AVIATION SAFETY ACT


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CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)
The purpose of this Act is to protect the lives and property of people and to contribute to development of aviation technologies by prescribing methods for safe navigation of aircraft, light sport aircraft, or ultra-light vehicle in accordance with standards adopted and methods recommended by the Convention on International Civil Aviation and Annexes to the aforesaid Convention.

Article 2 (Definitions)
The terms used in this Act shall be defined as follows:
1. "Aircraft" means the following apparatus meeting the standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, such as the maximum takeoff weight and the number of seats, and other apparatuses prescribed by Presidential Decree, which are capable of flying by capitalizing on the reaction of the air (excluding reaction of the air against the surface of ground or water; hereinafter the same shall apply):
   (a) Airplane;
   (b) Helicopter;
   (c) Airship;
   (d) Glider;
2. "Light aircraft" means airplanes, helicopters, gyroplanes, powered parachutes, etc., meeting standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, such as the maximum takeoff weight and the number of seats, which are machines that are capable of flying by capitalizing on the reaction of the air, other than aircraft;
3. "Ultra-light vehicle" means powered flying machines, hang gliders, paragliders, hot air balloons, unmanned aerial vehicles, etc., meeting standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, such as the
aircraft’s own weight and the number of seats, which are machines that are capable of flying by the reaction of the air, other than aircraft and light sport aircraft;

4. "Aircraft of State agencies, etc." means aircraft owned or chartered by the State, a local government, or any public agency prescribed by the Act on the Management of Public Institutions and determined by Presidential Decree (hereinafter referred to as "State agency, etc"), which is used to perform any of the following duties: Provided, That this shall not include aircraft used in military, police, and customs services:

   (a) Search and rescue due to disasters and accidents;
   (b) Suppression and prevention of wildfire;
   (c) Rescue and first aid activities, such as the evacuation of emergency patients that require immediate medical attention;
   (d) Other duties necessary to ensure public security and to maintain public order;

5. "Aviation service" means any of the following services:

   (a) Operation of aircraft (including the operation of radio equipment) services (excluding flight training referred to in Article 46);
   (b) Air traffic control (including the operation of radio equipment) services (excluding the air traffic control practice referred to in Article 47);
   (c) Flight dispatch;
   (d) Safety validation to confirm whether aircraft, engines, propellers (hereinafter referred to as "aircraft, etc."), maintained, repaired or remodeled (hereinafter referred to as "maintenance, etc.") , fitments or parts are capably of flying safely (hereinafter referred to as "airworthiness");

6. "Aircraft accident" means any of the following occurrences prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, in relation to the operation of aircraft from the time any person boards the aircraft for the purpose of flight until all persons on board the aircraft disembark from the aircraft [in cases of an aircraft that flies without a human pilot aboard, but by remote control, etc. (hereinafter referred to as "unmanned aircraft"), referring to the moment it moves for the purpose of flight until the moment its engines stop because the flight has ended]:


(a) Death, serious injury, or missing of a person;
(b) Damage or structural damage to the aircraft;
(c) Where the position of the aircraft cannot be confirmed or it is impossible to approach the aircraft;

7. "Light aircraft accident" means any of the following occurrences prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, which takes place from the moment the engine of the light sport aircraft starts for the purpose of flight until the moment its engine stops because the flight has ended:
(a) Death, serious injury, or missing of a person by the light sport aircraft;
(b) Crash or collision of the light sport aircraft or the outbreak of fire therein;
(c) Where the position of the light sport aircraft cannot be confirmed or it is impossible to approach the light sport aircraft;

8. "Ultra-light vehicle accident" means any of the following occurrences prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, which takes place from the moment the ultra-light vehicle takes off from the ground (including takeoff from water; hereinafter the same shall apply) for the purpose of flight until the moment it lands on the ground (including landing on water: hereinafter the same shall apply):
(a) Death, serious injury, or missing of a person by the ultra-light vehicle;
(b) Crash or collision of the ultra-light vehicle or the outbreak of fire therein;
(c) Where the position of the ultra-light vehicle cannot be confirmed or it is impossible to approach the ultra-light vehicle;

9. "Serious incident" means an occurrence prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, which may have led to aircraft accidents because they have jeopardized aviation safety;

10. "Safety occurrence" means those prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, which have effect on or are likely to have effect on aviation safety in relation to the operation, etc. of an aircraft in addition to aircraft accidents and serious incidents;

11. "Flight information zone" means a specified region of airspace whose name, vertical and horizontal divisions have been designated and publicly announced by the Minister of Land, Infrastructure and Transport in accordance with the Convention of International Civil Aviation and Annexes to the aforesaid Convention,
in which information necessary for safe and efficient flights, search and rescue of aircraft, light sport aircraft or ultra-light vehicle is provided;

12. "Airspace" means the portion of the atmosphere controlled by the Republic of Korea above its territory, and its inland waters and territorial waters under the Territorial Sea and Contiguous Zone Act;

13. "Airway" means a route in space indicated on the surface of the Earth designated by the Minister of Land, Infrastructure and Transport because he/she deems it appropriate for the flight of aircraft, light sport aircraft, or ultra-light vehicle;

14. "Persons engaged in aviation" means those who have obtained certification of qualification of aviation personnel referred to in Article 34 (1);

15. "Flight simulator" means a device designed to re-create the same control functions over mechanical, electrical and electronic devices, and flight performance and characteristics as the actual aircraft, which is a device that imitates the cockpit of an aircraft;

16. "Flight crew" means those who board an aircraft and are engaged in aviation, who have obtained certification of qualification falling under any of subparagraphs 1 through 6 of Article 35;

17. "Cabin crew" means a person who boards an aircraft and performs duties for the safety of passengers, such as emergency aircraft evacuation;

18. "Instrument flight" means flight solely depending on flight instruments for the posture, altitude, and position of an aircraft, and for measuring the direction of flight;

19. "Instrument flight rule" means that a person who flies an aircraft by reference to instruments flies the aircraft in accordance with procedures for and the timing of taxiing, takeoff and landing, and the method of flying instructed by the Minister of Land, Infrastructure and Transport pursuant to Article 84 (1) or a person who has obtained certification for air traffic services (hereinafter referred to as "certification for air traffic services") referred to in Article 85 (1);

20. "Fatigue risk management system" means a system that continuously oversees and manages risk factors related to fatigue based on experience and scientific principles and knowledge so that flight crew and cabin crew may provide relevant services with full attention;
21. "Aerodrome" means an aerodrome referred to in subparagraph 2 of Article 2 of the Airport Facilities Act;
22. "Airport" means an airport under subparagraph 3 of Article 2 of the Airport Facilities Act;
23. "Airport facilities" means airport facilities under subparagraph 7 of Article 2 of the Airport Facilities Act;
24. "Air navigation facilities" means air navigation facilities under subparagraph 15 of Article 2 of the Airport Facilities Act;
25. "Control zone" means a region of airspace designated and publicly announced by the Minister of Land, Infrastructure and Transport for the safety of air traffic, which is the region of airspace above and nearby an aerodrome or airport;
26. "Control area" means a region of airspace designated and publicly announced by the Minister of Land, Infrastructure and Transport for the safety of air traffic, which is the region of airspace above 200 meters from the surface of the ground or water;
27. "Air transport service" means air transport services referred to in subparagraph 7 of Article 2 of the Aviation Business Act;
28. "Air operator" means an air transport service provider referred to in subparagraph 8 of Article 2 of the Aviation Business Act;
30. "Aircraft use business entity" means a provider of aircraft use business referred to in subparagraph 16 of Article 2 of the Aviation Business Act;
31. "Aircraft maintenance service provider" means a provider of aircraft maintenance services referred to in subparagraph 18 of Article 2 of the Aviation Business Act;
33. "Ultra-light vehicle use business entity" means a provider of ultra-light vehicle use business referred to in subparagraph 24 of Article 2 of the Aviation Business Act;
34. "Airfield" means an airfield referred to in subparagraph 19 of Article 2 of the Airport Facilities Act.
Article 3 (Exceptions to Application to Military Aircraft, etc.) (1) This Act shall not apply to military aircraft and airman/airwoman related thereto.
(2) This Act shall not apply to aircraft used for customs services or police services and airman/airwoman related thereto: Provided, That for the prevention of aircraft accidents, such as a mid-air collision, Articles 51, 67, subparagraph 5 of Article 68, Articles 79 and 84 (1) shall apply thereto.
(3) Paragraph (2) shall apply mutatis mutandis to aircraft used by the United States of America and airman/airwoman related thereto pursuant to Article 4 of the Mutual Defense Treaty between the United States and the Republic of Korea.

Article 4 (Exceptions to Application to Aircraft of State Agencies, etc.) (1) The provision of this Act (excluding Article 66, 69 through 73, and 132) shall apply to aircraft of State agencies, etc., and airman/airwoman related thereto.
(2) Notwithstanding paragraph (1), Articles 53, 67, subparagraphs 1 through 3 of Article 68, Articles 77 (1) 7, 79 and 84 (1) shall not apply where aircraft of State agencies, etc. are urgently operated (including training) for search and rescue due to disasters, accidents, etc., fire suppression, evacuation of patients with acute illnesses or injuries that require immediate medical attention, and other public purposes prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
(3) Where Articles 59, 61 and 62 (5) and (6) apply to aircraft of State agencies, etc., the "Minister of Land, Infrastructure and Transport" shall be construed as the "head of a competent administrative agency." In such cases, the head of a competent administrative agency shall notify the Minister of Land, Infrastructure and Transport of the fact that he/she has received reports pursuant to Articles 59, 61, and 62 (5) and (6).

Article 5 (Exceptions to Application to Transfer of Authority and Liability for Operation of Leased Aircraft)
Where an aircraft registered in a foreign country is chartered and operated, or an aircraft registered in the Republic of Korea is chartered and operated by a foreign country, matters regarding the transfer of authority and liability related to the operation of the said chartered aircraft shall be determined and publicly notified by the Minister of Land, Infrastructure and Transport pursuant to the Convention on International Civil Aviation.
Article 6 (Formulation, etc. of Master Plans for Aviation Safety Policies)  
(1) The Minister of Land, Infrastructure and Transport shall formulate master plans for national aviation safety policies (hereinafter referred to as "master plan for aviation safety policies") every five years.

(2) A master plan for aviation safety policies shall include the following:
1. Objectives and strategies of aviation safety policies;
2. Matters concerning accident prevention and safe operation of aircraft, lightweight aircraft and ultra-light vehicle;
3. Matters concerning a certification system of the manufacture, maintenance and safety of an aircraft, light sport aircraft, and ultra-light vehicle;
4. Matters concerning management of flight information zones and airways and the improvement of an air traffic system;
5. Matters concerning training and management of qualification of aviation personnel;
6. Other matters necessary to improve aviation safety.

(3) Where the Minister of Land, Infrastructure and Transport intends to formulate or alter a master plan for aviation safety policies, he/she may request the heads of related administrative agencies to provide necessary cooperation.

(4) Where the Minister of Land, Infrastructure and Transport formulates or alters a master plan for aviation safety policies, he/she shall announce the details thereof on the Official Gazette, and notify the heads of related administrative agencies whom he/she has requested to provide cooperation pursuant to paragraph (3) of the details thereof.

(5) The Minister of Land, Infrastructure and Transport may formulate annual action plans to implement a master plan for aviation safety policies.

CHAPTER II AIRCRAFT REGISTRATION

Article 7 (Aircraft Registration)  
Any person who owns or leases an aircraft, and thereby has the right to use the aircraft (hereinafter referred to as "owner, etc.") shall register the aircraft with the Minister of Land, Infrastructure and Transport, as prescribed by Presidential Decree: Provided, That the foregoing shall not apply to the aircraft prescribed by Presidential Decree.
Article 8 (Acquisition of Nationality of Aircraft)
An aircraft registered pursuant to Article 7 shall acquire the nationality of the Republic of Korea, and shall have the subsequent rights and obligations.

Article 9 (Ownership, etc. of Aircraft) (1) The acquisition, loss, or alteration of ownership of an aircraft shall come into effect upon registration.
(2) The right to lease an aircraft shall come into effect against a third party upon registration.

Article 10 (Restrictions on Aircraft Registration) (1) No aircraft owned or leased by any of the following persons shall be registered: Provided, That the foregoing shall not apply to an aircraft which citizens or corporations of the Republic of Korea have the right to lease and use:
1. A person who is not a citizen of the Republic of Korea;
2. A foreign government or foreign public organization;
3. A foreign corporation or organization;
4. A corporation at least half of whose shares or equity stakes are owned by a person falling under any of subparagraphs 1 through 3 or whose business is substantially controlled by such person;
5. A corporation whose representative in its business registration certificate is a foreigner or in which foreigners account for at least half of the number of its executives in the business registration certificate.
(2) Notwithstanding the proviso to paragraph (1), no aircraft with the foreign nationality shall be registered.

Article 11 (Aircraft Registration Details) (1) Where an aircraft has been registered pursuant to Article 7, the Minister of Land, Infrastructure and Transport shall record the following in the original register:
1. Type of the aircraft;
2. Manufacturer of the aircraft;
3. Manufacturing number of the aircraft;
4. Place where the aircraft is parked;
5. Name or title, address and nationality of the owner, lessor, or lessee;
6. Date of registration;
7. Registration mark.

(2) In addition to matters provided for in paragraph (1), matters necessary for the registration of an aircraft shall be prescribed by Presidential Decree.

Article 12 (Issuance of Certificate of Aircraft Registration)
Where a person has registered an aircraft pursuant to Article 7, the Minister of Land, Infrastructure and Transport shall issue a certificate of aircraft registration to such person as prescribed by Presidential Decree.

Article 13 (Registration of Alterations of Aircraft)
Where any alterations is made to the registration referred to in Article 11 (1) 4 or 5, the owner, etc. shall file an application for registration of such alterations with the Minister of Land, Infrastructure and Transport within 15 days from the date on which any of the registration is altered, as prescribed by Presidential Decree.

Article 14 (Registration of Transfer of Aircraft)
A person who intends to transfer or take over ownership of an aircraft or the right to lease the aircraft registered shall file an application for registration of transfer with the Minister of Land, Infrastructure and Transport within 15 days from the date on which a reason for the transfer or takeover arises, as prescribed by Presidential Decree.

Article 15 (De-registration of Aircraft) (1) An owner shall apply for de-registration to the Minister of Land, Infrastructure and Transport within 15 days from the cause arises, when his/her registered aircraft falls under any of the following subparagraphs:
1. Where an aircraft is destroyed or dismantled (excluding any disassembly for maintenance, modification, transportation or storage);
2. Where the whereabouts of the aircraft is unknown for at least one month (in cases of an aircraft accident, two months);
3. Where the owner, etc., transfers or leases (only applicable to where foreign nationality is acquired) the aircraft to a person falling under any subparagraph of Article 10 (1);
4. Where the right to use the aircraft lapses due to the expiration, etc. of the period of lease.

(2) Where the owner, etc. fails to apply for de-registration of aircraft pursuant to paragraph (1), the Minister of Land, Infrastructure and Transport shall notify the owner, etc. to apply for de-registration for a fixed period of at least seven days.

(3) Where the owner, etc. fails to apply for de-registration of aircraft even after being notified under paragraph (2), the Minister of Land, Infrastructure and Transport shall de-register his/her own authority and notify the owner, etc., and other interested persons thereof.

**Article 16 (Issuance and Perusal of Original Register of Aircraft)**

(1) Any person may request the Minister of Land, Infrastructure and Transport to issue a transcript or an abstract of the original register of an aircraft or to allow him/her to peruse the original register of the aircraft.

(2) In receipt of a request pursuant to paragraph (1), the Minister of Land, Infrastructure and Transport shall issue the relevant data or allow any person to peruse the original register of the aircraft unless there is any justifiable grounds.

**Article 17 (Attachment of Aircraft Registration Mark)**

(1) Upon registration of aircraft, each owner shall attach registration mark on the aircraft in accordance with the type, location, method, etc. prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(2) No person shall destroy the registration mark attached on an aircraft pursuant to paragraph (1).

**Article 18 (Display of Nationality of Aircraft)**

(1) No person shall operate an aircraft on which the nationality, registration mark, and the name or title of the owner, etc. are not displayed: Provided, That the foregoing shall not apply to an aircraft prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, such as new aircraft.

(2) Matters necessary for displaying nationality, etc. and composition, etc. of registration mark under paragraph (1) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
CHAPTER III TECHNICAL STANDARDS FOR, TYPE CERTIFICATION, ETC. OF AIRCRAFT

Article 19 (Technical Standards for Aircraft)

The Minister of Land, Infrastructure and Transport shall establish and announce technical standards including the following (hereinafter referred to as "technical standards for aircraft") in order to ensure the safety of aircraft, etc., fitments, or parts:
1. Airworthiness standards for aircraft, etc.;
2. Environmental standards for aircraft, etc. (including emission performance standards and noise standards);
3. Standards for continuing airworthiness of aircraft, etc.;
4. Methods of identifying aircraft, etc., fitments, or parts;
5. Procedures for certifying aircraft, etc., fitments, or parts.

Article 20 (Type Certification)

(1) Any person who intends to manufacture an aircraft, etc. may obtain certification (hereinafter referred to as "type certification") concerning the design of the aircraft, etc. from the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. The foregoing shall also apply where he/she alters any certified matters.

(2) Where the Minister of Land, Infrastructure and Transport provides type certification, in which case he/she deems that the relevant aircraft, etc. meets technical standards for aircraft after inspection of compliance therewith, he/she shall issue a type certificate, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(3) Any person who intends to transfer or take over a type certificate shall report the transfer thereof to the Minister of Land, Infrastructure and Transport and file an application for reissuance of the type certificate with him/her, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(4) Any person who intends to change the design of an aircraft, etc., whose type certification or approval for whose type certification referred to in Article 21 he/she...
has obtained, may obtain a supplemental type certification (hereinafter referred to as "supplemental type certification") from the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(5) In any of the following cases, the Minister of Land, Infrastructure and Transport may cancel type certification or supplemental type certification of the relevant aircraft, etc., or order to suspend the effect thereof within a fixed period not exceeding six months: Provided, that where the manufacturer of the aircraft, etc. falls under subparagraph 1, he/she shall cancel the type certification or supplemental type certification:
1. Where the manufacturer has obtained type certification or supplemental type certification by deceit or other fraudulent means;
2. Where the aircraft, etc. fails to meet technical standards for aircraft applicable at the time type certification or supplemental type certification is granted.

Article 21 (Approval for Type Certification) (1) A manufacturer who intends to export an aircraft, etc., whose type certification concerning the design of the aircraft, etc., he/she has obtained from a foreign government may obtain approval (hereinafter referred to as "approval for type certification") of whether the type certification issued by the foreign government for each type of aircraft, etc., meets technical standards for aircraft from the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(2) Where the Minister of Land, Infrastructure and Transport grants approval for type certification, he/she shall inspect whether the relevant aircraft, etc., meets technical standards for aircraft: Provided, That with respect to aircraft whose type certification has been obtained from a country that has entered into an aviation safety agreement concerning the airworthiness of aircraft, etc., with the Republic of Korea, he/she may omit some inspection checks, as stipulated in the relevant agreement.

