LAW OF INCORPORATION
OF
THE REPUBLIC OF KOREA
NATIONAL RED CROSS
Law of Incorporation of The Republic of Korea National Red Cross

Law No. 25 promulgated on April 30, 1949 amended by Law No. 3988, December 4, 1987

CHAPTER I GENERAL RULES

Article 1. (Purposes)

The purposes of this Law shall be to provide the general outlines concerning the organization and operation of the Republic of Korea National Red Cross for the smooth operation of Red Cross activities based on the spirit of the Geneva Conventions and the fundamental principles of the Red Cross, and thereby, to realize humanitarianism as the ideal of the Red Cross, and to contribute to the world peace and the welfare of mankind.

Article 2. (Capacity as a Juridical Person)

The Republic of Korea National Red Cross (here-in-after referred to as “Red Cross”) shall be a juridical person.

Article 3. (Registration)

Red Cross shall be registered pursuant to the Presidential Decree of the Republic of Korea.

Article 4. (Office)

(1) The seat of the Red Cross Headquarters shall be determined pursuant to the Statute of Incorporation of Red Cross.

(2) Pursuant to its Statute, Red Cross may establish Chapters at necessary localities.

Article 5. (Statute of Incorporation of Red Cross)

(1) The following shall be stipulated in the Statute of the Red Cross:

(a) Purpose;
(b) Name;
(c) Seat of the Headquarters and the establishment
of Chapters;
(d) General Assembly of National Representatives, the Central Committee and the Steering Committee;
(e) Officers;
(f) Internal structure;
(g) The types of members and membership fees;
(h) Assets and accounts;
(i) Activities and operation thereof;
(j) The method of public notices;
(k) The amendment of Statute; and
(l) Other provisions necessary for the management of Red Cross.

(2) The amendment of Statute shall be subject to approval of the Minister of Health and Social Affairs.

Article 6. (Membership)

(1) All residents in the Republic of Korea shall be eligible for membership in Red Cross regardless of sex, nationality, religion or political opinions.

(2) Members shall have the rights and duties pursuant to the Statute.

Article 7. (Activities)

Red Cross shall, for the achievement of its purposes stipulated in the Article 1, perform the following activities:

(a) Relief to prisoners of war and other victims in armed conflict in accordance with the spirit of the Geneva Conventions;

(b) Cure and relief to the sick and wounded in war, as an auxiliary to the military medical services;

(C) Relief to disaster victims of flood, fire, famine, pestilence, etc.;

(d) Engagement in activities related to public health and social welfare, including medical services (nursing and blood services included), emergency relief services, volunteer services, tracing services, Red Cross Youth and relevant educational services;

(e) Dissemination of the ideal of the Red Cross and the International Humanitarian Law;

(f) Promotion of international cooperation for the performance of Red Cross activities; and

(g) Engagement in other activities incidental to those enumerated in items (a) through (f).
Article 8. (Cooperation by the State and Local Governments)

The State and local governments may cooperate with Red Cross activities upon request by Red Cross.

CHAPTER II DECISION-MAKING BODIES

Article 9. (Kinds of Decision-making Bodies)

The following decision-making bodies shall be established by Red Cross:

(a) The General Assembly of National Representatives;
(b) The Central Committee; and
(c) The Steering Committee.

Article 10. (General Assembly of National Representatives)

(1) The General Assembly of National Representatives shall be established by Red Cross for the purposes of electing members of the Central Committee pursuant to Article 11, and deliberating on important matters submitted by the President of Red Cross (the "President").

(2) The General Assembly of National Representatives shall be composed of the President and the representatives appointed or elected from among the members of Red Cross, pursuant to the followings:

(a) Eight persons delegated by the President of the Republic of Korea;
(b) Twelve persons delegated by the National Assembly;
(c) Four persons each appointed by the Mayors of Seoul Special City and Direct-controlled Cities, and the Provincial Governors, and
(d) Four persons each elected by Red Cross Chapters of Seoul Special City, Direct-controlled Cities, and the Provinces.

(3) The term of office for a representative shall be three years. However, a representative elected to fill a vacancy shall only serve for the remaining term of the vacated office.

(4) The General Assembly of National Representatives shall be convened by the President more than once a year.
pursuant to the Statute. However, the President shall convene the General Assembly upon request of one-third or more of its total Representatives.

Article 11. (Central Committee)

(1) The Central Committee shall be established by Red Cross for the purpose of deliberating on and resolving the following matters:
(a) Amendment of the Statute;
(b) Election of the Steering Committee members pursuant to Article 12;
(c) Election of officers;
(d) Membership recruitment and fund-raising;
(e) Structure of Red Cross;
(f) Plans and budgets;
(g) Results of activities and settlement of accounts;
(h) Acquisition and disposal of real estate and loans of funds; and
(i) Other matters submitted by the President.

(2) The Central Committee shall be composed of twenty-seven members, including the President, and those prescribed by the following:
(a) Nineteen persons elected by the General Assembly of National Representatives; and
(b) Ministers of Foreign Affairs, Home Affairs, Finance, Justice, Defense, Education, and Health and Social Affairs.

