency, and the commissioners of local police agencies shall be appointed as the chief superintendent general, senior superintendent general or superintendent general.

(2) The commissioner of each local police agency shall supervise the affairs of the national police in areas under his/her jurisdiction under the command and supervision of the Commissioner of the National Police Agency, and command and supervise public officials and the heads of national police agencies under his/her control.

[This Article Wholly Amended by Act No. 10745, May 30, 2011]

Article 15 (Deputy Commissioner)(1) Each local police agency may have the deputy commissioner.

(2) Each deputy commissioner shall handle affairs under his/her control, assisting the commissioner of the relevant local police agency, and when the commissioner of the relevant local police agency is unable to perform his/her duty due to unavoidable circumstances, the deputy commissioner shall act on his/her behalf.

[This Article Wholly Amended by Act No. 10745, May 30, 2011]

Article 16 (Public Security Administration Council)(1) A public security administration council shall be established under the control of each City Mayor/Do Governor (excluding the Governor of the Jeju Special Self - Governing Province) to adjust affairs concerning local public administration and public security administration and to consult on and coordinate other necessary matters.

(2) The organization and operation of, and other necessary matters concerning public security administration councils shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 10745, May 30, 2011]

Article 17 (Chiefs of Police Stations)(1) Each police station shall have the chief of a police station, and the chief of each police station shall be appointed as the superintendent general, senior superintendent or superintendent. <Amended by Act No. 11335, Feb. 22, 2012>

(2) The chief of each police station shall supervise affairs under his/her control in areas under his/her jurisdiction under the command and supervision of the commissioner of the relevant local police agency, and command and supervise public officials under his/her control.

(3) District police forces or police sub - stations shall be established under the control of the chief of each police station, and criteria for the establishment thereof shall be prescribed by Ordinance of the Ministry of the Interior and Safety in consideration of the characteristics of jurisdictional districts, such as security needs, traffic and geography: Provided, That branch offices may be established when necessary.<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014; Act No. 14839, Jul. 26, 2017>

[This Article Wholly Amended by Act No. 10745, May 30, 2011]

Article 18 (Service Regulations)

Titles, locations, jurisdictional areas, sub - organizations and the number of public officials of local police agencies and police stations and other matters necessary therefor shall be prescribed by Presidential Decree or by Ordinance of the Ministry of the Interior and Safety by applying Article 2 (4) and (5) of the Government Organization Act mutatis mutandis.<Amended by Act No. 11690, Mar. 23, 2013; Act No.

[12844, Nov. 19, 2014; Act No. 14839, Jul. 26, 2017>](#)

[\[This Article Wholly Amended by Act No. 10745, May 30, 2011\]](#)

CHAPTER VI NATIONAL POLICE OFFICIALS

CHAPTER V (Articles 19 through 22) Deleted.

Article 23 (National Police Officials)(1) The ranks of national police officials shall be the commissioner general, chief superintendent general, senior superintendent general, superintendent general, senior superintendent, superintendent, senior inspector, inspector, assistant inspector, senior police officer and police officer.

(2) Matters concerning employment, education and training, service, guarantee of status, etc. of national police officials shall be prescribed by another Act.

[\[This Article Wholly Amended by Act No. 10745, May 30, 2011\]](#)

Article 24 (Performance of Duty)(1) A national police official shall perform his/her duty under the command and supervision of higher - rank officials and shall cooperate with one another in the performance of such duty.

(2) A national police official may raise an objection when dissatisfied with the legitimacy or justifiability of command and supervision referred to in paragraph (1) regarding the investigation of a specific case.

(3) Matters necessary for the performance of duties of national police officials shall be prescribed by another Act.