(3) Where the Minister of Land, Infrastructure and Transport deems that the relevant aircraft, etc., meets technical standards for aircraft as a result of inspection under paragraph (2), he/she shall issue a written approval for type certification, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
(4) Where a manufacturer of an aircraft, etc., whose type certification or approval for whose type certification he/she has obtained, obtains supplemental type certification concerning the design from a foreign country, the Minister of Land, Infrastructure and Transport may grant approval for supplemental type certification (hereinafter referred to as "approval for supplemental type certification"), as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(5) When the Minister of Land, Infrastructure and Transport grants approval for supplemental type certification, he/she shall issue a written approval for supplemental type certification, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, where he/she deems that the relevant aircraft, etc., meets technical standards for aircraft after he/she inspects whether it meets technical standards for aircraft.

(6) In any of the following cases, the Minister of Land, Infrastructure and Transport may revoke the approval for type certification or the approval for supplemental type certification of the relevant aircraft, etc., or order to suspend the effect thereof within a fixed period not exceeding six months: Provided, that in cases of subparagraph 1, he/she shall revoke the approval for type certification or the approval for supplemental type certification:

1. Where the manufacturer has obtained the approval for type certification or the approval for supplemental type certification by deceit or other fraudulent means;
2. Where the aircraft, etc. fails to meet technical standards for aircraft applicable at the time the approval for type certification or the approval for supplemental type certification is granted.

**Article 22 (Production Certification)** (1) A person who intends to manufacture a type-certificated aircraft, etc. may obtain certification (hereinafter referred to as "production certification") certifying that he/she has technology, facilities, human resources, a quality management system, etc., that enable him/her to manufacture the aircraft, etc., meeting technical standards for aircraft, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(2) Where the Minister of Land, Infrastructure and Transport provides production certification, in which case he/she deems that a manufacturer has technology, facilities, human resources, a quality management system, etc., to manufacture the
aircraft, etc. meeting technical standards for aircraft, he/she shall issue a production certificate to the manufacturer, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. In such cases, the manufacturer shall not transfer the production certificate to a third person.

(3) In any of the following cases, the Minister of Land, Infrastructure and Transport may revoke production certification, or order to suspend the effect thereof within a fixed period not exceeding six months: Provided, that in cases of subparagraph 1, he/she shall revoke the production certification:
1. Where the manufacturer has obtained production certification by deceit or other fraudulent means;
2. Where the aircraft, etc. fails to meet technical standards for aircraft applicable at the time production certification is granted.

Article 23 (Certification of Airworthiness and Maintenance of Airworthiness) (1) A person who intends to obtain certification that an aircraft is airworthy (hereinafter referred to as "certification of airworthiness") shall file an application for certification of airworthiness with the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(2) No aircraft other than aircraft with Korean nationality shall obtain certification of airworthiness: Provided, That the foregoing shall not apply to aircraft prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(3) No person shall operate an aircraft that has failed to obtain certification of airworthiness falling under any of the following:
1. Standard certification of airworthiness: Certification issued where the relevant aircraft is deemed to meet technical standards for aircraft and to be capable of flying safely;
2. Special certification of airworthiness: Certification issued where the relevant aircraft is deemed to be capable of flying safely after reviewing the scope of operation presented by the manufacturer or the owner, etc. of the aircraft, which is prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, such as research and development of aircraft.

(4) Certification of airworthiness shall remain valid for one year: Provided, That the period of validity may be extended in consideration of the type of aircraft and the
ability of the owner, etc. (including a person who is entrusted with authority under Article 32 (2)) to maintain airworthiness, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(5) Where the Minister of Land, Infrastructure and Transport grants certification of airworthiness falling under any subparagraph of paragraph (3), he/she shall designate the limitation of operation of an aircraft after inspecting whether the relevant aircraft meets technical standards for aircraft, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. In such cases, in any of the following aircraft, he/she may omit some of the inspection of whether the aircraft meets technical standards for aircraft, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport:

1. Type-certificated aircraft or aircraft on which the approval for type certification is granted;
2. Aircraft manufactured by a person who has obtained production certification;
3. Aircraft imported after obtaining approval for airworthiness from the government of a foreign country that exports the aircraft.

(6) In any of the following cases, the Minister of Land, Infrastructure and Transport may revoke certification of airworthiness of the relevant aircraft, etc., or order to suspend the effect thereof within a fixed period not exceeding six months: Provided, that where the manufacturer of the aircraft falls under subparagraph 1, he/she shall revoke certification of airworthiness:

1. Where the manufacturer has obtained certification of airworthiness by deceit or other fraudulent means;
2. Where the aircraft, etc. fails to meet technical standards for aircraft at the time certification of airworthiness is granted.

(7) The owner, etc. who intends to operate an aircraft shall maintain airworthiness of the aircraft, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(8) The Minister of Land, Infrastructure and Transport shall inspect at any time whether the owner, etc. maintains airworthiness of the relevant aircraft pursuant to paragraph (7), and may order the owner, etc. to improve airworthiness concerning the maintenance, etc. of aircraft, etc., fitments, or parts, to conduct other inspections, or to provide maintenance in order to maintain the airworthiness of the relevant
Article 24 (Approval for Airworthiness) (1) Any person who intends to provide an aircraft, etc., fitments, or parts manufactured, operated or maintained in the Republic of Korea, to a third person, may obtain the approval for airworthiness from the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. 
(2) Where the Minister of Land, Infrastructure and Transport deems that the relevant aircraft, etc., fitments, or parts meet technical standards for aircraft or standards for type approval for articles with technical standard order design approval referred to in Article 27 (1) and, also deems that the relevant aircraft, etc. may be operated safely, he/she shall grant the approval for airworthiness referred to in paragraph (1). 
(3) In any of the following cases, the Minister of Land, Infrastructure and Transport may revoke the approval for airworthiness under paragraph (2), or order to suspend the effect thereof within a fixed period not exceeding six months: Provided, that where the manufacturer of the aircraft falls under subparagraph 1, the Minister of Land, Infrastructure and Transport shall revoke the approval for airworthiness: 
1. Where the manufacturer has obtained the approval for airworthiness by deceit or other fraudulent means; 
2. Where the aircraft, etc., fitments, or parts fail to meet technical standards for aircraft or standards for type approval for articles with technical standard order design approval referred to in Article 27 (1) applicable at the time the approval for airworthiness is granted.

Article 25 (Certification of Conformity with Noise Standards) (1) Where the owner, etc. of an aircraft prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport obtains certification of airworthiness, and the noise level of the aircraft is changed due to repair, remodeling, etc., he/she shall obtain certification of whether the aircraft conforms with noise standards under subparagraph 2 of Article 19 (hereinafter referred to as "certification of conformity with noise standards) from the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure.
(2) No person shall operate an aircraft that has failed to obtain certification of conformity with noise standards or to meet technical standards for aircraft: Provided, That the foregoing shall not apply where he/she has obtained a flight permit from the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure.

(3) In any of the following cases, the Minister of Land, Infrastructure and Transport may revoke certification of conformity with noise standards, or order to suspend the effect thereof within a fixed period not exceeding six months: Provided, that in cases of subparagraph 1, the Minister of Land, Infrastructure and Transport shall revoke certification of conformity with noise standards:

1. Where the owner, etc. has obtained certification of conformity with noise standards by deceit or other fraudulent means;
2. Where the aircraft fails to meet technical standards for aircraft applicable at the time certification of conformity with noise standards is granted.

**Article 26 (Request Based on Alterations of Technical Standards for Aircraft)**

Where a type-certificated aircraft fails to meet the altered technical standards for aircraft after the alteration of technical standards for aircraft, the Minister of Land, Infrastructure and Transport may request a person who has obtained or taken over type certification, or the owner, etc. of the aircraft to meet altered technical standards for aircraft. In such cases, the person who has obtained or taken over type certification, or the owner, etc. of the aircraft shall comply with such request.

**Article 27 (Type Approval for Articles with Technical Standard Order Design Approval)**

(1) A person who intends to design and manufacture fitments (excluding cases where fitments are designed and manufactured for experimental or research and development purposes; hereinafter referred to as "articles with technical standard order design approval") prescribed and announced by the Minister of Land, Infrastructure and Transport in order to ensure airworthiness of aircraft, etc. shall obtain approval for the design and manufacture of the relevant articles with technical standard order design approval (hereinafter referred to as "type approval for articles with technical standard order design approval") from the Minister of Land, Infrastructure and Transport in accordance with standards for type approval for articles with technical standard order design approval (hereinafter referred to as...
"standards for type approval for articles with technical standard order design approval") prescribed and announced by the Minister of Land, Infrastructure and Transport: Provided, That articles with technical standard order design approval prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, which are articles with technical standard order design approval that have obtained type approval from a country that has entered into the aviation safety agreement concerning the type approval for articles with technical standard order design approval with the Republic of Korea, shall be deemed obtained type approval for articles with technical standard order design approval.

(2) When the Minister of Land, Infrastructure and Transport grants type approval for articles with technical standard order design approval, he/she shall issue a written type approval for articles with technical standard order design approval, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, where he/she deems that the design and manufacture of articles with technical standard order design approval meet standards for type approval for articles with technical standard order design approval after inspecting whether the design and manufacture of articles with technical standard order design approval meet standards for the type approval thereof.

(3) No person shall manufacture or sell articles with technical standard order design approval that have failed to obtain type approval for articles with technical standard order design approval, or use such articles on an aircraft, etc.

(4) In any of the following cases, the Minister of Land, Infrastructure and Transport may revoke the relevant type approval for articles with technical standard order design approval or order to suspend the effect thereof within a fixed period not exceeding six months: Provided, That where the manufacturer of such articles falls under subparagraph 1, the Minister of Land, Infrastructure and Transport shall revoke the type approval for articles with technical standard order design approval:

1. Where he/she has obtained the type approval for articles with technical standard order design approval by deceit or other fraudulent means;

2. Where articles with technical standard order design approval fail to meet standards for approval for articles with technical standard order design approval applicable at the time the type approval for articles with technical standard order design approval is granted.
Article 28 (Parts Manufacturer Certification) (1) Any person who intends to manufacture fitments or parts to be used on aircraft, etc. shall obtain certification (hereinafter referred to as "parts manufacturer certification") from the Minister of Land, Infrastructure and Transport with regard to whether he/she has human resources, facilities, technology, inspection system, etc. to manufacture fitments or parts in conformity with technical standards for aircraft, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That the foregoing shall not apply where he/she intends to manufacture any of the following fitments or parts: 1. Fitments or parts of the same kinds manufactured by a manufacturer of fitments or parts installed at the time type certification or supplemental type certification, or approval for type certification or approval for supplemental type certification is granted; 2. Articles with technical standard order design approval he/she manufactures after obtaining type approval for articles with technical standard order design approval; 3. Other fitments or parts prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. (2) When the Minister of Land, Infrastructure and Transport grants parts manufacturer certification, he/she shall issue a parts manufacturer certificate, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, where he/she deems that fitments or parts manufactured by a part manufacturer meet technical standards for aircraft after inspecting whether the part manufacturer can manufacture fitments or parts in conformity with technical standards for aircraft. (3) No person shall manufacture or sell fitments or parts that have failed to obtain parts manufacturer certification or use such fitments or parts on aircraft, etc. (4) Where a person has obtained parts manufacturer certification from a country that has entered into the aviation safety agreement with the Republic of Korea, he/she shall be deemed to have obtained parts manufacturer certification. (5) In any of the following cases, the Minister of Land, Infrastructure and Transport may revoke parts manufacturer certification or order to suspend the effect thereof within a fixed period not exceeding six months: Provided, That where he/she falls under subparagraph 1, the Minister of Land, Infrastructure and Transport shall revoke parts manufacturer certification:
1. Where he/she has obtained parts manufacturer certification by deceit or other fraudulent means;
2. Where fitments or parts fail to meet technical standards for aircraft applicable at the time parts manufacturer certification is granted.

**Article 29 (Imposition of Administrative Monetary Penalties)**

(1) Where the Minister of Land, Infrastructure and Transport orders the suspension of the effect of type certification, supplemental type certification, production certification, type approval for articles with technical standard order design approval or parts manufacturer certification pursuant to Article 20 (5), 22 (3), 27 (4) or 28 (5), in which cases the suspension of the effect of such certification or approval is likely to cause serious inconvenience to users, etc. of aircraft or to harm public interest, he/she may impose a penalty surcharge not exceeding 100 million won in lieu of the suspension of the effect of such certification or approval.

(2) Specific criteria and procedures for imposing administrative monetary penalties under paragraph (1) and other necessary matters shall be prescribed by Presidential Decree.

(3) Where a person liable to pay a penalty surcharge pursuant to paragraph (1) fails to pay it by the deadline for payment, the Minister of Land, Infrastructure and Transport shall collect it in the same manner as delinquent national taxes are collected.

**Article 30 (Approval for Repair, Remodeling, etc.)**

(1) Where the owner, etc. of an aircraft that has obtained certification of airworthiness intends to repair or remodel the relevant aircraft, etc., fitments, or parts to the extent prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, he/she shall obtain approval for whether the repair or remodeling thereof meets technical standards for aircraft (hereinafter referred to as "approval for repair or remodeling") from the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(2) No owner, etc. shall operate an aircraft, etc. that has failed to obtain approval for repair or remodeling, or use fitments or parts that have failed to obtain approval for repair or remodeling on aircraft, etc.
(3) Notwithstanding paragraph (1), where any of the following persons falls under any of the following, in which case the repair or remodeling meets technical standards for aircraft, he/she shall be deemed to have obtained approval for repair or remodeling:

1. Where a person who has obtained type approval for articles with technical standard order design approval repairs or remolds articles with technical standard order design approval he/she has manufactured for himself/herself;
2. Where a person who has obtained parts manufacturer certification repairs or remolds fitments or parts he/she has manufactured for himself/herself;
3. Where a person who has obtained certification of Approved Maintenance Organization (AMO) referred to in Article 97 (1) repairs or remolds aircraft, etc., fitments or parts.

Article 31 (Inspection, etc. of Aircraft, etc.)

(1) Where the Minister of Land, Infrastructure and Transport grants certification, approval, or certification of Approved Maintenance Organization (AMO) referred to in Articles 20 through 25, 27, 28, 30 and 97, he/she shall pre-inspect the relevant aircraft, etc., and fitments, or an organization, facilities, human resources, etc. that intend to manufacture or maintain the relevant aircraft, etc. and fitments, as prescribed by him/her.

(2) In order to make inspection referred to in paragraph (1), the Minister of Land, Infrastructure and Transport shall appoint or commission persons who are to inspect aircraft, etc., and fitments (hereinafter referred to as "inspector") among any of the following persons:

1. Persons who have obtained the certification of qualification of aircraft maintenance technicians referred to in subparagraph 8 of Article 35;
2. Persons who have obtained qualification of engineer or higher qualification in the field of aviation under the National Technical Qualifications Act;
3. Persons who have been airways the design, manufacture, maintenance, or quality assurance of aircraft for at least three years after having acquired a bachelor's degree or higher degree in the fields related to aviation technologies;
4. Persons who have been airways the design, manufacture, maintenance, or quality assurance of aircraft of State agencies, etc., for at least five years.
(3) Where inspectors who are not public officials under the jurisdiction of the Ministry of Land, Infrastructure and Transport make inspection referred to in paragraph (1), the Minister of Land, Infrastructure and Transport may give an allowance to such inspectors within budgetary limits.

**Article 32 (Confirmation of Maintenance, etc. of Aircraft, etc.)** (1) Where the owner, etc. has performed maintenance, etc. on an aircraft, etc., fitments, or parts (excluding minor maintenance prescribed by Presidential Decree and repairs or remodeling under Article 30 (1); hereinafter the same shall apply in this Article), he/she shall not operate the aircraft, etc., or use fitments or parts on the aircraft, etc., unless he/she obtains confirmation of airworthiness of the relevant aircraft, etc., fitments, or parts from a person who meets the requirements for qualification prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, who has obtained the certification of qualification of aircraft maintenance technician under subparagraph 8 of Article 35, in accordance with methods prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That where the owner, etc. has obtained confirmation of airworthiness of the aircraft, etc., fitments or parts from a person who meets the requirements for qualification prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, in which case he/she has performed maintenance, etc. on the aircraft, etc., fitments or parts in a region other than the Republic of Korea, in which it is difficult to obtain confirmation of airworthiness, he/she may operate the aircraft, etc., or use fitments, or parts on the aircraft, etc.

(2) Where the owner, etc. intends to entrust maintenance, etc. on an aircraft, etc., fitments or parts to a third person, he/she shall entrust maintenance, etc. to a person who has obtained certification of Approved Maintenance Organization (AMO) referred to in Article 97 (1) or a person who has manufactured the aircraft, etc., fitments or parts.

**Article 33 (Duty to Report Breakdowns, Defects, or Malfunctions Which Have Occurred to Aircraft, etc.)** (1) Where a person who has obtained type certification, supplemental type certification, production certification, type approval for articles with technical standard order design approval or parts manufacturer certification becomes aware that a breakdown, defect, or malfunction prescribed by Ordinance of
the Ministry of Land, Infrastructure and Transport of the aircraft, etc., fitments, or parts which he/she manufactured or for which he/she obtained certification has occurred due to a defect in the design or manufacture thereof, he/she shall report the occurrence of the breakdown, defect or malfunction thereof to the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(2) Where the owner, etc., prescribed by Presidential Decree, such as an air operator or aircraft use business entity, or a person who has obtained certification of Approved Maintenance Organization (AMO) under Article 97 (1) becomes aware during the operation or maintenance of aircraft that a breakdown, defect, or malfunction prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport has occurred, he/she shall report the occurrence of such breakdown, defect, or malfunction to the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

CHAPTER IV AVIATION PERSONNEL

Article 34 (Certification, etc. of Competence of Aviation Personnel) (1) A person who intends to be airways aviation shall obtain the certification of qualification of aviation personnel (hereinafter referred to as "certification of qualification") from the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That the foregoing shall not apply to the operation of an unmanned aircraft among aviation affairs.

(2) No person who falls under any of the following shall obtain the certification of qualification:

1. Persons below ages classified as follows:

(a) Qualification of a private pilot: 17 years of age (where the certification of qualification of a private pilot is limited to a glider, 16 years of age);
(b) Qualification of a captain, co-pilot, flight navigator, flight engineer, air traffic controller, and aircraft maintenance technician for commercial operations: 18 years of age;
(c) Qualification of a pilot and flight dispatcher for air transport services: 21 years of age;
2. A person who is subject to the revocation of certification of qualification under Article 43 (1), in whose case two years have not passed from the date of the revocation thereof (limited to cases where he/she obtains a new certification of qualification after the revocation of the former certification of qualification).

(3) Notwithstanding paragraphs (1) and (2), a member of the armed forces controlling aircraft at a military air base governed by the Protection of Military Bases and Installations Act may perform air traffic control services after obtaining the certification of qualification from the Minister of National Defense.