(3) The term of office for a member, under paragraph(2), item(a), shall be three years. However, a member elected or appointed to fill a vacancy shall only serve for the remaining term of the vacated office.

(4) The central Committee shall be convened by the President more than once a year pursuant to Statute. However, the President shall convene the Central Committee upon request of one-third or more of its total members.

Article 12. (Steering Committee)

(1) The Steering Committee shall be established for the purpose of deliberating on and resolving matters delegated by the Central Committee or inappropriate for
deliberation by the Central Committee due to their urgent nature.

(2) The Steering Committee shall be composed of seven members including the President. Members shall include four persons elected from among Central Committee members, and two persons elected from among the officers of Red Cross by the Central Committee.

(3) The matters resolved by the Steering Committee shall be reported to the Central Committee.

(4) The Steering Committee shall be convened by the President.

Article 13. (Quorum for Resolution, etc.)

(1) The President shall be the Chairman of the General Assembly of National Representatives, the Central Committee, and the Steering Committee, and shall generally colligate the business of these bodies.

(2) The quorum of the General Assembly of National Representatives, the Central Committee, and the Steering Committee shall be opened respectively by the attendance of a majority of the Representatives or members registered, and resolutions shall be adopted by such concurrence of a majority of the Representatives or members present.

CHAPTER III EXECUTIVE BODIES

Article 14. (Honorary President and Honorary Vice-President)

(1) There shall be one Honorary President and one Honorary Vice-President for Red Cross.

(2) The President of the Republic of Korea and the Prime Minister shall be the Honorary President and the Honorary Vice-President, respectively.

Article 15. (Officers and Advisor)

(1) Officers of Red Cross shall be one President, three Vice-Presidents, one Finance Supervisor, and there shall be one Legal Counsellor as an advisor.

(2) The officers and advisor may be full-time or part-time, pursuant to Statute.
(3) Officers and advisor shall be elected by the Central Committee. However, the President, being elected by the Central Committee shall be approved by the President of the Republic of Korea.

Article 16. (Term of Office of Officers and Advisor)

The term of office of the President shall be three years, and that of other officers and advisor shall be two years. They may serve for only two consecutive terms.

Article 17. (Responsibilities of Officers and Advisor)

(1) The President shall represent Red Cross and generally guide all its activities.

(2) The Vice-Presidents shall assist the President, and in case of incapacitation of the latter, shall act as the President in the order of priority as predesignated by the President.

(3) The Finance Supervisor shall supervise the management of the finances of Red Cross and shall submit an opinion thereon to the Central Committee.

(4) The Legal Counsellor shall advise and shall be consulted regarding all the legal matters of Red Cross.

(5) Officers and advisor may attend the meetings of General Assembly of National Representatives, the Central Committee, and the Steering Committee, and may state their opinions.

Article 18. (Disqualifications for Officers)

Any one of the following categories shall not be eligible for officers of Red Cross:

(a) A person of adjudicated interdiction or quasi-interdiction;

(b) A bankrupt who has not been reinstated;

(c) A person who was sentenced to imprisonment or to a more severe punishment, provided that two years have not passed from the completion date of the execution of such sentence or from the date on which such sentence was suspended;

(d) A person deprived or suspended of qualifications by court decision or other law.
Article 19. (Secretariat)

(1) A Secretariat shall be established for the purpose of carrying out the activities of Red Cross.
(2) In the Secretariat, there shall be one Secretary General who manages the activities of Red Cross in accordance with the instructions of the President and who directs and supervises the subordinate staff members.
(3) The Secretary General shall be appointed by the President and approved by the Central Committee.

CHAPTER IV  FINANCE

Article 20. (Fiscal Year)

The fiscal year of Red Cross shall be the same as that of the government.

Article 21. (Approval of Plan of Activities, etc.)

(1) Plans and budget for every fiscal year prepared by Red Cross pursuant to the Presidential Decree shall be approved by the Minister of Health and Social Affairs. The same shall apply to amendments thereof.
(2) The Red Cross shall prepare a settlement of its accounts of revenues and expenditures for each fiscal year pursuant to the Presidential Decree, and shall submit a copy thereof to the National Assembly after review by the Minister of Health and Social Affairs.

Article 22. (Financial Resources for Activities)

All expenses for Red Cross operations and activities shall be defrayed from membership fees, subsidies from the state and local governments, earnings from income-generating businesses, and other incomes.

Article 23. (Gratuitous Loan of National or Public Properties)

(1) If necessary for fulfilling the purposes of Red Cross activities, the state or local governments may make a gratuitous loan of national or public properties, regardless of the provisions of the National Property Law and the Local Financial Law.
(2) A local government may make a gratuitous loan of its properties for Red Cross pursuant to paragraph (1), only if Red Cross is deemed to perform an activity of the local government entrusted to it by the local government.

CHAPTER V SUPPLEMENTARY RULES

Article 24. (Income-generating Business)

Subject to approval by the Minister of Health and Social Affairs, Red Cross may engage in income-generating business of a nature not detrimental to the execution of activities under Article 7.