[\[This Article Wholly Amended by Act No. 10745, May 30, 2011\]](#)

CHAPTER VII SPECIAL MEASURES IN STATE OF EMERGENCY

Article 25 (Commanding and Ordering Autonomous Police in States of Emergency)(1)

When the Commissioner of the National Police Agency has a good ground to recognize that it is necessary to take an urgent measure for the maintenance of nationwide public security because a war, disturbance, natural disaster or other state of national emergency equivalent thereto, large - scale terror or commotion has occurred or is likely to occur, he/she may directly command or order autonomous police officials of the Jeju Special Self - Governing Province (hereinafter referred to

as "autonomous police official") pursuant to paragraph (2): Provided, That when necessary for the maintenance of public security in the region of the Jeju Special Self - Governing Province, the commissioner of the Jeju Provincial Police Agency may directly issue commands and orders.

(2) The Commissioner of the National Police Agency or the commissioner of the Jeju Provincial Police Agency shall, when necessary to take a measure referred to in paragraph (1), give prior notice to the Governor of the Jeju Special Self - Governing Province of grounds for, details, etc. of his/her intention to directly command and order autonomous police officials in detail. In such cases, the Governor of the Jeju Special Self - Governing Province shall promptly order autonomous police officials under his/her control to be subject to the commands and orders of the Commissioner of the National Police Agency and the commissioner of the Jeju Provincial Police Agency unless he/she has any justifiable ground otherwise.

(3) When the Commissioner of the National Police Agency or the commissioner of the Jeju Provincial Police Agency takes over the right to command and order pursuant to paragraph (1), the Commissioner of the National Police Agency shall promptly report thereon to the Police Committee, while the commissioner of the Jeju Provincial Police Agency shall promptly notify the competent public security administration committee referred to in Article 94 of the Special Act on the Establishment of Jeju Special Self - Governing Province and the Development of Free International City thereof. <Amended by Act No. 13426, Jul. 24, 2015 >

(4) Upon receipt of a report on the change of a person holding the right to command and order autonomous police officials pursuant to paragraph (3), the Police Committee may, when recognizing that no ground referred to in paragraph (1) exists, make a resolution to have the right to command and order returned, and the public security administration committee notified of the same may, when recognizing that no ground referred to in paragraph (1) exists, propose the Commissioner of the National Police Agency or the commissioner of the Jeju Provincial Police Agency to return the right to command and order.

(5) The Commissioner of the National Police Agency or the commissioner of the Jeju Provincial Police Agency shall, when the ground on which the Commissioner of the National Police Agency or the commissioner of the Jeju Provincial Police Agency is entitled to command and order autonomous police officials ceases to exist, promptly

return the right to command and order autonomous police officials to the Governor of the Jeju Special Self - Governing Province.

(6) In cases where an autonomous police official of the Jeju Special Self - Governing Province is subject to commands and orders from the Commissioner of the National Police Agency or the commissioner of the Jeju Provincial Police Agency pursuant to paragraphs (1) and (2), he/she shall be deemed a national police official within the scope of such command and order.

[This Article Wholly Amended by Act No. 10745, May 30, 2011]

CHAPTER VIII PROMOTION OF SCIENCE AND TECHNOLOGY IN FIELD OF PUBLIC SECURITY

Article 26 (Support, etc. for Research and Development Necessary for Public Security)

(1) The Commissioner of the National Police Agency shall prepare and implement policies to promote science and technology in the field of public security, including the research, experiment, examination and development of technology required for public security (hereinafter referred to as "research and development projects") and training of specialists.

(2) For the efficient implementation of research and development projects, the Commissioner of the National Police Agency may conclude an agreement with any of the following institutions, organizations, etc. and require them to implement research and development projects: <Amended by Act No. 14079, Mar. 22, 2016>

1. A national or public research institute;
2. A specific research institute defined in Article 2 of the Specific Research Institutes Support Act;
3. A Government - funded science and technology research institute established under the Act on the Establishment, Operation and Fostering of Government - Funded Science and Technology Research Institutes Etc.;
4. A university and college, industrial college, junior college or technical college under the Higher Education Act;
5. A public security research institute established as a corporation pursuant to the Civil Act or any other Act, or a research institute annexed to corporations;

6. A research institute annexed to companies or a department of a company exclusively responsible for research and development, as recognized under Article 14 (2) 1 of the Basic Research Promotion and Technology Development Support Act;

7. Other institutions or organizations prescribed by Presidential Decree, which conduct the research, examination, technology development, etc. related to public security.