**Article 35 (Kinds of Certification of Qualification)**

Kinds of certification of qualification shall be classified as follows:

1. Airline transport pilot;
2. Commercial pilot;
3. Private pilot;
4. Co-pilot;
5. Flight navigator;
6. Flight engineer;
7. Air traffic controller;
8. Aircraft maintenance technician;

**Article 36 (Scope of Services)**

(1) The scope of services depending on the kinds of certification of qualification shall be as specified in the attached Table.

(2) No person who has obtained certification of qualification shall be airways services outside the scope of services depending on the kinds of certification of qualification he/she has obtained.

(3) Where a person falls under any of the following, paragraphs (1) and (2) shall not apply:

1. Where he/she boards an aircraft prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport and controls the flight of the aircraft (including boarding the aircraft and handling the airframe and engines thereof; hereinafter the same shall apply);
2. Where he/she boards an aircraft of a new kind, rating or type and conducts flight testing, etc., in which case he/she has obtained permission from the Minister of National Defense.
Lands, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

**Article 37 (Limitation on Certification of Qualification)** (1) The Minister of Land, Infrastructure and Transport may place limitations on certification of qualification in accordance with the following classification:

1. In cases of qualification of an airline transport pilot, commercial pilot, private pilot, co-pilot, or flight engineer: Kind, rating, or type of aircraft;
2. In cases of qualification of an aircraft maintenance technician: Kind of aircraft and field of maintenance.

(2) No aviation personnel subject to limitation on certification of qualification pursuant to paragraph (1) shall be airways aviation other than the kind, rating, or type of the limited aircraft or the field of limited maintenance.

(3) Detailed matters necessary for the limitation on certification of qualification under paragraph (1) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

**Article 38 (Implementation of and Exemption from Examination)** (1) A person who intends to obtain certification of qualification shall pass a written examination and practical examination conducted by the Minister of Land, Infrastructure and Transport concerning knowledge and competence necessary to be airways aviation, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(2) Where the Minister of Land, Infrastructure and Transport places limitation on certification of qualification to each kind, rating, or type of aircraft (including instrument flight certification and flight training certification under Article 44) pursuant to Article 37, he/she shall review experiences of aircraft flight control and maintenance. In such cases, the limitation on the first certification of qualification in the kind and rating of aircraft may be reviewed through a practical examination.

(3) The Minister of Land, Infrastructure and Transport may fully or partially exempt any of the following persons from examinations and reviews referred to in paragraphs (1) and (2), as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport:

1. A person who has obtained certification of qualification from a foreign government;
2. A person who has completed a course of study at an Approved Training Organization (ATO);
3. A person who has practical work experiences, such as experiences of aircraft flight control and maintenance;
4. A person who holds qualification in the field of aviation technology under the National Technical Qualifications Act.
(4) The Minister of Land, Infrastructure and Transport shall issue a certificate of qualification to those who have passed a written examination and practical examination pursuant to paragraph (1).

Article 39 (Implementation, etc. of Practical Examination for Certification of Qualification by Using Flight Simulator) (1) The Minister of Land, Infrastructure and Transport may conduct a practical examination referred to in Article 38 (1) by using a flight simulator designated by him/her instead of aircraft.
(2) Experience of using a flight simulator designated by the Minister of Land, Infrastructure and Transport shall be deemed aircraft flight experience under the former part of Article 38 (2).
(3) Necessary matters concerning criteria for designation of a flight simulator and the recognition of flight experience under paragraph (2) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 40 (Aviation Medical Certification) (1) Any of the following persons shall obtain aviation medical certification for each kind of certification of qualification from the Minister of Land, Infrastructure and Transport:
1. Cabin crew;
2. Persons who perform aviation traffic control services after obtaining certification of qualification referred to in subparagraph 7 of Article 35.
(2) Necessary matters concerning standards, methods, period of validity, etc. of aviation medical certification for each kind of certification of qualification under paragraph (1) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
(3) Where a person who intends to obtain aviation medical certification for each kind of certification of qualification under paragraph (1) meets standards for aviation medical certification for each kind of certification of qualification under paragraph
(2), the Minister of Land, Infrastructure and Transport shall issue an aviation medical certificate.

(4) Where a person who intends to obtain aviation medical certification for each kind of certification of qualification under paragraph (1) fails to meet standards for aviation medical certification for each kind of certification of qualification under paragraph (2) in some aspects, in which case the Minister of Land, Infrastructure and Transport deems it necessary in consideration of the experience and competence of the person who undergoes an aviation medical examination, he/she may issue an aviation medical certificate by placing limitation on the scope of services of the relevant aviation, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(5) A person who is dissatisfied with the result of aviation medical certification for each kind of certification of qualification referred to in paragraph (1) may file an objection with the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(6) Where the Minister of Land, Infrastructure and Transport makes a decision on an objection under paragraph (5), he/she shall immediately notify an applicant of the details of his/her decision.

Article 41 (Orders to Undergo Aviation Medical Examinations)
Where the Minister of Land, Infrastructure and Transport deems it especially necessary, he/she may require flight crew and air traffic controllers whose aviation medical certification still remains valid to undergo an aviation medical examination referred to in Article 40.

Article 42 (Restrictions on Being airways Aviation Duties, etc.)
No flight crew member or air traffic controller who fails to meet criteria for aviation medical certification for each kind of certification of qualification referred to in Article 40 (2) shall be engaged in aviation duties (including flight training referred to in Article 46 and air traffic control practice referred to in Article 47) even though their former aviation medical certification remains valid.

Article 43 (Revocation, etc. of Certification of Qualification or Aviation Medical Certification) (1) Where a person engaged in aviation falls under any of the following,
the Minister of Land, Infrastructure and Transport may revoke his/her certification of qualification or the limitation on certification of qualification (hereinafter referred to as "certification of qualification, etc." in this Article), or order to suspend the effect of the certification of qualification, etc., within a fixed period not exceeding one year: Provided, That where he/she falls under subparagraph 1 or 3), the Minister of Land, Infrastructure and Transport shall revoke the relevant certification of qualification, etc.:

1. Where he/she has obtained certification of qualification, etc., by deceit or other fraudulent means;

2. Where he/she is sentenced to a fine or heavier punishment for violating this Act;

3. Where he/she causes casualties or damage to property because he/she causes an aircraft accident by design or gross negligence when he/she performs aviation duties as a person engaged in aviation;

4. Where a person engaged in aviation, who checks the maintenance practices, etc., pursuant to the main sentence of Article 32 (1), fails to check airworthiness in accordance with the method prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport;

5. Where he/she is engaged in services outside the scope of services based on kinds of certification of qualification, in violation of Article 36 (2);

6. Where a person engaged in aviation, who is subject to the limitation on certification of qualification, is engaged in aviation duties other than the limited kind, rating, or type of aircraft, or the field of limited maintenance, in violation of Article 37 (2);

7. Where he/she is engaged in aviation (including flight training under Article 46 and air traffic control practice; hereinafter the same shall apply in subparagraphs 8, 13, 14 and 16 of this paragraph) without obtaining aviation medical certification, in violation of Article 40 (1) (including cases where it is applied mutatis mutandis in Articles 46 (4) and 47 (4));

8. Where a flight crew member or air traffic controller who fails to meet criteria for aviation medical certification for each kind of certification of qualification under Article 40 (2) is engaged in aviation services, in violation of Article 42;

9. Where he/she conducts the instrument flight or flies an aircraft by reference to instruments without obtaining instrument flight certification, in violation of Article
10. Where he/she conducts flight training without obtaining flight instructor certification, in violation of Article 44 (2);
11. Where he/she is engaged in duties falling under any subparagraph of Article 45 (1) without obtaining certification of proficiency in aviation English, in violation of Article 45 (1);
12. Where he/she controls the flight of an aircraft falling under any subparagraph of Article 55, or is engaged in duties, such as instrument flight, night flight or flight training under Article 44 (2) without flight experience prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, in violation of Article 55;
13. Where he/she is engaged in aviation when he/she is unable to normally perform aviation duties under the influence of alcohol, etc., in violation of Article 57 (1);
14. Where he/she ingests or uses any alcoholic beverage, etc., referred to in Article 57 (1) while he/she is engaged in aviation, in violation of Article 57 (2);
15. Where he/she fails to comply with a request to undergo a breath test to determine whether he/she has ingested or used any alcoholic beverage, etc., referred to in Article 57 (1), in violation of Article 57 (3);
16. Where he/she causes a serious incident, safety occurrence or aviation safety hazard referred to in Article 61 (1) by design or gross negligence when he/she performs aviation services;
17. Where he/she fails to perform the duties as a pilot in command referred to in Article 62 (2) or (4) through (6);
18. Where a pilot operates an aircraft without obtaining the recognition or undergoing a review of qualification for the operation thereof, in violation of Article 63;
19. Where the pilot in command takes off an aircraft or alters a flight plan without obtaining approval from a flight dispatcher, in violation of Article 65 (2);
20. Where he/she performs the takeoff from or landing at an area other than the airfield, in violation of Article 66;
21. Where he/she controls the flight of an aircraft without complying with flight rules, in violation of Article 67 (1);
22. Where he/she controls the flight of an aircraft or performs an act falling under any subparagraph of Article 68, in violation of the aforesaid Article;
23. Where he/she transports dangerous goods without obtaining permission, in violation of Article 70 (1);
24. Where he/she performs aviation duties, in violation of Article 76 (2);
25. Where he/she controls the flight of an aircraft or performs duties without conforming to flight technology standards referred to in Article 77 (1), in violation of Article 77 (2);
26. Where he/she controls the flight of an aircraft in non-controlled airspace or warning airspace without adhering to the flight method and procedure prescribed and publicly announced by the Minister of Land, Infrastructure and Transport, in violation of Article 79 (1);
27. Where he/she controls the flight of an aircraft in restricted airspace without obtaining permission from or adhering to the flight method and procedure prescribed by the Minister of Land, Infrastructure and Transport, in violation of Article 79 (2);
28. Where he/she fails to adhere to the timing and procedures for taxiing, takeoff, and landing, and the method of controlling the flight of an aircraft instructed by the Minister of Land, Infrastructure and Transport or a person who has obtained certification for air traffic services, in violation of Article 84 (1);
29. Where he/she controls the flight of an aircraft or performs duties without conforming to operation standards, in violation of Article 90 (4) (including cases where it is applied mutatis mutandis in Article 96 (1));
30. Where he/she performs duties without conforming to regulations for navigation or regulations for maintenance, in violation of the latter part of Article 93 (5) (including cases where it is applied mutatis mutandis in Article 96 (2));
31. Where he/she is engaged in aviation duties during the period of suspension, in violation of an order to suspend the certification of qualification, etc., referred to in this Article.

(2) Where a person engaged in aviation falls under any of the following, the Minister of Land, Infrastructure and Transport may revoke his/her aviation medical certification or order to suspend the effect of aviation medical certification within a fixed period not exceeding one year: Provided, That where he/she falls under subparagraph 1, the Minister of Land, Infrastructure and Transport shall revoke his/her aviation medical certification:
1. Where he/she has obtained aviation medical certification by deceit or other fraudulent means;
2. Where he/she falls under any of paragraph (1) 13 through 15;
3. Where he/she deems inappropriate to perform aviation duties because he/she fails to meet criteria for aviation medical certification for each kind of certification of qualification referred to in Article 40 (2);
4. Where he/she fails to comply with an order to undergo an aviation medical examination referred to in Article 41;
5. Where he/she is engaged in aviation duties, in violation of Article 42;
6. Where he/she is engaged in aviation duties without carrying an aviation medical certificate, in violation of Article 76 (2).

(3) Where a person who applies for an examination for certification of qualification, etc. undergoes the review thereof, or undergoes an aviation medical examination cheats on the examination, review, or aviation medical examination, he/she shall not apply for the examination for certification of qualification, etc., under this Act, undergo the review thereof, or undergo the aviation medical examination under this Act for two years from the date on which he/she cheated on the examination, review or aviation medical examination, respectively.

(4) Criteria and procedures for imposing measures referred to in paragraphs (1) and (2) and other necessary matters shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

**Article 44 (Instrument Flight Certification and Flight Instructor Certification)**

(1) Where a person who has obtained the certification of qualification of an airline transport pilot (only applicable to where he/she manipulates the helicopter flight controls), commercial pilot, private pilot, or co-pilot intends to conduct the following flight with the kind of an aircraft he/she may use, he/she shall obtain instrument flight certification from the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport:

1. Instrument flight;
2. Flight by reference to instruments.

(2) A person who intends to provide flight training for persons who receive the following flight training shall obtain flight instructor certification for each kind of
a aircraft from the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport:
1. Flight training which a person who has not yet obtained the certification of qualification under subparagraphs 1 through 4 of Article 35 receives on board an aircraft (excluding aircraft prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport pursuant to Article 36 (3));
2. Flight training which a person who has obtained the certification of qualification under subparagraphs 1 through 4 of Article 35 receives on board an aircraft other than the kind of aircraft limited pursuant to Article 37 with regard to the relevant certification of qualification.
(3) Matters necessary for flight instructor certification under paragraph (2) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
(4) Articles 38 and 43 (1) and (3) shall apply mutatis mutandis to examinations for instrument flight certification under paragraph (1) and for flight instructor certification under paragraph (2), the revocation thereof, etc.

Article 45 (Certification of Proficiency in Aviation English) (1) A person who intends to be engaged in any of the following duties shall obtain certification of proficiency in aviation English from the Minister of Land, Infrastructure and Transport:
1. Controlling the flight of an aircraft operating between at least two countries;
2. Air traffic control of an aircraft operating between at least two countries;
3. Radio communications on an aircraft operating between at least two countries among aeronautical communications referred to in Article 53 of the AirPort Facilities Act.
(2) Necessary matters concerning the implementation of an examination for certification of proficiency in aviation English (hereinafter referred to as “certification of proficiency in aviation English”) referred to in paragraph (1), ratings of certification, acceptance criteria by rating, the period of validity by rating, etc. shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
(3) Where a person who intends to obtain certification of proficiency in aviation English meets acceptance criteria by rating under paragraph (2), the Minister of Land, Infrastructure and Transport shall issue a certificate of proficiency in aviation
English, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(4) Notwithstanding paragraph (3), where a person who intends to obtain certification of proficiency in aviation English, who performs air traffic control services after obtaining the certification of qualification from the Minister of National Defense pursuant to Article 34 (3), meets acceptance criteria by rating under paragraph (2), the Minister of National Defense may issue a certificate of proficiency in aviation English.

(5) A person who has obtained certification of proficiency in aviation English from a foreign government shall be exempted from an examination for certification of proficiency in aviation English referred to in paragraph (2) within the period of validity by relevant rating.

(6) Article 43 (1) 1 and (3) shall apply mutatis mutandis to the revocation, etc. of certification of proficiency in aviation English. In such cases, "certification of qualification, etc." shall be construed as "certification of proficiency in aviation English."

Article 46 (Flight Training) (1) Articles 36 (1) and (2), and 37 (2) shall not apply to pilotage for the following flight training:

1. Flight training which a person who has obtained the certification of qualification under subparagraphs 1 through 4 of Article 35 and aviation medical certification under Article 40 receives on board an aircraft other than the limited rating or type (only applicable to the aircraft of the limited kind), which is conducted under the supervision of a person who has obtained the certification of qualification that enables him/her to control the flight of the aircraft, and aviation medical certification (including a person designated by the Minister of Land, Infrastructure and Transport because he/she deems that the person has knowledge and ability to control the flight of the aircraft);

2. Flight training referred to in Article 44 (2) 1, which is conducted under the supervision of a person who has obtained permission for flight training and flight instructor certification from the Minister of Land, Infrastructure and Transport;

3. Flight training under Article 44 (2) 2, which is conducted under the supervision of a person who has obtained flight instructor certification.
(2) Where the Minister of Land, Infrastructure and Transport receives an application for permission for flight training under paragraph (1) 2, in which case he/she deems that an applicant has the ability necessary to receive flight training, he/she shall permit the flight training, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(3) Permission under paragraph (1) 2 shall be granted by issuing a flight training permit to an applicant.

(4) Articles 40 through 43 shall apply mutatis mutandis to aviation medical certification of a person who has obtained permission under paragraph (1) 2, the revocation of permission, etc.

(5) Where a person who has received a flight training permit referred to in paragraph (3) receives flight training, he/she shall carry a flight training permit and an aviation medical certificate.

**Article 47 (Air Traffic Control Practice)**

(1) A person who has failed to obtain certification of qualification of air traffic controller under subparagraph 7 of Article 35 intends to undergo air traffic control practice (hereinafter referred to as "air traffic control practice"), he/she shall obtain permission for air traffic control practice from the Minister of Land, Infrastructure and Transport and undergo air traffic control practice under the supervision of a person who meets the requirements for qualification prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(2) Where the Minister of Land, Infrastructure and Transport receives an application for permission for air traffic control practice referred to in paragraph (1) 2, in which case he/she deems that an applicant has the ability necessary to undergo air traffic control practice, he/she shall permit the applicant to undergo air traffic control practice, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(3) Permission for air traffic control practice referred to in paragraph (1) shall be granted by issuing an air traffic control practice permit to an applicant.

(4) Articles 40 through 43 shall apply mutatis mutandis to aviation medical certification of a person who has obtained permission to undergo air traffic control practice under paragraph (1), the revocation of the permission, etc.
(5) Where a person who has received an air traffic control training permit under paragraph (3) undergoes air traffic control practice, he/she shall carry an air traffic control practice permit and an aviation medical certificate.

Article 48 (Designation, etc. of Approved Training Organization) (1) The Minister of Land, Infrastructure and Transport may designate an Approved Training Organization (ATO) for airman/airwoman (hereinafter referred to as "Approved Training Organization (ATO)") in order to train airman/airwoman, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(2) Where an Approved Training Organization (ATO) designated pursuant to paragraph (1) trains airman/airwoman necessary for air transport services, the Minister of Land, Infrastructure and Transport may fully or partially subsidize expenses incurred in training within budgetary limits.

(3) Criteria for designation of an Approved Training Organization (ATO), such as curriculum, methods of training, human resources, facilities, and equipment, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(4) Where a person designated as an Approved Training Organization (ATO) falls under any of the following, the Minister of Land, Infrastructure and Transport may revoke the designation thereof: Provided, That where the person falls under subparagraph 1, the Minister of Land, Infrastructure and Transport shall revoke the designation thereof:

1. Where the person has been designated as an Approved Training Organization (ATO) by deceit or other fraudulent means;
2. Where the person violates criteria prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport among criteria for designation of an Approved Training Organization (ATO) referred to in paragraph (3).

(5) In order to provide information about aviation education and training to the people and manage institutions providing aviation education and training, such as Approved Training Organization (ATO), in a systematic manner, the Minister of Land, Infrastructure and Transport shall build and operate a web-based system (hereinafter referred to as "web-based integrated aviation education and training management system").
(6) The Minister of Land, Infrastructure and Transport may request air operators referred to in subparagraph 35 of Article 2 of the Aviation Business Act or institutions providing aviation training and training to provide necessary data or information in order to devise and operate a web-based integrated aviation training and training management system. In such cases, those requested to provide data or information shall comply with such request unless there is any justifiable grounds.

