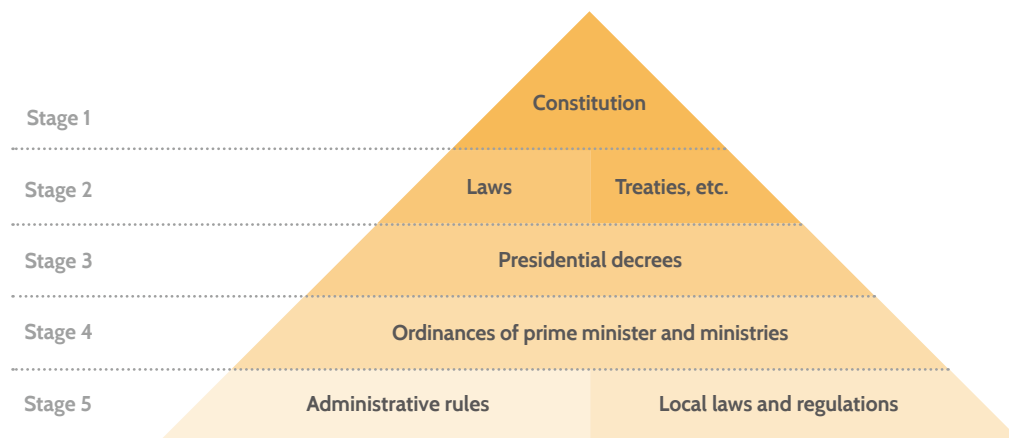


# Korean Legal System

*Living in Korea*, published by the Investment Consulting Center, provides necessary information and helpful tips for day-to-day life in Korea. Here's what's featured this month.

## I Legal Structure

The legal system of the Republic of Korea is comprised of the constitution that is the supreme law of the land; laws to materialize constitutional ideology; and administrative legislation including presidential decrees, ordinances of the prime minister, and ordinances of ministries for the effective implementation of laws. Since the laws of the Republic of Korea form a certain hierarchy, the lower laws that are enacted by the delegation of the higher laws or the enforcement of the higher laws cannot contain contents contrary to the higher laws. or the enforcement of the higher laws cannot contain contents contrary to the higher laws.



Hierarchy of Acts & Subordinate Statutes

## I Types of Laws

### (1) Constitution

The constitution which is the highest level of law in the Republic of Korea lays down the basic matters concerning the rights and obligations of the people, government structure, economic order and election management. The Constitution serves as the criteria and basis for the enactment and amendment of all subordinate laws and regulations of the Republic of Korea.

### (2) Law

The laws of the Republic of Korea refers to written laws established by the National Assembly to establish the principle of legality, the principle of no taxation without law, the requirements for acquisition of nationality, expropriation of property rights and compensation, administrative agencies, and the types of local governments.

### (3) Treaty

Treaty means a written agreement between states. International laws refers to international custom whose normative power is widely accepted by the international community. Treaties concluded and promulgated under the Constitution and generally accepted international laws have the same effect as domestic laws.

### (4) Order

Orders refers to general rules of law established by executive power. Presidential decrees include delegated orders and execution orders issued by the president, who is the head of the executive body, for the entirety of the administrative operation. The ordinances of the prime minister are issued about matters handled by the Ministry of Personnel Management, the Ministry of Government Legislation, and the Ministry of Patriots and Veterans Affairs which report directly to the prime minister. Generally, they are considered to be at the same level as ordinances of ministries.

### (5) Administrative Rule

Administrative rules are established by executive bodies for the purpose of presenting standards for job performance or handling.

### (5) Local Law and Regulation

Local laws and regulations are enacted by local governments in relation to their autonomy.

*If you have further questions please contact*



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