(3) The Commissioner of the National Police Agency may fully or partially contribute or subsidize the expenses required by the institutions, organizations, etc. referred to in each subparagraph of paragraph (2) in implementing research and development projects.

(4) Matters necessary for the implementation of research and development projects under paragraph (2) and the payment, use, management, etc. of contributions referred to in paragraph (3) shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 12062, May 20, 2014]

ADDENDA <No. 4369, 31. May, 1991 >

Article 1 (Enforcement Date)

This Act shall enter into force sixty days after the date of its promulgation.

Article 2 (Tenure of First Committee Member)

The tenure of the first police committee member appointed under this Act shall be as follows; the tenure of two (the chairman and standing member) among seven members shall be three years, and that of other five members shall be two years.

Article 3 (Transitional Measures on Establishment of National Police Agency)

The Public Security Headquarters of the Ministry of Home Affairs and public officials under its jurisdiction at the time when this Act enters into force, shall be considered as the National Police Agency and public officials under its jurisdiction, and police bureau and police station of Seoul Special Metropolitan City, Metropolitan City, or Do and public officials under its jurisdiction shall be considered as the local police agency or police station and public officials under its jurisdiction, and the National Maritime Police Force, or District Maritime Police Force and public officials under its jurisdiction shall be considered as the National Maritime Police Agency, or maritime

police station and officials under its jurisdiction under this Act, respectively.

Article 4 Omitted.

ADDENDA <No. 5153, 08. Aug, 1996 >

Article 1 (Enforcement Date)

This Act shall enter into force on the date of the promulgation of the Presidential Decree concerning the Organization of the Ministry of Maritime Affairs and Fisheries, and the National Maritime Police Agency within thirty days after the date of its promulgation under the conditions as prescribed by the amended provision of Article 41.

Articles 2 through 4 Omitted.

ADDENDA <No. 5260, 13. Jan, 1997 >

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

(2) Omitted.

ADDENDA <No. 5454, 13. Dec, 1997 >

This Act shall enter into force on January 1, 1998. (Proviso Omitted.)

ADDENDA <No. 5529, 28. Feb, 1998 >

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. 5681, 21. Jan, 1999 >

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <No. 6279, 20. Dec, 2000 >

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

ADDENDA <No. 6855, 04. Feb, 2003 >

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <No. 7035, 31. Dec, 2003 >

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

(2) (Transitional Measures regarding Tenure of Office of Incumbent Commissioner General) The tenure of office of the incumbent Commissioner General at the time of execution of this Act shall be counted from the date of appointment.

ADDENDA <No. 7247, 23. Dec, 2004 >

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <No. 7968, 19. Jul, 2006 >

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

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

Article 1 (Enforcement Date)

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

ADDENDA <No. 9114, 13. Jun, 2008 >

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

ADDENDA <No. 10745, 30. May, 2011 >

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

ADDENDA <No. 11032, 04. Aug, 2011 >

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

ADDENDA <No. 11335, 22. Feb, 2012 >

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

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. 12601, 20. May, 2014 >

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

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

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. 13426, 24. Jul, 2015 >

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation.
<Proviso Omitted >
Articles 2 through 39 Omitted.

ADDENDA <No. 14079, 22. Mar, 2016 >

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation.
Articles 2 and 3 Omitted.

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

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That among the Acts amended pursuant to Article 5 of this Addenda, amended parts of the Acts which were promulgated before this Act enters into force but the enforcement dates of which have not arrived, shall enter into force on the enforcement date of the relevant Act, respectively.
Articles 2 through 6 Omitted.