Article 49 (Designation, etc. of Aviation Medical Examiners) (1) In order to conduct aviation medical examinations for each kind of certification of qualification under Article 40 in an efficient and professional manner, the Minister of Land, Infrastructure and Transport may designate physicians who have received professional training about aviation medicine (hereinafter referred to as "aviation medical examiner") and require them to perform services concerning aviation medical certification under Article 40 on his/her behalf, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(2) Criteria for designation of an aviation medical examiner, such as the record of completion of training and his/her career, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(3) Aviation medical examiners shall receive professional training provided by the Minister of Land, Infrastructure and Transport on a regular basis, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 50 (Revocation, etc. of Designation of Aviation Medical Examiners) (1) Where an aviation medical examiner falls under any of the following, the Minister of Land, Infrastructure and Transport may revoke the designation thereof or order to suspend the effect of the designation thereof within a fixed period not exceeding one year: Provided, That where he/she falls under any of subparagraph 1, 3, 4 or 6 through 8, the Minister of Land, Infrastructure and Transport shall revoke the designation thereof:

1. Where he/she has been designated as an aviation medical examiner by deceit or other fraudulent means;

2. Where the aviation medical examiner negligently performs services prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, such as the issuance of aviation medical certificates referred to in Article 40;
3. Where he/she performs services concerning aviation medical certification referred to in Article 40 during the period of suspension of the effect of the designation of the aviation medical examiner referred to in this Article;
4. Where the aviation medical examiner fails to meet criteria for designation referred to in Article 49 (2);
5. Where the aviation medical examiner fails to receive professional training referred to in Article 49 (3);
6. Where the aviation medical examiner issues a wrong aviation medical certificate by design or gross negligence;
7. Where the qualification of aviation medical examiner is revoked pursuant to Article 65 of the Medical Service Act or suspended pursuant to Article 66 of the aforesaid Act;
8. Where the aviation medical examiner requests the Minister of Land, Infrastructure and Transport to revoke the designation.

(2) Criteria and procedures for imposing measures referred to in paragraph (1) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

CHAPTER V FLIGHT OF AIRCRAFT

Article 51 (Duty to Install and Operate Radio Equipment)

A person who intends to control the flight of an aircraft or the owner thereof, etc. shall install and operate radio equipment prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, such as an emergency position indicating radio beacon and secondary surveillance radar transponder in the relevant aircraft.

Article 52 (Installation, Loading, Operation, etc. of Flight Instruments, etc.) (1) A person who intends to control the flight of an aircraft or the owner thereof, etc. shall install flight instruments and equipment or load documents, first aid kits, etc. (hereinafter referred to as “flight instruments, etc.”) necessary for the safe flight of the aircraft in the relevant aircraft and operate those instruments. In such cases, equipment necessary for accident prevention and safe flight may be additionally installed in an aircraft whose maximum takeoff weight exceeds 600 kilograms but does not exceed 5,700 kilograms. <Amended by Act No. 14551, Jan. 17, 2017>
(2) Aircraft in which flight instruments, etc. should be installed or loaded pursuant to paragraph (1), the kinds of flight instruments, and necessary matters concerning standards for installation and loading, methods of the operation thereof, etc. shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 53 (Aircraft Fuel)
Neither any person who intends to control the flight of an aircraft nor the owner thereof, etc. shall control the flight of the aircraft without loading the amount of fuel prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport on the aircraft.

Article 54 (Beacon of Aircraft)
A person who controls the flight of an aircraft or parks an aircraft at an airport at night (referring to the period of time between the sunset and the sunrise; hereinafter the same shall apply) shall indicate the position of the aircraft using a beacon, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 55 (Flight Experience of Flight Crew Members)
A flight crew member who intends to control the flight of any of the following aircraft, to conduct an instrument flight or night flight, or to be engaged in flight training services under Article 44 (2) shall have flight experience (including flight experience he/she has acquired using a flight simulator) prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport:
1. Aircraft used for air transport services or aircraft use business;
2. Aircraft meeting standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, such as the weight of aircraft and the number of passenger seats, which are used for international flight operations (hereinafter referred to as "aircraft for international flight operations").

Article 56 (Aircrew Fatigue Management)
(1) An air operator, aircraft use business entity, or the owner, etc. of an aircraft for international flight operation shall manage the fatigue of flight crew and cabin crew (hereinafter referred to as "aircrew") belonging thereto by at least one of the following methods:
1. Method of complying with standards to restrict hours on board, working hours on board, working hours, etc. (hereinafter referred to as "hours on board, etc.") of
aircrew prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport;

2. Method of building and operating a fatigue risk management system.

(2) Where an air operator, aircraft use business entity, or owner, etc. of an aircraft for international flight operation intends to build and operate a fatigue risk management system, he/she shall operate the fatigue risk management system after obtaining approval from the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. The foregoing shall also apply where he/she alters important matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport among matters approved.

(3) Where an air operator, aircraft use business entity, or owner, etc. of an aircraft for international flight operation manages fatigue of aircrew pursuant to paragraph (1) 1, he/she shall keep records on hours on board, etc. of aircrew for at least 15 months.

Article 57 (Restrictions on Consumption or Use of Alcoholic Beverages, etc.) (1)

Neither a person engaged in aviation (including a person who receives flight training referred to in Article 46 and a person who undergoes air traffic control practice referred to in Article 47; hereinafter the same shall apply in this Article) nor a cabin crew shall be engaged in aviation duties or the duties of cabin crew when he/she is unable to normally perform aviation duties (including flight training referred to in Article 46 and air traffic control practice referred to in Article 47; hereinafter the same shall apply in this Article) or the duties of cabin crew under the influence of alcohol referred to in subparagraph 1 of Article 3 of the Liquor Tax Act, narcotics referred to in subparagraph 1 of Article 2 of the Narcotics Control Act, or hallucinogens, etc. (hereinafter referred to as "alcohol, etc.") referred to in Article 22 (1) of the Chemicals Control Act.

(2) Neither a person engaged in aviation duties nor a cabin crew shall consume or use alcohol, etc., while he/she is engaged in aviation duties or the duties of cabin crew.
(3) Where the Minister of Land, Infrastructure and Transport deems it necessary for aviation safety and hazard prevention or has any reasonable cause to deem that a person engaged in aviation duties or a cabin crew was engaged in aviation duties or the duties of cabin crew, in violation of paragraph (1) or (2), the Minister of Land, Infrastructure and Transport may test whether the person engaged in aviation duties or cabin crew consumed or used any alcohol, etc., by the method of conducting a breathalyzer test, etc., and the person engaged in aviation duties or cabin crew shall comply with such test.

(4) Where the person engaged in aviation duties or the cabin crew has an objection to the outcomes of the test under paragraph (3), the Minister of Land, Infrastructure and Transport may conduct a test to determine whether he/she consumed or used alcohol, etc., by collecting blood or conducting a urine test upon obtaining his/her consent.

(5) The criteria for determination that a person engaged in aviation duties or cabin crew is unable to normally perform aviation duties or the duties of cabin crew under the influence of alcohol, etc. shall be as follows:
1. Where a blood alcohol content is at least 0.02 percent due to consumption of any beverage containing alcohol;
2. Where he/she has used narcotics referred to in subparagraph 1 of Article 2 of the Narcotics Control Act;
3. Where he/she has used any hallucinogen referred to in Article 22 (1) of the Chemicals Control Act.

(6) Kinds of alcoholic beverages, etc., detailed procedures necessary for the measurement thereof, and matters necessary for the management, etc. of records of measurement shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport pursuant to paragraphs (1) through (5).

Article 58 (Aviation Safety Program, etc.)

(1) The Minister of Land, Infrastructure and Transport shall develop and announce an aviation safety program including the following:
1. National objectives of aviation safety;
2. Matters concerning activities in each detailed field, such as aircraft operation, air traffic services, the operation of navigation facilities, the operation of airports, and
the design, manufacture, maintenance, etc. of aircraft to achieve objectives referred to in subparagraph 1;
3. Matters concerning a reporting system on aviation accidents, serious incidents, and safety occurrence;
4. Matters concerning investigation activities for aviation safety and safety supervision;
5. Matters concerning the identification of potential hazards for aviation safety and the implementation of measures for improvement;
(2) Any of the following persons shall develop an aviation safety management system to prevent aircraft accidents, etc., and ensure flight safety in accordance with an aviation safety program under paragraph (1) before he/she commences production, training, operation, or business, and operates the aviation safety management system after obtaining approval from the Minister of Land, Infrastructure and Transport. The foregoing shall also apply where he/she alters important matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport among matters approved:
1. A person who has obtained type certification, supplemental type certification, production certification, type approval for articles with technical standard order design approval or parts manufacturer certification;
2. An Approved Training Organization (ATO) designated pursuant to Article 48 (1) to train airman/airwoman under subparagraphs 1 through 4 of Article 35;
3. A person who has obtained certification of air traffic services;
4. An air operator, aircraft use business entity, owner, etc. of aircraft for international flight operations;
5. A person who has obtained certification of Approved Maintenance Organization (AMO) under Article 97 (1), who is an aircraft maintenance service provider;
6. A person who has obtained certification for the operation of an airport pursuant to Article 38 (1) of the Airport Facilities Act;
7. A person who has installed navigation safety facilities pursuant to Article 43 (2) of the Airport Facilities Act.
(3) The Minister of Land, Infrastructure and Transport shall devise and operate an aviation safety management system concerning his/her duties in accordance with an
aviation safety program under paragraph (1) in order to perform his/her duties in a systematic manner pursuant to paragraphs (1) through (3) of Article 83.

(4) In addition to matters provided for in paragraphs (1) through (3), the following shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport:

1. Matters necessary for formulating an aviation safety program referred to in paragraph (1);
2. Matters to be included in an aviation safety management system referred to in paragraph (2), criteria for approval for the aviation safety management system and matters necessary for devising and operating such system;
3. Matters necessary for devising and operating the aviation safety management system concerning duties referred to in paragraph (3).

**Article 59 (Mandatory Reporting of Aviation Safety)**

(1) A relevant person, such as a person engaged in aviation, who has caused any aircraft accident or serious incident or safety occurrence, or who has become aware of the occurrence of any aircraft accident or serious incident or safety occurrence shall report the fact to the Minister of Land, Infrastructure and Transport.

(2) The scope of relevant persons, such as airman/airwoman referred to in paragraph (1), matters to be included in reports, timing of reports, methods and procedures for reporting, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

**Article 60 (Fact Investigation)**

(1) Where the Minister of Land, Infrastructure and Transport receives a report referred to in Article 59 (1), he/she may conduct investigation into whether the event in the report has occurred, to examine violations, etc. of this Act.

(2) Article 132 (2) and (4) through (9) shall apply mutatis mutandis to procedures, methods, etc. for conducting fact investigations referred to in paragraph (1).

**Article 61 (Voluntary Reporting of Aviation Safety)**

(1) A person who has caused an event, situation, condition, etc. that jeopardizes or is likely to jeopardize aviation safety (hereinafter referred to as "aviation safety hazard"), a person who has become aware that any aviation safety hazard occurred, or a person who deems that
any aviation safety hazard is expected to occur, may report the fact to the Minister of Land, Infrastructure and Transport.

(2) The Minister of Land, Infrastructure and Transport shall neither disclose the identity of a person who reports (hereinafter referred to as "voluntary reporting of aviation safety") referred to in paragraph (1) against his/her will, nor use the voluntary reporting of aviation safety for purposes other than to prevent any accident and ensuring aviation safety.

(3) No person shall dismiss, transfer, reprimand, or unjustly treat a person who has voluntarily reported aviation safety or impose measures unfavorable to him/her in relation to his/her status or treatment for voluntary reporting.

(4) Where a person who causes any aviation safety hazard voluntarily reports aviation safety within ten days from the date on which the aviation safety hazard occurs, the Minister of Land, Infrastructure and Transport may not impose measures referred to in Article 43 (1): Provided, That the foregoing shall not apply where he/she causes the aviation safety hazard by design or gross negligence, and the aviation safety hazard corresponds to an aircraft accident or serious incident.

(5) In addition to matters provided for in paragraphs (1) through (4), matters to be included in the voluntary reporting of aviation safety, methods, procedures, etc. for reporting shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 62 (Authority, etc. of Pilot in Command) (1) A person responsible for the flight safety of an aircraft (hereinafter referred to as "pilot in command") shall direct and supervise other crew members on board the aircraft.

(2) No pilot in command shall allow an aircraft to depart unless he/she confirms that preparation necessary for the flight of an aircraft has been completed, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(3) Where the pilot in command deems that any hazard has occurred or is likely to occur to the aircraft or passengers aboard, he/she may order passengers aboard the aircraft to abide by the method of evacuation and other necessary matters concerning safety.

(4) Where any hazard occurs to the aircraft during flight, the pilot in command shall prepare measures necessary to rescue passengers and prevent any hazard to people
or articles on the ground or waters, and shall not leave the aircraft unless he/she has evacuated passengers and other persons aboard from the aircraft.

(5) Where any aircraft accident, serious incident or safety occurrence takes place, the pilot in command shall report the fact to the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That where the pilot in command is unable to report the fact, the owner, etc. of the aircraft shall report it.

(6) Where the pilot in command becomes aware that any aircraft accident, serious incident or safety occurrence takes place to other aircraft, he/she shall report the fact to the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That the foregoing shall not apply where he/she becomes aware of the fact through radio equipment.

(7) Where any interested person, such as a person engaged in aviation, report pursuant to Article 59 (1), the main sentence of paragraph (5) and the main sentence of paragraph (6) shall not apply.

Article 63 (Operational Qualification for Pilots, etc.) (1) The pilot in command of any of the following aircraft shall obtain operational qualification concerning his/her knowledge and ability, and a pilot other than the pilot in command shall obtain operational qualification concerning his/her ability from the Minister of Land, Infrastructure and Transport:

1. Aircraft used for air transport services;
2. Aircraft used for services prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport among aircraft used for aircraft use business;
3. Aircraft for international flight operations.

(2) The Minister of Land, Infrastructure and Transport shall review on regular basis whether persons who have obtained operational qualification referred to in paragraph (1) have knowledge and ability, and where he/she deems it especially necessary, he/she may examine whether they have knowledge or ability at any time.

(3) Where a person who has obtained operational qualification referred to in paragraph (1) fails to undergo an examination referred to in paragraph (2) or to pass the examination, the Minister of Land, Infrastructure and Transport shall revoke the
operational qualification thereof.

(4) Where the Minister of Land, Infrastructure and Transport deems it necessary, he/she may require an air operator or aircraft use business entity to give the operational qualification referred to in paragraph (1) or conduct an examination referred to in paragraph (2) of the pilot in command belonging thereto or other pilots.

(5) The pilot in command or other pilots who has (have) obtained operational qualification or passed the examination pursuant to paragraph (4) shall be deemed to have obtained operational qualification under paragraph (1) and undergone examination referred to in paragraph (2). In such cases, paragraph (3) shall apply mutatis mutandis thereto.

(6) Notwithstanding paragraph (4), where the Minister of Land, Infrastructure and Transport deems it necessary, he/she may conduct examinations referred to in paragraph (2) of the pilot in command or other pilots, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(7) The pilot in command of an aircraft engaged in air transport services shall meet requirements for experience in a region where he/she intends to control the flight of the aircraft, airway, and airport (only applicable to experience in the region, airway, and airport prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport).

(8) Necessary matters concerning the operational qualification, examination or requirements for experience referred to in paragraphs (1) through (7) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 64 (Examination, etc. of Pilots’ Operational Qualification Using Flight Simulator)

With regard to matters that the Minister of Land, Infrastructure and Transport has difficulty in giving the operational qualification or conducting examination under Article 63 by using an aircraft, such as emergency measures, he/she may give the operational qualification or conduct examination referred to in Article 63 by using a flight simulator designated by him/her pursuant to Article 39 (3).

Article 65 (Flight Dispatcher) (1) An air operator and the owner, etc. of aircraft for international flight operations shall employ flight dispatchers, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
(2) Where the pilot in command of an aircraft operated by a person who should employ a flight dispatcher pursuant to paragraph (1) intends to allow the aircraft to depart or to alter a flight plan, he/she shall obtain approval from the flight dispatcher.
(3) A person who should employ flight dispatchers pursuant to paragraph (1) shall provide necessary training and training so that flight dispatchers have necessary knowledge and experience to properly perform the relevant duties.

Article 66 (Aircraft Takeoff and Landing Area) (1) No person shall force an aircraft (excluding a glider and airship) to take off from or land at an area other than an aerodrome (including the aerodrome that fails to meet aerodrome standards required for the relevant aircraft): Provided, That the foregoing shall not apply to the following cases:
1. Where the takeoff or landing is permitted by the Minister of Land, Infrastructure and Transport, in extenuating circumstances, such as emergency related to safety;
2. Where the pilot in command complies with criteria for operation issued by the Minister of Land, Infrastructure and Transport pursuant to Article 90 (2).
(2) Detailed criteria and procedures necessary for permission under paragraph (1) 1 and other necessary matters shall be prescribed by Presidential Decree.

Article 67 (Flight Rules) (1) A person who intends to operate an aircraft shall conduct the flight of the aircraft in accordance with standards, procedures, methods, etc. concerning flight (hereinafter referred to as "flight rules") prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport in accordance with the Conventions on International Civil Aviation and Annexes to the aforesaid Convention.
(2) Flight rules shall be classified as follows:
1. Rules concerning general matters, such as flight procedures to protect property and human life;
2. Rules concerning visual flight;
3. Rules concerning instrument flight;
4. Rules concerning the preparation, submission, receipt, notification, etc. of flight plans;
5. Other rules concerning matters necessary for flight safety.
Article 68 (Prohibited Acts, etc. on Board)
No person who intends to operate an aircraft shall control the flight of the aircraft or perform any of the following acts to protect the lives and property of people: Provided, That the foregoing shall not apply where he/she has obtained permission from the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport:
1. Flight below the lowest safe altitude prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport;
2. Dropping an object or aerial application;
3. Parachute descent;
4. Aerobatics, such as flying the aircraft overturned or flying the aircraft about its lateral axis in a region prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport;
5. Flight of an unmanned aerial vehicle;
6. Other flights or acts prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, that jeopardize or are likely to jeopardize the lives and property of people.

Article 69 (Designation, etc. of Aircraft for Emergency Duties) (1) The owner, etc. who intends to use his/her aircraft for emergency duties prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, such as evacuation of patients with acute illnesses or injuries that require immediate medical attention, shall obtain the designation of the aircraft from the Minister of Land, Infrastructure and Transport.
(2) Article 66, and subparagraphs 1 and 2 of Article 68 shall not apply where the owner, etc. of an aircraft designated under paragraph (1) by the Minister of Land, Infrastructure and Transport (hereinafter referred to as "aircraft for emergency duties") operates the aircraft to perform emergency duties under paragraph (1).
(3) Necessary matters concerning the designation, procedures for operation, etc. of an aircraft for emergency duties shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
(4) Where the owner, etc. of an aircraft for emergency duties falls under any of the following, the Minister of Land, Infrastructure and Transport may revoke the designation of the aircraft for emergency duties: Provided, That where the owner,
etc. falls under subparagraph 1, the Minister of Land, Infrastructure and Transport shall revoke the designation of the aircraft for emergency duties.