Article 25. (Prohibition on the Misuse of Red Cross Emblem, etc.)

No one except Red Cross, military medical service facilities, and those who have received approval from Red Cross may use the emblem of Red Cross on the white background or other similar emblem for business or propaganda purposes.

Article 26. (Prohibition on the Misuse of Similar Titles)

No one except Red Cross, military medical service facilities, and those who have received approval from Red Cross may use the names “Red Cross”, “Geneva Red Cross” or other similar titles.

Article 27. (Supervision)

The Minister of Health and Social Affairs may render necessary supervision for fulfilling the purposes of Red Cross activities.

CHAPTER VI PUNITIVE REGULATIONS

Article 28. (Fine)

Any person who violates Article 25 shall be punished by a fine of not more than one million Won.

Article 29. (Non-penal Fine)

(1) Any person who violates Article 26 shall be punished
by a non-penal fine of not more than five hundred thousand Won.

(2) A non-penal fine under paragraph (1) shall be levied and collected by the Ministry of Health and Social Affairs pursuant to the Presidential Decree.

(3) Any person who wishes to dispute the imposition of a non-penal fine under paragraph (2) may raise an objection to the Minister of Health and Social Affairs within thirty days from the date of notice of the imposition.

(4) If a person against whom a non-penal fine has been assessed under paragraph (2) raises an objection pursuant to paragraph (3), the Minister of Health and Social Affairs shall, without delay, notify a competent court, and the court shall review the imposition of the non-penal fine under the Non-litigation Procedure Law.

(5) If a person raises no objection within the period stipulated in paragraph (3) and fails to pay the non-penal fine, the fine shall be collected pursuant to the procedure for national taxes in arrears.

ADDENDA

Article 1. (Effective Date)

This law shall become effective on January 1, 1988.

Article 2. (Interim Measures concerning Statute)

The Bylaws of Red Cross at the time of the enforcement of this Law shall be deemed to be the Statute prescribed in Article 5, paragraph (1). However, Red Cross shall prepare Statute in accordance with Article 5, paragraph (1) and have it adopted at a meeting of the Central Committee pursuant to Article 15 of previous Law of Incorporation of Republic of Korea National Red Cross within six months of the enforcement date of this Law, and shall obtain approval therefor from the Minister of Health and Social Affairs.

Article 3. (Interim Measure concerning the General Assembly of National Representatives)
A General Assembly of National Representatives under Article 10 shall be established within three months from the date of approval of the Statute pursuant to the proviso of article 2 of this Addenda.

Article 4 (Interim Measures concerning the Central Committee)

(1) The Central Committee under Article 11 shall be established within three months from the date of the establishment of General Assembly of National Representatives pursuant to Article 3 of this Addenda.

(2) The existing Central Committee shall be deemed to be the Central Committee under this Law until it is established pursuant to the above paragraph (1).

(3) Existing members of the Central Committee at the time of enforcement of this Law shall be deemed to be members of the Central Committee under this Law, and their terms of office shall be deemed inclusive of the time served in the previous term of office.

(4) Seven members of the Central Committee to be newly elected pursuant to Article 11, paragraph (2), item(a), shall be elected at the General Assembly of National Representatives in such a manner that their terms of office shall be three years for three persons, two years for two persons, and one year for the other two persons respectively, regardless of the Article 11, paragraph (3).

Article 5. (Interim Measures concerning the Steering Committee)

(1) The Steering Committee under Article 12 shall be established within one month from the date of the establishment of the Central Committee under this Law pursuant to Article 4, paragraph (a) of this Addenda.

(2) The existing Executive Committee shall be deemed to be the Steering Committee under this Law until the establishment of the Steering Committee pursuant to the above paragraph (1).

Article 6. (Interim Measures concerning Officers and Advisor)
(1) The President, on the effective date of this Law, shall be deemed to have been elected and approved in accordance with Article 15, paragraph (3), and the time served in the previous term of office shall count toward the term of office of the President.

(2) The Vice-Presidents and the Finance Supervisor of Red Cross on the effective date of this Law shall be deemed to have been elected in accordance with Article 15, paragraph (3), and the time served in the previous term of office shall count, provided that Article 16 shall apply, toward their respective terms of office.

(3) One Vice-President to be newly elected in accordance with Article 15, paragraph (1) shall be elected within one month from the date of the establishment of the Central Committee under this Law pursuant to Article 4, paragraph (1) of this Addenda.

(4) The Legal Counsellor of Red Cross on the effective date of this Law, shall be deemed to be an advisor elected in accordance with Article 15, paragraph (3), and the time served in the previous term of office shall count, provided that Article 16 shall apply, toward the term of office.

Article 7. (Interim Measures concerning Fiscal Year)

Regardless of Article 20, the fiscal year 1987 of Red Cross shall end on March 31, 1988, and the fiscal year 1988 of Red Cross shall begin on April 1, 1988 and end on December 31, 1988.