1. Where the aircraft has been designated as the aircraft for emergency duties by deceit or other fraudulent means;

2. Where the aircraft fails to comply with procedures for the operation thereof under paragraph (3).

(5) No person in whose case the designation of the aircraft for emergency duties is revoked pursuant to paragraph (4) shall obtain the designation of the aircraft for emergency duties within two years from the date on which the designation is revoked.

Article 70 (Transportation, etc. of Hazardous Materials) (1) A person who intends to transport dangerous goods (hereinafter referred to "dangerous goods") prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, such as highly explosive or flammable materials, by using an aircraft, shall obtain permission from the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(2) Where a person who has obtained Air Operator Certificate (AOC) referred to in Article 90 (1) meets standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, such as methods of conveying information about the loading of dangerous goods, he/she shall be deemed to have obtained permission referred to in paragraph (1).

(3) A person (hereinafter referred to as "person who handles dangerous goods") who packages, loads, stores, transports or handles dangerous goods (hereinafter referred to as "handling of dangerous goods") transported by using an aircraft, shall adhere to procedures and methods for handling dangerous goods prescribed and announced by the Minister of Land, Infrastructure and Transport for the prevention of aviation hazards and the safety of human life.

Article 71 (Inspection, etc. of Packaging and Containers of Hazardous Materials) (1) A person who intends to manufacture or import and sell packaging and containers used for transporting dangerous goods shall undergo inspection of the safety of the packaging and containers by the Minister of Land, Infrastructure and Transport.
(2) The Minister of Land, Infrastructure and Transport shall prescribe and announce necessary matters concerning methods of inspection, acceptance criteria, etc. of packaging and containers referred to in paragraph (1).

(3) The Minister of Land, Infrastructure and Transport may designate an agency that performs inspection services concerning containers and packaging of dangerous goods (hereinafter referred to as "packaging and container inspection agency") in a professional manner, and require the packaging and container inspection agency to conduct inspections referred to in paragraph (1).

(4) Necessary matters concerning criteria for designation, operation, etc. of a packaging and container inspection agency, such as human resources for inspection and inspection equipment, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(5) Where a packaging and container inspection agency falls under any of the following, the Minister of Land, Infrastructure and Transport may revoke the designation thereof or order to fully or partially suspend its services within a fixed period not exceeding six months: Provided, That where it falls under subparagraph 1, the Minister of Land, Infrastructure and Transport shall revoke the designation thereof: <Amended by Act No. 14551, Jan. 17, 2017>

1. Where it has been designated as the packaging and container inspection agency by deceit or other fraudulent means;
2. Where the packaging and container inspection agency conducts inspections referred to in paragraph (1), in violation of methods of inspection, acceptance criteria, etc. of packaging and containers referred to in paragraph (2);
3. Where it fails to meet criteria for designation referred to in paragraph (4).

(6) Other necessary matters, such as detailed standards for imposing measures referred to in paragraph (5), shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

**Article 72 (Training, etc. about Handling of Dangerous Goods)** (1) A person who handles dangerous goods shall receive training about the handling of dangerous goods provided by the Minister of Land, Infrastructure and Transport: Provided, That the foregoing shall not apply where he/she has completed training about the handling of dangerous goods at a training center approved by international organizations, such
as the International Civil Aviation Organization, and the International Air Transport Association.

(2) The Minister of Land, Infrastructure and Transport shall prescribe and announce necessary matters concerning the detailed scope of persons who handle dangerous goods subject to training pursuant to paragraph (1), details of training, etc.

(3) In order to efficiently provide training referred to in paragraph (1), the Minister of Land, Infrastructure and Transport may designate an Approved Training Organization (ATO) providing training about the handling of dangerous goods in a professional manner (hereinafter referred to as “training center specializing in dangerous goods”) and require a training center specializing in dangerous goods to provide training for persons who handle dangerous goods.

(4) Necessary matters concerning criteria for designation, operation, etc. of a training center specializing in dangerous goods, such as human resources, facilities and equipment for training, shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(5) Where a training center specializing in dangerous goods falls under any of the following, the Minister of Land, Infrastructure and Transport may revoke the designation thereof or order to fully or partially suspend its services within a fixed period not exceeding six months: Provided, That where it falls under subparagraph 1, the Minister of Land, Infrastructure and Transport shall revoke the designation thereof:

1. Where it has been designated as a training center specializing in dangerous goods by deceit or other fraudulent means;

2. Where it fails to meet criteria for designation referred to in paragraph (4).

(6) Other necessary matters, such as detailed standards for imposing measures referred to in paragraph (5), shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

**Article 73 (Restrictions on Use of Electronic Devices)**

In order to prevent the effect of electromagnetic interference, etc. on the navigation of aircraft in flight and telecommunications equipment, the Minister of Land, Infrastructure and Transport may restrict the use of electronic devices carried by passengers, as prescribed by Ordinance of the Ministry of Land, Infrastructure and
Article 74 (Approval for Extended Operations of Flight Time between Diversion Airports)

(1) Where an air operator intends to operate an aircraft prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, which has at least two engines, in an airway that has a point where the duration of time the aircraft take to fly to the nearest airport in cruising airspeed classified as follows and lands at the airport exceed the duration prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, he/she shall obtain approval from the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport:

1. Aircraft with two engines: Cruising airspeed when one engine is not in operation;
2. Aircraft with at least three engines: Cruising airspeed when all engines are in operation.

(2) Where the Minister of Land, Infrastructure and Transport intends to grant approval referred to in paragraph (1), he/she shall confirm whether the aircraft meets technical standards for air navigation.

Article 75 (Approval for Navigation of Aircraft in Reduced Vertical Separation Minima Airspace, etc.)

(1) The owner, etc. who intends to operate an aircraft in any of the following airspaces shall obtain approval from the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That the foregoing shall not apply to cases prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, including where the owner, etc. intends to operate the aircraft for search and rescue in the airspaces referred to in subparagraph 1:

1. Airspace operated by reducing vertical separation altitude (hereinafter referred to as "reduced vertical separation minima airspace");
2. Airspace permitted solely for the operation of aircraft that have specific navigation performance (hereinafter referred to as "airspace requiring performance-based navigation");
3. Other airspace prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport to manage airspace in an efficient manner.
(2) Where the Minister of Land, Infrastructure and Transport intends to grant approval referred to in paragraph (1), he/she shall confirm whether the aircraft meets technical standards for air navigation.

Article 76 (Boarding, etc. of Aircrew, etc.) (1) A person who intends to operate an aircraft shall have the necessary aircrew on board for the safety of flight in the aircraft, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(2) Where a flight crew member or an air traffic controller performs aviation duties, he/she shall carry a certificate of qualification and an aviation medical certificate, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, and where a person engaged in aviation duties other than a flight crew member or an air traffic controller performs aviation duties, he/she shall carry a certificate of qualification, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(3) An air operator or aircraft use business entity shall provide training and training necessary to perform the relevant services for the aircrew aboard the aircraft, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 77 (Flight Technology Standards for Safe Flight of Aircraft) (1) The Minister of Land, Infrastructure and Transport may prescribe and announce flight technology standards including the following to the extent stipulated in this Act, the Convention on International Civil Aviation, and Annexes to the aforesaid Convention in order to ensure the safe flight of aircraft:

1. Certification of qualification;
2. Aviation training institutions;
3. Aircraft registration and attachment of the registration mark;
4. Aircraft airworthiness;
5. Criteria for certification of Approved Maintenance Organization (AMO);
6. Aircraft instruments and equipment;
7. Operation of aircraft;
8. Operating certification of air transport services and the management thereof;
9. Other matters necessary for safe flight, which are prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
(2) Owners, etc. and airman/airwoman shall abide by flight technology standards referred to in paragraph (1).

CHAPTER VI AIRSPACE AND AIR TRAFFIC SERVICES, ETC.

Article 78 (Designation of Airspace, etc.) (1) Where the Minister of Land, Infrastructure and Transport deems it necessary to manage airspace in a systematic and efficient manner, he/she may designate and publicly announce a flight information zone divided into the following regions of airspace:

1. Controlled airspace: Airspace including control zones and control areas, in which a pilot is required to receive instructions on the procedure for, timing, method, etc. of controlling the flight of an aircraft for the safety of air traffic from the Minister of Land, Infrastructure and Transport or a person who has obtained certification for air traffic services pursuant to Article 84 (1);
2. Uncontrolled airspace: Airspace other than controlled airspace, in which it is necessary to provide advice on flight, flight information, etc. to a pilot of an aircraft;
3. Restricted airspace: Airspace in which it is necessary to prohibit or restrict the flight of an aircraft for the safety of air traffic;
4. Warning areas: Airspace in which special attention, caution, identification, etc. is required when a pilot of an aircraft controls the flight of the aircraft.

(2) Where the Minister of Land, Infrastructure and Transport deems it necessary, he/she may designate and publicly announce airspace under paragraph (1) by subdividing them into a variety of areas and zones.

(3) Other necessary matters concerning the criteria for establishing and the procedures for designating airspace referred to in paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 79 (Flight Restrictions, etc.) (1) A person who intends to operate an aircraft in uncontrolled airspace or a warning area referred to in Article 78 (1) shall adhere to the methods and procedures for flying aircraft prescribed and publicly announced by the Minister of Land, Infrastructure and Transport with respect to such airspace or area.
(2) No person who intends to operate an aircraft shall fly the aircraft in restricted airspace referred to in Article 78 (1): Provided, That the foregoing shall not apply where he/she flies the aircraft in accordance with the methods and procedures for flying aircraft prescribed by the Minister of Land, Infrastructure and Transport for such airspace after obtaining his/her permission, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 80 (Establishment of Airspace Committee) (1) The Airspace Committee shall be established under the authority of the Minister of Land, Infrastructure and Transport to deliberate on matters necessary for the establishment and management of airspace referred to in Article 78.

(2) In addition to matters provided for in paragraph (1), necessary matters concerning the composition, operation, function, etc. of the Airspace Committee shall be prescribed by Presidential Decree.

Article 81 (Cooperation with Heads of Related Administrative Agencies in Air Traffic Safety) (1) The Minister of Land, Infrastructure and Transport shall mutually cooperate with the heads of related administrative agencies concerning the following in order to ensure air traffic safety. In such cases, he/she shall consider national security:

1. Matters concerning air traffic control;
2. Matters concerning efficient airspace management;
3. Other matters necessary for air traffic safety.

(2) Detailed matters necessary to request cooperation under paragraph (1) shall be prescribed by Presidential Decree.

Article 82 (Airspace Management in Wartime, etc.)

Wartime-related Acts and the United Defense Act shall apply to airspace management in wartime and at the time of proclamation of a united defense incident under the United Defense Act.

Article 83 (Provision, etc. of Air Traffic Services) (1) The Minister of Land, Infrastructure and Transport or a person who has obtained certification for air traffic services may provide air traffic control services to aircraft or light sport aircraft in the aerodrome, airport, control zone, or control area.
(2) The Minister of Land, Infrastructure and Transport or a person who has obtained certification for air traffic services may provide advice and information related to the operation of aircraft or light sport aircraft, such as operational conditions of the aerodrome, airport and navigation safety system, to pilots or related agencies for the safe and efficient operation of aircraft or light sport aircraft in a flight information zone.

(3) The Minister of Land, Infrastructure and Transport or a person who has obtained certification for air traffic services may provide information about an aircraft or light sport aircraft that requires search and rescue in a flight information zone to pilots or related agencies.

(4) Necessary matters concerning the range of provision of services (hereinafter referred to as "air traffic services") provided by the Minister of Land, Infrastructure and Transport or a person who has obtained certification for air traffic services pursuant to paragraphs (1) through (3), persons or entities subject to air traffic services, details of air traffic services, procedures for providing air traffic services, etc. shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 84 (Compliance with Air Traffic Control Instructions) (1) A person who intends to relocate, take off or land aircraft at an aerodrome or airport, or to control the flight of an aircraft in a control zone or control area shall adhere to the procedure for and timing of taxiing, takeoff and landing, and the method of controlling the flight of the aircraft instructed by the Minister of Land, Infrastructure and Transport or a person who has obtained certification for air traffic services.

(2) For air traffic safety, a person who drives a motor vehicle on a taxiway at an aerodrome or airport, conducts repairs or maintenance of the aerodrome or airport and performs other services shall comply with the instructions of the Minister of Land, Infrastructure and Transport or a person who has obtained certification for air traffic services.

Article 85 (Certification for Aviation Traffic Services, etc.) (1) Where a person other than the Minister of Land, Infrastructure and Transport intends to provide air traffic services, he/she shall have a system that enables him/her to provide air traffic services (hereinafter referred to as "system for providing air traffic services") and
obtain certification for air traffic services from the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(2) The Minister of Land, Infrastructure and Transport shall prescribe and announce human resources, facilities, and equipment necessary for certification for air traffic services, the requirements concerning regulations for air traffic services, procedures for providing certification of air traffic services, etc. (hereinafter referred to as "criteria for certification of air traffic services).

(3) When the Minister of Land, Infrastructure and Transport provides certification for air traffic services, he/she shall issue a certificate for air traffic services, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, where he/she deems that a person meets the criteria for certification of air traffic services after inspecting whether he/she meets the criteria for certification for air traffic services.

(4) A person who has obtained certification of air traffic services shall maintain a system for providing certification of air traffic services at the time of obtaining certification of air traffic services, and comply with the criteria for certification for air traffic services.

(5) Where a person who has obtained certification of air traffic services intends to alter a system for providing certification of air traffic services, he/she shall report the alteration thereof to the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That where he/she intends to alter important matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, such as regulations for air traffic services referred to in paragraph (2), he/she shall obtain approval from the Minister of Land, Infrastructure and Transport.

(6) Where a system for providing air traffic services of a person who has obtained certification of air traffic services fails to meet the criteria for certification of air traffic services altered because the criteria for certification for air traffic services have been altered, the Minister of Land, Infrastructure and Transport may require him/her to comply with the criteria for certification of air traffic services altered.

(7) The Minister of Land, Infrastructure and Transport may inspect on a regular basis or at any time whether a person who has obtained certification of air traffic
services continuously maintains a system for providing air traffic services.

(8) Where the Minister of Land, Infrastructure and Transport discovers any matters that may endanger air traffic safety as a result of inspection referred to in paragraph (7), he/she may order corrective measures, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 86 (Revocation, etc. of Certification for Aviation Traffic Services) (1) Where a person who has obtained certification of air traffic services falls under any of the following, the Minister of Land, Infrastructure and Transport may revoke certification for air traffic services, or order to suspend the provision of air traffic services within a fixed period not exceeding six months: Provided, That where he/she falls under subparagraph 1 or 8, the Minister of Land, Infrastructure and Transport shall revoke certification of air traffic services:

1. Where he/she has obtained certification for air traffic services by deceit or other fraudulent means;
2. Where he/she falls under any of the following, in violation of Article 58 (2):
   (a) Where he/she fails to build an aviation safety management system before he/she begins to provide air traffic services;
   (b) Where he/she operates an aviation safety management system without approval;
   (c) Where he/she operates an aviation safety management system differently from the details thereof approved;
   (d) Where he/she alters any important matter prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport without approval;
3. Where he/she fails to continuously maintain a system for providing air traffic services, or provides air traffic services without complying with the criteria for certification of air traffic services, in violation of Article 85 (4);
4. Where he/she alters a system for providing air traffic services without report or approval, in violation of Article 85 (5);
5. Where he/she fails to comply with an order to comply with the criteria for certification of air traffic services altered, in violation of Article 85 (6);
6. Where he/she fails to implement an order to take corrective measures under Article 85 (8);
7. Where he/she causes an aircraft accident by design or gross negligence, or an aircraft accident occurs because he/she has neglected to perform his/her duties to pay considerable attention to the management of and supervision over airman/airwoman under his/her supervision;

8. Where he/she provides air traffic services during the period of suspension of provision of air traffic services under this Article.

(2) Other necessary matters, such as detailed standards for imposing measures under paragraph (1), shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 87 (Imposition of Administrative Monetary Penalties on Persons Who Have Obtained Certification for Aviation Traffic Services) (1) Where the Minister of Land, Infrastructure and Transport should order to suspend the provision of air traffic services because a person who has obtained certification of air traffic services falls under Article 86 (1) 2 through 7, in which case the suspension of provision of air traffic services is likely to cause serious inconvenience to users, etc. of the airport or to harm public interest, the Minister of Land, Infrastructure and Transport may impose a penalty surcharge not exceeding 100 million won in lieu of the suspension of the provision of air traffic services.

(2) Specific standards and procedures for imposing administrative monetary penalties referred to in paragraph (1), and other necessary matters shall be prescribed by Presidential Decree.

(3) Where a person liable to pay a penalty surcharge referred to in paragraph (1) fails to pay it by the deadline for payment, the Minister of Land, Infrastructure and Transport shall collect it in the same manner as delinquent national taxes are collected.

Article 88 (Formulation and Implementation of Plan for Assistance in Search and Rescue) Where an aircraft is in distress, the Minister of Land, Infrastructure and Transport shall formulate and implement a plan concerning assistance in search for and rescue of the aircraft in which the roles, etc. of related administrative agencies are described, as prescribed by Ordinance of the ministry of Land, Infrastructure and Transport.
Article 89 (Provision, etc. of Information about Aviation) (1) The Minister of Land, Infrastructure and Transport shall provide information (hereinafter referred to as "information about aviation") necessary to ensure the safety, regularity and efficiency of air navigation to those who conduct flights in a flight information zone.

(2) The Minister of Land, Infrastructure and Transport shall publish a map (hereinafter referred to as "aeronautical chart") in which information necessary for the navigation of aircraft is provided, such as airways, air navigation facilities, aerodrome, airports, and control zones.

(3) In addition to matters provided for in paragraphs (1) and (2), necessary matters concerning the details of information about aviation or an aeronautical chart, methods of the provision thereof, units of measurement, etc. shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

CHAPTER VII SAFETY MANAGEMENT FOR AIR OPERATOR, ETC.
SECTION 1 Safety Management for Air Operators

Article 90 (Air Operator Certificate of Air Operators) (1) An air operator shall obtain the Air Operator Certificate (AOC) after undergoing inspection of a safe navigation system, such as human resources, equipment, facilities, assistance in flight operations and assistance in maintenance management, by the Minister of Land, Infrastructure and Transport in accordance with standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport before he/she begins flight operations.

(2) Where the Minister of Land, Infrastructure and Transport provides the Air Operator Certificate (AOC) (hereinafter referred to as "Air Operator Certificate (AOC)") referred to in paragraph (1), he/she shall issue an operating certificate to the relevant air operators along with aircraft operating standards in which the conditions of the operation of aircraft and restricted matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport are specified concerning airways, airports, and methods of maintaining aircraft.

(3) Where the Minister of Land, Infrastructure and Transport deems it necessary to ensure the safe navigation of aircraft, he/she may alter aircraft operating standards referred to in paragraph (2) on his/her own authority or upon a request from an air
operator.
(4) Persons engaged in aviation duties, who belong to an air operator or aircraft use business entity, shall comply with aircraft operating standards referred to in paragraph (2).
(5) An airport transport service provider that has obtained the Air Operator Certificate (AOC) shall maintain a safe air navigation system at the time of obtaining the first Air Operator Certificate (AOC), and where the safe air navigation system is altered by opening a new airway, he/she shall undergo inspection conducted by the Minister of Land, Infrastructure and Transport.
(6) In order to ensure the safe operation of aircraft, the Minister of Land, Infrastructure and Transport shall inspect on a regular basis or at any time whether an airport transport service provider who has obtained the Air Operator Certificate (AOC) maintains a safe air navigation system.
(7) Where it is necessary to take emergency measures because any of the following occurs while the Minister of Land, Infrastructure and Transport conducts a regular inspection or occasional inspection referred to in paragraph (6), he/she may require an air operator to suspend the operation of aircraft or an airway, or require airman/airwoman to suspend their duties, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport:
1. Where any matter that may have an impact on airworthiness of aircraft is discovered;
2. Where it is discovered that airman/airwoman related to the operation of aircraft fail to meet the requirements necessary for them to be engaged in the relevant duties pursuant to this Act, such as education and training or operational qualification;
3. Where the air operator fails to comply with standards prescribed by this Act for safe operation of aircraft, such as standards of hours on board or flight rules;
4. Where the condition of an airport or runway to which the air operator operates aircraft is likely to endanger the safe operation of aircraft;
5. Where he/she deems that the condition may have an influence on the safe air navigation system.
(8) Where the grounds for imposing measures for the suspension cease to exist pursuant to paragraph (7), the Minister of Land, Infrastructure and Transport shall
revoke the suspension.

**Article 91 (Revocation, etc. of Air Operator Certificate of Air Operators)** (1) Where an air operator who has obtained the Air Operator Certificate (AOC) falls under any of the following, the Minister of Land, Infrastructure and Transport may revoke the Air Operator Certificate (AOC) or order to suspend the operation of aircraft within a fixed period not exceeding six months: Provided, That where he/she falls under subparagraph 1, 39 or 49, the Minister of Land, Infrastructure and Transport shall revoke the Air Operator Certificate (AOC):

1. Where he/she has obtained the Air Operator Certificate (AOC) by deceit or other fraudulent means;
2. Where he/she operates an aircraft that fails to attach the nationality, registration mark, and the name or title of the owner, etc., in violation of Article 18 (1);
3. Where he/she operates an aircraft that fails to obtain airworthiness certification, in violation of Article 23 (3);
4. Where he/she operates an aircraft or uses fitments or parts on the aircraft without improving airworthiness concerning the maintenance, etc. of aircraft, etc., fitments or parts to maintain the airworthiness of the aircraft referred to in Article 23 (8), or without complying with orders to conduct inspections, maintenance, etc.;
5. Where he/she operates an aircraft that fails to obtain certification of compliance with noise standards or to meet technical standards for aircraft, in violation of Article 25 (2);
6. Where he/she fails to comply with a request for complying with altered technical standards for aircraft, in violation of Article 26;
7. Where he/she uses articles with technical standard order design approval that fails to obtain type approval for articles with technical standard order design approval on aircraft, etc., in violation of Article 27 (3);
8. Where he/she uses fitments or parts of which parts manufacturer certification he/she fails to obtain on aircraft, etc., or fitments, in violation of Article 28 (3);
9. Where he/she operates an aircraft, etc. that fails to obtain approval for repair or remodeling, or uses fitments or parts for repair or remodeling that fails to obtain approval on the aircraft, etc., in violation of Article 30 (2);
10. Where he/she operates an aircraft, etc. that has undergone maintenance checks or use fitments or parts on the aircraft, etc., without obtaining confirmation of airworthiness of the relevant aircraft, etc., fitments or parts, in violation of Article 32 (1);

11. Where he/she requires a flight crew member who fails to meet the criteria for aviation medical certification for each kind of certification of qualification referred to in Article 40 (2) to be engaged in aviation duties, in violation of Article 42;

12. Where he/she operates an aircraft in which radio equipment prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport has not been installed or an aircraft in which installed radio equipment is inoperative, in violation of Article 51;

13. Where he/she operates an aircraft without installing or carrying flight instruments, etc., or fails to adhere to the method of the operation thereof, in violation of Article 52;

14. Where he/she operates an aircraft without loading an amount of fuel prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, in violation of Article 53;

15. Where he/she fails to indicate the position of an aircraft with a beacon, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, when he/she operates the aircraft or parks or holds the aircraft in an airport at night, in violation of Article 54;

16. Where he/she requires a flight crew member who does not have flight experience prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport to operate an aircraft, to conduct an instrument flight or night flight, or to be engaged in providing flight training, in violation of Article 55;

17. Where he/she fails to manage fatigue of aircrew under his/her supervision, in violation of Article 56 (1);

18. Where he/she operates a fatigue risk management system or alters important matters without obtaining approval from the Minister of Land, Infrastructure and Transport, in violation of Article 56 (2);

19. Where he/she requires a person engaged in aviation duties or a cabin crew to be engaged in aviation duties or the duties of cabin crew under a condition that he/she is unable to normally perform aviation duties or the duties of cabin crew under the
influence of alcohol, etc.;

20. Where he/she falls under any of the following, in violation of Article 58 (2):
   (a) Where he/she fails to devise an aviation safety management system before he/she starts business;
   (b) Where he/she operates an aviation safety management system without obtaining approval;
   (c) Where he/she operates an aviation safety management system differently from the approved details thereof;
   (d) Where he/she alters any important matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport without obtaining approval;

21. Where he/she fails to report an aircraft accident, serious incident or safety occurrence that has took place, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, when such accident, incident or problem has occurred, in violation of the proviso to Article 62 (5);

22. Where he/she conducts a verification or examination of qualification of the pilot in command or other pilots belonging to him/her by fraudulent means when he/she conducts the verification or examination of qualification pursuant to Article 63 (4);

23. Where he/she requires the pilot in command who fails to meet the requirements for experience in a region, airway, and airport where he/she intends to operate aircraft, in violation of Article 63 (7);

24. Where he/she fails to employee a flight dispatcher, in violation of Article 65 (1);

25. Where he/she requires a flight dispatcher to be engaged in the relevant duties without providing training and training necessary to perform the relevant duties, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, in violation of Article 65 (3);

26. Where he/she requires flight crew to perform the takeoff from or landing at an area other than the aircraft takeoff or landing field, in violation of Article 66;

27. Where he/she requires a person to control the flight of an aircraft or perform an act falling under any subparagraph of Article 68, in violation of the aforesaid Article;

28. Where he/she transports dangerous goods by using an aircraft without obtaining permission, in violation of Article 70 (1);
29. Where he/she handles dangerous goods without adhering to procedures and methods for handling dangerous goods announced by the Minister of National Defense, in violation of Article 70 (3);
30. Where he/she requires a person who has failed to receive training about handling dangerous goods to handle dangerous goods, in violation of Article 72 (1);
31. Where he/she operates an aircraft without obtaining approval, in violation of Article 74 (1);
32. Where he/she operates an aircraft in airspace falling under any subparagraph of Article 75 (1) without obtaining approval, in violation of Article 75 (1);
33. Where he/she operates an aircraft without a flight crew member on board necessary for the flight safety, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, in violation of Article 76 (1);
34. Where he/she fails to provide training and training necessary to perform the relevant duties to flight crew on board an aircraft, in violation of Article 76 (3);
35. Where he/she operates an aircraft or perform duties without meeting flight technology standards referred to in Article 77 (1), in violation of Article 77 (2);
36. Where he/she begins the operation of aircraft without obtaining the Air Operator Certificate (AOC), in violation of Article 90 (1);
37. Where he/she fails to comply with aircraft operating standards, in violation of Article 90 (4);
38. Where he/she fails to maintain a safe air navigation system or operates an aircraft without undergoing inspection of the safe air navigation system altered, in violation of Article 90 (5);
39. Where he/she operates an aircraft without complying with the suspension of the operation of the aircraft or an airway, in violation of Article 90 (7);
40. Where he/she formulates regulations for the operation of aircraft or regulations for aircraft maintenance, or alters any important matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport without obtaining approval from the Minister of Land, Infrastructure and Transport, in violation of the main sentence of Article 93 (1) or the proviso to paragraph (2) of the aforesaid Article;
41. Where he/she alters regulations for the operation of aircraft or regulations for aircraft maintenance without reporting to the Minister of Land, Infrastructure and Transport, in violation of the main sentence of Article 93 (2);
42. Where he/she fails to provide regulations for the operation of aircraft or regulations for aircraft maintenance approved pursuant to the main sentence of Article 93 (1) or the proviso to paragraph (2) of the aforesaid Article, or reported pursuant to the main sentence of paragraph (2) of the aforesaid Article, in violation of the firmer part of Article 93 (5);

43. Where he/she operates or maintains an aircraft without complying with regulations for the operation of aircraft or regulations for aircraft maintenance approved pursuant to the main sentence of Article 93 (1) or the proviso to paragraph (2) of the aforesaid Article or reported pursuant to the main sentence of paragraph (2) of the aforesaid Article, in violation of the latter part of Article 93 (5);

44. Where he/she fails to comply with an order for the safety of air transport referred to in the subparagraphs of Article 94;

45. Where he/she fails to report duties (only applicable to duties to perform aviation safety activities), or to submit documents pursuant to Article 132 (1), or falsely report or submits false documents;

46. Where he/she refuses, interferes with, or avoids access to aircraft, etc., or examination (only applicable to examination to perform aviation safety activities) of books, documents, etc., under Article 132 (2);

47. Where he/she fails to answer questions (only applicable to questions to perform aviation safety activities) about relevant persons referred to in Article 132 (2) or gives a false answer;

48. Where he/she causes an aircraft accident or serious incident by design or gross negligence, or by neglecting his/her duty to pay considerable attention to the selection of and supervision over airman/airwoman;

49. Where he/she operates an aircraft during the period of suspension of the operation of aircraft under this Article.

(2) Other necessary matters concerning detailed standards, procedures, etc., for imposing measures under paragraph (1) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

<<Enforcement Date: Mar. 30, 2019>> Article 91 (1) 17 (only applicable to the part concerning Article 56 (1) 2) and 18.
Article 92 (Imposition of Penalty Surcharges on Air Operators) (1) Where the Minister of Land, Infrastructure and Transport should order to suspend the operation of aircraft because an air operator who has obtained the Air Operator Certificate (AOC) falls under Article 91 (1) 2 through 38 or 40 through 48, in which case the suspension of the operation of aircraft is likely to cause serious inconvenience to users, etc. of aircraft or to harm public interest, the Minister of Land, Infrastructure and Transport may impose a penalty surcharge not exceeding 10 billion won in lieu of the suspension of the operation of aircraft.

(2) Specific standards and procedures for imposing administrative monetary penalties referred to in paragraph (1), and other necessary matters shall be prescribed by Presidential Decree.

(3) Where a person liable to pay a penalty surcharge referred to in paragraph (1) fails to pay it by the deadline for payment, the Minister of Land, Infrastructure and Transport shall collect it in the same manner as delinquent national taxes are collected.

Article 93 (Regulations for Operation of Aircraft and Regulations for Aircraft Maintenance of Air Operators) (1) An air operator shall formulate regulations for the operation of aircraft and regulations for aircraft maintenance, and obtain approval from the Minister of Land, Infrastructure and Transport before he/she begins the operation of aircraft, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That the foregoing shall not apply where he/she obtains the Air Operator Certificate (AOC) which includes regulations for the operation of aircraft and regulations for aircraft maintenance.

(2) Where an air operator intends to alter regulations for the operation of aircraft or regulations for aircraft maintenance approved pursuant to the main sentence of paragraph (1), he/she shall report the alteration thereof to the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That where he/she intends to alter important matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, such as a master minimum equipment list and a flight crew training program, he/she shall obtain approval from the Minister of Land, Infrastructure and Transport.
(3) Where the Minister of Land, Infrastructure and Transport intends to grant approval pursuant to the main sentence of paragraph (1) or the proviso to paragraph (2), he/she shall confirm whether regulations for the operation of aircraft, regulations for aircraft maintenance, or any alterations meet flight technology standards under Article 77 (1).

(4) Where the Minister of Land, Infrastructure and Transport grants approval pursuant to the main sentence of paragraph (1) or the proviso to paragraph (2), he/she may attach conditions or a deadline or alter conditions or the deadline: Provided, That such conditions or deadline shall be the minimum necessary to promote public interest or implement approval, and shall not impose an unfair burden on the relevant air operator.

(5) An air operator shall provide regulations for the operation of aircraft or regulations for aircraft maintenance approved by the Minister of Land, Infrastructure and Transport pursuant to the main sentence of paragraph (1) or the proviso to paragraph (2), or reported to the Minister of Land, Infrastructure and Transport pursuant to the main sentence of paragraph (2) to persons engaged in performing services concerning the operation of aircraft or aircraft maintenance. In such cases, the air operator and persons engaged in performing services concerning the operation of aircraft or aircraft maintenance shall abide by regulations for the operation of aircraft or regulations for aircraft maintenance.

Article 94 (Orders to Improve Safety of Air Operators)
Where the Minister of Land, Infrastructure and Transport deems it necessary for the safety of air transport, he/she may require an air operator to do the following:
1. Improvement of aircraft and other facilities;
2. Matters necessary to implement an international treaty concerning aviation;
3. Other matters necessary to eliminate elements interfering with safe operation of aircraft.

SECTION 2 SAFETY MANAGEMENT FOR AIRCRAFT USE BUSINESS ENTITY

Article 95 (Revocation, etc. of Air Operator Certificate of Aircraft Use Business Entity)
(1) Where an aircraft use business entity who has obtained the Air Operator
Certificate (AOC) pursuant to Article 90 applied mutatis mutandis in Article 96 (1) falls under any subparagraph of Article 91 (1), the Minister of Land, Infrastructure and Transport may revoke the Air Operator Certificate (AOC) or order to suspend the operation of aircraft within a fixed period not exceeding six months: Provided, That where he/she falls under Article 91 (1) 1, 39 or 49, the Minister of Land, Infrastructure and Transport shall revoke the Air Operator Certificate (AOC).

(2) Where an aircraft use business entity (excluding an aircraft use business entity who has obtained the Air Operator Certificate (AOC) pursuant to Article 90 applied mutatis mutandis in Article 96 (1)) falls under any subparagraph of Article 91 (1) 2 through 22, 26 through 30, and 32 through 48, the Minister of Land, Infrastructure and Transport may order to suspend the operation of aircraft within a fixed period not exceeding six months.

(3) Detailed standards and procedures for imposing measures under paragraphs (1) and (2), and other necessary matters shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.<Newly Inserted by Act No. 14551, Jan. 17, 2017>

(4) Where the Minister of Land, Infrastructure and Transport should order to suspend the operation of aircraft, in which case the suspension of the operation thereof causes serious inconvenience to users, etc. of aircraft or harms public interest, he/she may impose a penalty surcharge not exceeding 300 million won in lieu of the suspension of the operation of aircraft.<Amended by Act No. 14551, Jan. 17, 2017>

(5) Specific criteriand procedures for imposing administrative monetary penalties under paragraph (4), and other necessary matters shall be prescribed by Presidential Decree.<Amended by Act No. 14551, Jan. 17, 2017>

(6) Where a person liable to pay a penalty surcharge referred to in paragraph (4) fails to pay it by the deadline for payment, the Minister of Land, Infrastructure and Transport shall collect it in the same manner as delinquent national taxes are collected.<Amended by Act No. 14551, Jan. 17, 2017>

**Article 96 (Provisions Applied Mutatis Mutandis to Aircraft Use Business Entity) (1)**

Article 90 shall apply mutatis mutandis to an aircraft use business entity who performs services prescribed by Ordinance of the Ministry of Land, Infrastructure
and Transport among aircraft use business entities.
(2) Articles 93 and 94 shall apply mutatis mutandis to approval, etc. of regulations for the operation of an aircraft or regulations for aircraft maintenance of an aircraft use business entity.

SECTION 3 Safety Management for Aircraft Maintenance Service Providers

Article 97 (Certification of Approved Maintenance Organization, etc.) (1) An aircraft maintenance service provider or foreign aircraft maintenance service provider who intends to perform services prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, such as maintenance services of aircraft that has acquired nationality of the Republic of Korea pursuant to Article 8, and engines, propellers, fitments or parts used thereon, shall have human resources, equipment, etc., meeting criteria concerning human resources, equipment, an inspection system, etc. (hereinafter referred to as "criteria for certification of Approved Maintenance Organization (AMO)") prescribed and announced by the Minister of Land, Infrastructure and Transport and obtain certification (hereinafter referred to as "certification of Approved Maintenance Organization (AMO)") from the Minister of Land, Infrastructure and Transport before he/she begins such services: Provided, That a person who has obtained certification of Approved Maintenance Organization (AMO) from a country that has entered into an aviation safety treaty concerning certification of Approved Maintenance Organization (AMO) with the Republic of Korea, shall be deemed to have obtained certification of Approved Maintenance Organization (AMO) from the Minister of Land, Infrastructure and Transport.
(2) Where the Minister of Land, Infrastructure and Transport provides certification of Approved Maintenance Organization (AMO), he/she shall issue detailed criteria for operation specifying the scope and method of maintenance, procedures for quality management, etc. to the relevant aircraft maintenance service provider along with a certificate of Approved Maintenance Organization (AMO).
(3) Where an aircraft maintenance service provider performs maintenance, etc. of aircraft, etc., fitments or parts, he/she shall adhere to methods and procedures concerning maintenance, etc. prescribed by a person who manufactured aircraft, etc., fitments or parts, or approved by the Minister of Land, Infrastructure and Transport.
Article 98 (Revocation, etc. of Certification of Approved Maintenance Organization, etc.) (1) Where a person who has obtained certification of Approved Maintenance Organization (AMO) falls under any of the following, the Minister of Land, Infrastructure and Transport may revoke certification of Approved Maintenance Organization (AMO) or order to suspend the effect thereof within a fixed period not exceeding six months:

1. Where he/she has obtained certification of Approved Maintenance Organization (AMO) by deceit or other fraudulent means;
2. Where he/she falls under any of the following, in violation of Article 58 (2):
   (a) Where he/she fails to devise an aviation safety management system before he/she begins services;
   (b) Where he/she operates an aviation safety management system without obtaining approval;
   (c) Where he/she operates an aviation safety management system differently from the approved details thereof;
   (d) Where he/she alters any important matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport without obtaining approval;
3. Where he/she violates criteria for certification of Approved Maintenance Organization (AMO) without any justifiable grounds;
4. Where an aircraft accident occurs by design or gross negligence, or by neglecting his/her duty to pay considerable attention to the management of and supervision over airman/airwoman;
5. Where he/she performs services during the period of suspension of the effect under this Act.

(2) Standards for imposing measures referred to in paragraph (1) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 99 (Imposition of Administrative Monetary Penalties on Persons Who Have Obtained Certification of Approved Maintenance Organization) (1) Where the Minister of Land, Infrastructure and Transport should order to suspend the effect of certification of Approved Maintenance Organization (AMO) because a person who has obtained certification of Approved Maintenance Organization (AMO) falls under any of Article 98 (1) 2 through 4, in which case the suspension of the effect thereof
is likely to cause serious inconvenience to users, etc. of maintenance services or to harm public interest, the Minister of Land, Infrastructure and Transport may impose a penalty surcharge not exceeding 500 million won in lieu of the suspension of the effect thereof.

(2) Specific standards and procedures for imposing administrative monetary penalties referred to in paragraph (1), and other necessary matters shall be prescribed by Presidential Decree.

(3) Where a person liable to pay a penalty surcharge pursuant to paragraph (1) fails to pay it by the deadline for payment, the Minister of Land, Infrastructure and Transport shall collect it in the same manner as delinquent national taxes are collected.

CHAPTER VIII FOREIGN AIRCRAFT

Article 100 (Flight of Foreign Aircraft) (1) Where a user of an aircraft that has a foreign nationality (including a foreign country, a foreign public organization, or a person corresponding thereto) intends to conduct a flight falling under any of the following, he/she shall obtain permission from the Minister of Land, Infrastructure and Transport: Provided, That the foregoing shall not apply to a person who has obtained permission referred to in Articles 54 and 55 of the Aviation Business Act:

1. Flight where an aircraft takes off outside the airspace of the Republic of Korea and lands at an airport in the Republic of Korea;
2. Flight where an aircraft takes off from an airport in the Republic of Korea and lands outside the airspace of the Republic of Korea;
3. Flight where an aircraft takes off outside airspace of the Republic of Korea, overflies the airspace of the Republic of Korea without landing at an airport in the Republic of Korea, and lands outside the airspace of the Republic of Korea.

(2) In applying paragraph (1), an aircraft used for services of the armed forces, customs or police of a foreign country shall be deemed the aircraft used by the relevant country.

(3) Where the Minister of Land, Infrastructure and Transport makes a request, a person who conducts a flight falling under any subparagraph of paragraph (1) shall immediately land the aircraft at an airport designated by the Minister of Land,
Infrastructure and Transport.

Article 101 (Use of Foreign Aircraft in the Republic of Korea)
No aircraft that has a foreign nationality (excluding an aircraft a person who has obtained permission under Articles 54 and 55 of the Aviation Business Act used for the relevant transport) shall fly between locations in the Republic of Korea: Provided, That the foregoing shall not apply where the aircraft operator obtains permission from the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 102 (Recognition of Certificates, etc.)
Certification provided and other acts performed by a foreign government that has granted nationality of an aircraft concerning the airworthiness of any of the following aircraft and qualification of flight crew shall be deemed to have provided and performed pursuant to this Act:
1. Aircraft which has a foreign nationality, which provides flight services falling under any subparagraph of Article 100 (1);
2. Aircraft which has a foreign nationality used by a person who has obtained permission referred to in Articles 54 and 55 of the Aviation Business Act.

Article 103 (Approval, etc. of Air Operator Certificate of Foreign Provider of International Air Transport Services)
(1) A person who intends to obtain permission for foreign provider of international air transport services pursuant to Article 54 of the Aviation Business Act shall obtain approval for Air Operator Certificate (AOC) from the Minister of Land, Infrastructure and Transport for Air Operator Certificate (AOC) and criteria for operation that have specified flight conditions and restricted matters issued by a country to which he/she belongs in accordance with criteria prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
(2) Where the Minister of Land, Infrastructure and Transport grants approval for Air Operator Certificate (AOC) referred to in paragraph (1), he/she may issue a written approval for Air Operator Certificate (AOC), accompanied by documents specifying flight conditions and restricted matters concerning airways, airports, etc. he/she intends to operate.
(3) A person who has obtained permission for foreign providers of international air transport services (hereinafter referred to as "foreign provider of international air transport services") pursuant to Article 54 of the Aviation Business Act and airman/airwoman belonging to him/her, shall observe flight conditions and restricted matters issued pursuant to paragraph (2).

(4) The Minister of Land, Infrastructure and Transport may alter flight conditions and restricted matters referred to in paragraph (2) for safe operation of aircraft used by a foreign provider of international air transport services, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(5) Where approval for Air Operator Certificate (AOC) is, or flight conditions and restricted matters are altered following the opening, etc. of a new airway in the Republic of Korea, a foreign provider of international air transport services shall obtain approval for an alteration thereof from the Minister of Land, Infrastructure and Transport.

(6) The Minister of Land, Infrastructure and Transport may inspect aircraft used by a foreign provider of international air transport services for the safe operation of aircraft.

(7) Where the Minister of Land, Infrastructure and Transport discovers matters, while conducting an inspection under paragraph (6), that may seriously endanger the safe operation of aircraft unless he/she urgently takes measures, he/she may suspend the operation of the relevant aircraft or suspend services of airman/airwoman, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(8) Where grounds for imposing measures for the suspension cease to exist pursuant to paragraph (7), the Minister of Land, Infrastructure and Transport shall immediately revoke or alter the suspension.

Article 104 (Matters, etc. to Be Observed by Foreign Providers of International Air Transport Services for Safe Operation) (1) A foreign provider of international air transport services shall operate aircraft with the following documents carried aboard, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport:

1. A written approval for Air Operator Certificate (AOC) and documents specifying flight conditions and restricted matters issued by the Minister of Land,
Infrastructure and Transport pursuant to Article 103 (2);
2. A copy of Air Operator Certificate (AOC) and a copy of criteria for operation issued by a country to which the foreign provider of international air transport services belongs;
3. Other documents that must be carried aboard aircraft in accordance with the Convention on International Civil Aviation and Annexes to the aforesaid Convention.
(2) A foreign provider of international air transport services and airman/airwoman belonging to him/her shall comply with criteria for operation under paragraph (1) 2.
(3) For the safe operation of aircraft, the Minister of Land, Infrastructure and Transport may inspect on a regular basis or at any time whether a foreign provider of international air transport services and airman/airwoman belonging to him/her comply with criteria for operation under paragraph (1) 2.
(4) Where the Minister of Land, Infrastructure and Transport discovers any matters that may seriously endanger the safe operation of an aircraft at the time of a regular inspection or occasional inspection referred to in paragraph (3) unless he/she urgently takes measures, he/she may suspend the operation of the relevant aircraft or services of airman/airwoman, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
(5) Where grounds for imposing suspension cease to exist pursuant to paragraph (4), the Minister of Land, Infrastructure and Transport shall immediately revoke the suspension.

Article 105 (Suspension, etc. of Operation of Aircraft of Foreign Provider of International Air Transport Services) (1) Where a foreign provider of international air transport services falls under any of the following, the Minister of Land, Infrastructure and Transport may order to suspend the operation of aircraft within a fixed period not exceeding six months: Provided, That where he/she falls under subparagraph 1 or 6, the Minister of Land, Infrastructure and Transport shall revoke the approval for Air Operator Certificate (AOC):
1. Where he/she has obtained approval for Air Operator Certificate (AOC) by deceit or other fraudulent means;
2. Where he/she operates an aircraft without obtaining approval for Air Operator Certificate (AOC), in violation of Article 103 (1);
3. Where he/she fails to comply with the flight conditions and restricted matters referred to in Article 10 (2), in violation of Article 103 (3);
4. Where he/she operates an aircraft without obtaining approval for alteration, in violation of Article 103 (5);
5. Where he/she fails to comply with an order for safety of air transport under Article 94 applied mutatis mutandis in Article 106;
6. Where he/she operates an aircraft during the period of suspension of the operation of the aircraft under this Article.

(2) Other necessary matters, such as detailed standards for imposing measures under paragraph (1), shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 106 (Provisions Applied Mutatis Mutandis to Foreign Providers of International Air Transport Services)
@Articles 59, 61, 92 and 94 shall apply mutatis mutandis to the mandatory reporting and voluntary reporting of aviation safety by a foreign provider of international air transport services.

Article 107 (Inspection of Flight Safety on Air Transportation by Foreign Aircraft for Remuneration)
A person who intends to obtain permission for air transportation by foreign aircraft for remuneration pursuant to Article 55 of Aviation Business Act shall undergo inspection of flight safety by the Minister of Land, Infrastructure and Transport with regard to Air Operator Certificate (AOC) issued by a country of his/her citizenship and criteria for operation specifying the flight conditions and restricted matters in accordance with standards prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

CHAPTER IX LIGHT SPORT AIRCRAFT

Article 108 (Safety Certification, etc. of Light Sport Aircraft) (1) Except cases, such as a test flight, permitted by the Minister of Land, Infrastructure and Transport, which are prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, no person who owns a light sport aircraft or has the right to use it (hereinafter
referred to as "light sport aircraft owner, etc.") shall conduct a flight without obtaining safety certification that the light sport aircraft meets technical standards for flight safety prescribed and announced by the Minister of Land, Infrastructure and Transport in accordance with the period of validity of safety certification, and the procedures and methods for providing safety certification prescribed by the head of an agency or organization prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport from the head of such agency or organization. In such cases, the head of the agency or organization shall obtain approval for the period of validity of safety certification, and procedures and methods for providing safety certification from the Minister of Land, Infrastructure and Transport, and the foregoing shall also apply where he/she makes alterations thereto.

(2) Where the head of an agency or organization prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport provides safety certification pursuant to paragraph (1), he/she shall grant the rating and designate the scope of operation based on the rating, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(3) A light sport aircraft owner, etc. or a person who intends to operate a flight using light sport aircraft shall operate the flight in compliance with the scope of operation based on the rating of safety certification granted pursuant to paragraph (2).

(4) Where a light sport aircraft owner, etc. or a person who intends to operate a flight using light sport aircraft maintains the light sport aircraft, the fitments or parts thereof, he/she shall not operate the flight without obtaining confirmation that he/she may operate the light sport aircraft in a safe manner in accordance with the method prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport from a person who holds certification of qualification of aircraft maintenance technician referred to in subparagraph 8 of Article 35: Provided, That the foregoing shall not apply to minor maintenance prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 109 (Certification of Qualification of Light Sport Aircraft Pilots) (1) A person who intends to operate a flight using a light sport aircraft shall obtain certification of qualification (hereinafter referred to as "certification of qualification of light sport aircraft pilot") from the Minister of Land, Infrastructure and Transport, as prescribed
by Ordinance of the Ministry of Land, Infrastructure and Transport.

(2) No person falling under any of the following shall obtain certification of qualification of light sport aircraft pilot:
1. A person under the age of 17;
2. A person in whose case two years have not passed from the date on which certification of qualification of light sport aircraft pilot referred to in Article 114 (1) is revoked.

Article 110 (Scope of Services of Light Sport Aircraft Pilots)
No person who has obtained certification of qualification of light sport aircraft pilot shall perform services other than boarding and controlling the flight of light sport aircraft (hereinafter referred to as "controlling the flight of light sport aircraft"); Provided, That the foregoing shall not apply where he/she boards and controls the flight of a new kind of light sport aircraft, in which case he/she has obtained permission from the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 111 (Limit of Certification of Qualification of Light Sport Aircraft Pilots) (1)
Where the Minister of Land, Infrastructure and Transport provides certification of qualification of light sport aircraft pilots, he/she may limit kinds of light sport aircraft. (2) No person on whom limit of certification of qualification of light sport aircraft pilot has been placed shall control the flight of light sport aircraft other than the kinds of light sport aircraft limited.
(3) Detailed matters necessary for the limit of certification of qualification of light sport aircraft pilot referred to in paragraph (1) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 112 (Implementation of and Exemption from Examination for Certification of Qualification of Light Sport Aircraft Pilots) (1) A person who intends to obtain certification of qualification of light sport aircraft pilot shall pass a written examination and practical examination conducted by the Minister of Land, Infrastructure and Transport concerning knowledge and ability necessary for operating the flight of a light sport aircraft, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
(2) Where the Minister of Land, Infrastructure and Transport limits certification of qualification of light sport aircraft pilot (including certification of light sport aircraft flight training referred to in Article 115) to each kind of light sport aircraft, he/she shall review light sport aircraft flight experience, etc. In such cases, he/she may review the first limit of certification of qualification of light sport aircraft pilot with respect to the kinds of light sport aircraft by conducting a practical examination.

(3) The Minister of Land, Infrastructure and Transport may fully or partially exempt any of the following persons from examinations or reviews referred to in paragraphs (1) and (2), as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport:

1. A person who has obtained certification of qualification referred to in subparagraphs 1 through 4 of Article 35, or certification of qualification of light sport aircraft pilot from a foreign government;
2. A person who has completed curriculum at a training center specializing in light sport aircraft referred to in Article 117;
3. A person who has working experience in the relevant field.

(4) The Minister of Land, Infrastructure and Transport shall issue a certificate of qualification of light sport aircraft pilot to persons who have passed a written examination and practical examination pursuant to paragraph (1).

Article 113 (Aviation Medical Certification for Light Sport Aircraft Pilots) (1) A person who intends to control the flight of light sport aircraft (including a person who receives flight training in light sport aircraft pursuant to Article 116) after obtaining certification of qualification of light sport aircraft pilot shall obtain aviation medical certification from the Minister of Land, Infrastructure and Transport.

(2) Article 40 (2) through (6) shall apply mutatis mutandis to aviation medical certification referred to in paragraph (1).

Article 114 (Revocation, etc. of Certification of Qualification or Aviation Medical Certification for Light Sport Aircraft Pilots) (1) Where a person who has obtained certification of qualification of light sport aircraft pilot falls under any of the following, the Minister of Land, Infrastructure and Transport may revoke the certification of qualification of light sport aircraft pilot or the limit of certification of qualification (hereinafter referred to as "certification of qualification, etc.") , or order
to suspend the effect of certification of qualification, etc., within a fixed period not exceeding one year: Provided, That where he/she falls under subparagraph 1 of 17, the Minister of Land, Infrastructure and Transport shall revoke the certification of qualification, etc.:

1. Where he/she has obtained the certification of qualification, etc. by deceit or other fraudulent means;
2. Where he/she is sentenced to a fine or heavier punishment for violating this Act;
3. Where he/she causes casualties or damage to property by causing a light sport aircraft accident by design or gross negligence when he/she controls the flight of the light sport aircraft;
4. Where he/she is engaged in services other than controlling the flight of light sport aircraft, in violation of the main sentence of Article 110;
5. Where a person, in whose case the certification of qualification of a light sport aircraft is limited, controls the flight of light sport aircraft other than the kind of the limited light sport aircraft, in violation of Article 111 (2);
6. Where he/she controls the flight of light sport aircraft or receives flight training in light sport aircraft without obtaining aviation medical certification, in violation of Article 113 (including cases where it is applied mutatis mutandis in Article 116 (5));
7. Where he/she conducts flight training without obtaining flight instructor certification, in violation of Article 115 (1);
8. Where he/she fails to receive training designated by the Minister of Land, Infrastructure and Transport, in violation of Article 115 (2);
9. Where he/she take off from or land light sport aircraft at an area other than the airfield, or the airfield the use of which has been suspended pursuant to Article 25 (6) of the Airport Facilities Act, in violation of Article 118;
10. Where he/she controls the flight of light sport aircraft under the condition where he/she is unable to normally control the flight of the light sport aircraft (including flight training in a light sport aircraft under Article 116) under the influence of alcohol, etc., in violation of Article 57 (1) which is applied mutatis mutandis in Article 121 (2);
11. Where he/she consumes or uses alcohol, etc., referred to in Article 57 (1) while he/she controls the flight of light sport aircraft (including flight training in light
sport aircraft referred to in Article 116), in violation of Article 57 (2) which is applied mutatis mutandis in Article 121 (2);
12. Where he/she refuses a request for conducting a breath test to determine whether he/she has consumed or used alcohol, etc., referred to in Article 57 (1), in violation of Article 57 (3) which is applied mutatis mutandis in Article 121 (2);
13. Where he/she operate a flight without conforming to flight rules, in violation of Article 67 (1) which is applied mutatis mutandis in Article 121 (3);
14. Where he/she operate a flight in uncontrolled airspace or warning airspace without adhering to methods and procedures for flying aircraft prescribed and publicly announced by the Minister of Land, Infrastructure and Transport, in violation of Article 79 (1) which is applied mutatis mutandis in Article 121 (4);
15. Where he/she operate a flight in controlled airspace or warning airspace without adhering to methods and procedures for flying aircraft prescribed by the Minister of Land, Infrastructure and Transport, in violation of Article 79 (2) which is applied mutatis mutandis in Article 121 (4);
16. Where he/she fails to adhere to procedures for and timing of taxiing, takeoff and landing, and methods for flying aircraft instructed by the Minister of Land, Infrastructure and Transport or a person who has obtained certification for air traffic services, in violation of Article 84 (1) which is applied mutatis mutandis in Article 121 (5);
17. Where he/she is engaged in controlling the flight of light sport aircraft during the period of suspension of the effect of certification of qualification, etc., under this Article.

(2) Where a person engaged in controlling the flight of light sport aircraft falls under any of the following, the Minister of Land, Infrastructure and Transport may revoke his/her aviation medical certification, or order to suspend the effect of aviation medical certification within a fixed period not exceeding one year: Provided, That where he/she falls under subparagraph 1, the Minister of Land, Infrastructure and Transport shall revoke aviation medical certification, etc.:
1. Where he/she has obtained aviation medical certification by deceit or other fraudulent means;
2. Where he/she is deemed unqualified to operate the flight of light sport aircraft because he/she fails to meet criteria for aviation medical certification for each kind
of certification of qualification referred to in Article 40 (2) which is applied mutatis
mutandis in Article 113 (2);
3. Where he/she falls under any of paragraph (1) 10 through 12.
(3) Where a person, who applies for an examination for certification of qualification,
etc., or undergoes a review, cheats on the examination or the review, or where a
person who undergoes an aviation medical examination cheats on such medical
examination, he/she shall not apply for an examination for certification of
qualification, etc. under this Act or undergo a review, or an aviation medical
examination under this Act for two years from the date on which he/she cheats on
such examination, review or aviation medical examination, respectively.
(4) Standards and procedures for imposing measures referred to in paragraphs (1)
and (2), and other necessary matters shall be prescribed by Ordinance of the
Ministry of Land, Infrastructure and Transport.

Article 115 (Certification of Light Sport Aircraft Flight Instructor) (1) A person who
intends to provide light sport aircraft flight training for persons who receive the
following flight training, shall obtain flight instructor certification for each kind of
light sport aircraft from the Minister of land, Infrastructure and Transport, as
prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport:
1. Flight training for a person who has failed to obtain certification of qualification of
light sport aircraft pilot boards light sport aircraft;
2. Flight training for a person who has obtained certification of qualification of light
sport aircraft pilot boards light sport aircraft other than the kind of the limited light
sport aircraft referred to in Article 111 with regard to certification of qualification
of light sport aircraft pilot.
(2) Flight instructor certification (hereinafter referred to as "certification of light
sport aircraft flight instructor") referred to in paragraph (1) shall be provided by
issuing a certificate of light sport aircraft flight instructor, and a person who obtains
certification of light sport aircraft flight instructor shall receive training, as
prescribed by the Minister of Land, Infrastructure and Transport.
(3) Articles 112 and 114 (1) and (3) shall apply mutatis mutandis to an examination
for certification of light sport aircraft flight instructor, the revocation thereof, etc.
Article 116 (Flight Training for Light Sport Aircraft)  (1) A person who intends to receive flight training referred to in Article 115 (1) 1 shall receive flight training after obtaining permission from the Minister of land, Infrastructure and Transport for the flight training and under the supervision of a person who has obtained certification of light sport aircraft flight instructor, as prescribed by Ordinance of the Ministry of land, Infrastructure and Transport.
(2) A person who intends to receive flight training referred to in Article 115 (1) 2 shall receive flight training under the supervision of a person who has obtained certification of light sport aircraft flight instructor.
(3) Article 109 (1) shall not apply to flight training referred to in paragraph (1), and Article 111 (2) shall not apply to flight training referred to in paragraph (2).
(4) Where the Minister of Land, Infrastructure and Transport receives an application for permission for flight training pursuant to paragraph (1), in which case he/she deems that an applicant has the ability to receive light sport aircraft flight training, he/she shall permit the flight training and issue light sport aircraft flight training permit to the applicant, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
(5) Articles 113 and 114 shall apply mutatis mutandis to aviation medical certification, etc. for a person who has obtained permission referred to in paragraph (4).
(6) Where a person who has obtained permission referred to in paragraph (4) receives light sport aircraft flight training, he/she shall carry light sport aircraft flight training permit and an aviation medical certificate.

Article 117 (Designation, etc. of Training Center Specializing in Light Sport Aircraft)  (1) The Minister of Land, Infrastructure and Transport may designate a training center specializing in light sport aircraft to train light sport aircraft pilots, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
(2) Where a training center specializing in light sport aircraft designated under paragraph (1) trains light sport aircraft pilots, the Minister of Land, Infrastructure and Transport may fully or partially subsidize expenses incurred in training, within budgetary limits.
(3) Criteria for designation, such as curriculum, methods of training, human resources, facilities and equipment, of a training center specializing in light sport aircraft shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(4) Where a person designated as a training center specializing in light sport aircraft falls under any of the following, the Minister of Land, Infrastructure and Transport may revoke the designation: Provided, That where the person falls under subparagraph 1, the Minister of Land, Infrastructure and Transport shall revoke the designation:

1. Where the person has been designated as a training center specializing in light sport aircraft by deceit or other fraudulent means;
2. Where the person violates matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport among the criteria for designation of a training center specializing in light sport aircraft referred to in paragraph (3).

**Article 118 (Light Sport Aircraft Takeoff and Landing Areas)**

(1) No person shall take off or land light sport aircraft at an area other than aerodrome (excluding a military aerodrome) or an airfield: Provided, That the foregoing shall not apply where a person obtains permission from the Minister of Land, Infrastructure and Transport, in which case there are reasons beyond his/her control, such as an emergency situation related to safety.

(2) Detailed standards and procedures for obtaining permission under the proviso to paragraph (1), and other necessary matters shall be prescribed by Presidential Decree.

**Article 119 (Duty to Install and Operate Radio Equipment, etc. in Light Sport Aircraft)**

A person who intends to use light sport aircraft prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport for aviation or the owner, etc. of such light sport aircraft shall install and operate radio equipment prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, such as equipment for radio communications and transponder to identify aircraft, in the relevant light sport aircraft.
Article 120 (Matters to Be Observed by Light Sport Aircraft Pilots) (1) Light aircraft pilots shall observe matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport to prevent his/her light sport aircraft from causing casualties or damage to property.
(2) Where a light sport aircraft accident occurs, a light sport aircraft pilot shall immediately report the light sport aircraft accident to the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That where the light sport aircraft pilot is unable to report, the owner, etc. of the light sport aircraft shall report the light sport aircraft accident to the Minister of Land, Infrastructure and Transport.

Article 121 (Provisions Applied Mutatis Mutandis to Light Sport Aircraft) (1) Articles 7 through 18 shall apply mutatis mutandis to the registration, etc. of light sport aircraft.
(2) Article 57 shall apply mutatis mutandis to restrictions on the consumption or use of alcohol, etc. with regard to light sport aircraft.
(3) Article 67 shall apply mutatis mutandis to flight rules of light sport aircraft.
(4) Article 79 shall apply mutatis mutandis to flight restrictions on light sport aircraft.
(5) Article 84 shall apply mutatis mutandis to compliance with instructions given to light sport aircraft from air traffic control services.

CHAPTER X ULTRA- LIGHT VEHICLE

Article 122 (Reporting of Ultra- Light Vehicle) (1) A person who owns or has the right to use an ultra- light vehicle (hereinafter referred to as "ultra- light vehicle owner, etc.") shall report the kind, uses and the name of the ultra- light vehicle owner, etc. and whether it is possible for the ultra- light vehicle to gather personal information and information about an individual's location referred to in Article 129 (4) to the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
(2) Where the Minister of Land, Infrastructure and Transport receives a report on an ultra- light vehicle pursuant to paragraph (1), he/she shall issue a report number to the ultra- light vehicle owner, etc.
(3) The ultra-light vehicle owner, etc., to whom the report number is issued pursuant to paragraph (2) shall attach the report number on the relevant ultra-light vehicle.

**Article 123 (Reporting, etc. of Alteration of Ultra-Light Vehicle)**

(1) Where the ultra-light vehicle owner, etc. intends to alter matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, such as the uses of the ultra-light vehicle and the name of the owner, which he/she has reported pursuant to Article 122 (1), he/she shall report the alteration thereof to the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(2) Where an ultra-light vehicle reported pursuant to Article 122 (1) has been destroyed or dismantled (excluding the dismantlement thereof for maintenance, etc., transport, or storage), the ultra-light vehicle owner, etc. shall report the cancellation of the report number to the Minister of Land, Infrastructure and Transport within 15 days from the date on which a reason for reporting the cancellation thereof arises.

(3) Where the ultra-light vehicle owner, etc. fails to report the cancellation of the report number of the ultra-light vehicle referred to in paragraph (2), the Minister of Land, Infrastructure and Transport shall notify the ultra-light vehicle owner, etc. that he/she should report the cancellation of the report number within a fixed period of at least 30 days.

(4) Where the relevant ultra-light vehicle owner, etc. fails to report the cancellation of the report number of the ultra-light vehicle even after the Minister of Land, Infrastructure and Transport has given notification under paragraph (3), he/she may cancel the report number on his/her own authority, and when he/she cancels the report number, he/she shall notify the relevant ultra-light vehicle owner, etc. and other interested persons of the cancellation thereof.

**Article 124 (Safety Certification of Ultra-Light Vehicle)**

Except cases, such as a test flight, permitted by the Minister of Land, Infrastructure and Transport, which are prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, no person who intends to operate a flight using an ultra-light vehicle prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, such as a powered flying machine, shall operate the flight without
obtaining safety certification that the ultra-light vehicle meets technical standards for flight safety prescribed and announced by the Minister of Land, Infrastructure and Transport in accordance with the period of validity of safety certification, methods and procedures for providing safety certification prescribed by the head of an agency or organization prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport from the head of such agency or organization. In such cases, the head of the agency or organization shall obtain approval from the Minister of Land, Infrastructure and Transport with regard to the period of validity of safety certification, methods and procedures for providing safety certification, and the foregoing shall also apply where he/she alters the period of validity of safety certification, methods and procedures for providing safety certification.

Article 125 (Certification of Ultra-Light Vehicle Pilot, etc.) (1) A person who intends to operate a flight using an ultra-light vehicle prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, such as a powered flying machine, shall obtain certification issued by the head of an agency or organization prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport to operate the flight of the relevant ultra-light vehicle (hereinafter referred to as "ultra-light vehicle pilot certification") in accordance with the relevant standards for qualification in each ultra-light vehicle and methods and procedures for conducting examinations prescribed by the head of such agency or organization. In such cases, the head of the agency or organization shall obtain approval from the Minister of Land, Infrastructure and Transport with regard to the relevant standards for qualification in each ultra-light vehicle and methods and procedures for conducting examinations, as prescribed by the head of such agency or organization, and the foregoing shall also apply where he/she alters the relevant standards for qualification in each ultra-light vehicle and methods and procedures for conducting examinations.

(2) Where a person who has obtained certification of ultra-light vehicle pilot falls under any of the following, the Minister of Land, Infrastructure and Transport may revoke certification of ultra-light vehicle pilot or order to suspend the effect thereof within a fixed period not exceeding one year: Provided, That where he/she falls under subparagraph 1 or 8, the Minister of Land, Infrastructure and Transport shall revoke the certification of ultra-light vehicle pilot:
1. Where he/she has obtained the certification of ultra-light vehicle pilot by deceit or other fraudulent means;
2. Where he/she is sentenced to a fine or heavier punishment for violating this Act;
3. Where he/she causes casualties or damage to property because he/she causes an ultra-light vehicle accident by design or gross negligence when he/she performs services as an ultra-light vehicle pilot;
4. Where he/she violates matters to be observed by an ultra-light vehicle pilot referred to in Article 129 (1);
5. Where he/she operates the flight using an ultra-light vehicle under the condition that he/she is unable to normally operate the flight using an ultra-light vehicle under the influence of alcohol, etc., in violation of Article 57 (1) which is applied in Article 131;
6. Where he/she consumes or uses alcohol, etc., referred to in Article 57 (1) during the flight using an ultra-light vehicle, in violation of Article 57 (2) which is applied in Article 131;
7. Where he/she fails to comply with a request to conduct a breath test to determine whether he/she has consumed or used alcohol, etc., referred to in Article 57 (1), in violation of Article 57 (3) which is applied in Article 131;
8. Where he/she operates the flight using an ultra-light vehicle during the period of suspension of the effect of certification of ultra-light vehicle pilot under this Article.

Article 126 (Designation, etc. of Training Center Specializing in Ultra-Light Vehicle) (1)
The Minister of Land, Infrastructure and Transport may designate a training center specializing in ultra-light vehicle (hereinafter referred to as "training center specializing in ultra-light vehicle") to train ultra-light vehicle pilots, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
(2) Where a training center specializing in ultra-light vehicle trains ultra-light vehicle pilots, the Minister of Land, Infrastructure and Transport may fully or partially subsidize expenses incurred in training, within budgetary limits.
(3) Criteria for designation, such as curriculum, methods of training, human resources, facilities and equipment, of a training center specializing in ultra-light vehicle shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.
(4) Where a person designated as a training center specializing in ultra-light vehicle falls under any of the following, the Minister of Land, Infrastructure and Transport may revoke the designation: Provided, That where the person falls under subparagraph 1, the Minister of Land, Infrastructure and Transport shall revoke the designation:

1. Where the person has been designated as a training center specializing in ultra-light vehicle by deceit or other fraudulent means;
2. Where the person fails to meet criteria prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport among the criteria for designation of a training center specializing in ultra-light vehicle under paragraph (3).

Article 127 (Approval for Flight of Ultra-Light Vehicle) (1) Where the Minister of Land, Infrastructure and Transport deems it necessary for the safe flight of ultra-light vehicle, he/she may designate and announce airspace within which the flight of ultra-light vehicle is restricted (hereinafter referred to as "airspace within which the flight of ultra-light vehicle is restricted").

(2) A person who intends to operate the flight using an ultra-light vehicle prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, such as a powered flying machine, in airspace within which the flight of ultra-light vehicle is restricted, announced by the Minister of Land, Infrastructure and Transport, shall obtain approval for flight from the Minister of Land, Infrastructure and Transport in advance, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 128 (Duty to Install Equipment to Assist in Rescue of Ultra-Light Vehicle) A person who intends to operate the flight using an ultra-light vehicle in airspace within which the flight of ultra-light vehicle is restricted shall install or carry equipment prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport for safe flight and rapid rescue activities at the time of an ultra-light vehicle accident.

Article 129 (Matters to Be Observed by Ultra-Light Vehicle Pilots) (1) An ultra-light vehicle pilot shall observe matters to be observed by him/her as prescribed by
Ordinance of the Ministry of Land, Infrastructure and Transport to prevent the ultra-light vehicle from causing casualties or damage to property.

(2) No ultra-light vehicle pilot shall fly an unmanned aerial vehicle: Provided, That the foregoing shall not apply where he/she has obtained permission from the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(3) Where an ultra-light vehicle accident occurs, the ultra-light vehicle pilot shall immediately report the occurrence of the ultra-light vehicle accident to the Minister of Land, Infrastructure and Transport, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport: Provided, That where the ultra-light vehicle pilot is unable to report the accident, the ultra-light vehicle owner, etc. shall report the ultra-light vehicle accident.

(4) Where a person gathers or transmits personal information (hereinafter referred to as "personal information") referred to in subparagraph 1 of Article 2 of the Personal Information Protection Act or information about an individual's location (hereinafter referred to as "information about an individual's location") referred to in subparagraph 2 of Article 2 of the Act on the Protection, Use, etc. of Location Information by using an unmanned aerial vehicle, the relevant Acts shall apply to the protection of personal information and information about an individual's location, respectively.

**Article 130 (Orders for Business Entity Using Ultra-Light Vehicle to Improve Safety)**

Where the Minister of Land, Infrastructure and Transport deems it necessary for safety of ultra-light vehicle use business, he/she may require an ultra-light vehicle use business entity to perform the following:

1. Improvement of ultra-light vehicle and other facilities;
2. Other matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, which are necessary to eliminate elements interfering with the flight safety of ultra-light vehicle.

**Article 131 (Provisions Applied Mutatis Mutandis to Ultra Light Sport Aircraft)**

@Article 57 shall apply mutatis mutandis to restrictions on consumption or use of alcohol, etc., with regard to the ultra-light vehicle owner, etc., or a person who intends to operate the flight using an ultra-light vehicle.
CHAPTER XI SUPPLEMENTARY PROVISIONS

Article 132 (Aviation Safety Activities) (1) The Minister of Land, Infrastructure and Transport may require any of the following persons to report his/her duties or submit documents:
1. A person who manufactures or performs maintenance, etc. of aircraft, etc., fitments, or parts;
2. A person who constructs and a person who manages aerodrome, airfield, airport, airport facilities, or air navigation facilities;
3. A person engaged in aviation duties and an ultra-light vehicle pilot;
4. A person who has obtained certification of air traffic services;
5. An air operator (including a foreign provider of international air transport services and a person who provides revenue-earning transport using a foreign aircraft), aircraft use business entity, aircraft maintenance service provider, ultra-light vehicle use business entity, air charter operator referred to in subparagraph 22 of Article 2 of the Aviation Business Act, and sport and leisure aviation service provider referred to in subparagraph 27 of Article 2 of the Aviation Business Act;
6. Other persons who continuously use an aircraft, light sport aircraft, or ultra-light vehicle.

(2) Where specially necessary for the enforcement of this Act, the Minister of Land, Infrastructure and Transport may require public officials belonging to the Ministry of Land, Infrastructure and Transport to gain access to any of the following places of persons falling under any subparagraph of paragraph (1), inspect aircraft, light sport aircraft or ultra-light vehicle, air navigation facilities, books, documents and other articles, or ask questions to relevant persons. In such cases, where the Minister of Land, Infrastructure and Transport deems it specially necessary to effectively perform duties, such as inspection, he/she may appoint an expert in aviation safety, who has qualification prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, and require him/her to provide advice and suggestions on duties, such as inspection:
1. An office, factory, or other places of business;
2. An aerodrome, airfield, airport, airport facilities, air navigation facilities, or construction site of such facilities;
3. An airport apron where aircraft or light sport aircraft are parked;
4. Aircraft, light sport aircraft, or ultra-light vehicle.

(3) The Minister of Land, Infrastructure and Transport shall regularly conduct safety inspections of airports where an air operator provides flight services, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(4) Where a public official belonging to the Ministry of Land, Infrastructure and Transport intends to conduct inspections or ask questions pursuant to paragraphs (2) and (3), he/she shall notify the person to be inspected or to be asked questions of a plan including the date and time of and reasons for details of inspection or questioning by no later than seven days before he/she conducts inspections or asks questions: Provided, That the foregoing shall not apply to emergency cases or where he/she deems that he/she is unable to achieve the objectives of inspection or question due to the destruction of evidence, etc., if he/she notifies in advance.

(5) A public official who conducts an inspection or asks questions pursuant to paragraphs (2) and (3) shall carry an identity card indicating his/her authority and present it to relevant persons.

(6) Necessary matters concerning an identity card referred to in paragraph (5) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(7) Where a public official who has conducted an inspection or asked questions pursuant to paragraphs (2) and (3), he/she shall notify the person who has been inspected or asked questions of the result thereof in writing.

(8) Where the Minister of Land, Infrastructure and Transport discovers any matters that may endanger the safe navigation of aircraft, light sport aircraft, or ultra-light vehicle while he/she conducts an inspection referred to in paragraph (2) or (3) unless he/she urgently takes measures, he/she may require the temporary suspension of the navigation of aircraft, light sport aircraft or ultra-light vehicle or the operation of air navigation facilities, or require airman/airwoman, ultra-light vehicle pilots or persons who manage air navigation facilities to suspend their duties temporarily.

(9) Where the Minister of Land, Infrastructure and Transport discovers any matters that may endanger the safe navigation of aircraft, light sport aircraft or ultra-light vehicle...
vehicle as a result of inspection referred to in paragraph (2) or (3), he/she may require a person who has undergone such inspection to take corrective measures, etc.

**Article 133 (Disclosure of Information about Safety Rating concerning Air Transport Service Providers)**
The Minister of Land, Infrastructure and Transport shall disclose information about the safety rating of airline operators (including foreign providers of international air transport services; hereinafter the same shall apply in this Article) including the following so that people may use aircraft in a safe manner, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport:
1. Information about aircraft accidents prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport;
2. Outcomes of safety assessment conducted by the International Civil Aviation Organization (ICAO) on countries of citizenship of air operators (only applicable to countries disclosed by the International Civil Aviation Organization (ICAO), whose level of risk of aircraft accidents is high because they fail to meet safety standards);
3. Other matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport in relation to the safety of air operators.

**Article 134 (Hearings)**
Where the Minister of Land, Infrastructure and Transport intends to take any of the following measures, he/she shall hold hearings:
1. Revocation of type certification or supplemental type certification referred to in Article 20 (5);
2. Revocation of approval for type certification or approval for supplemental type certification referred to in Article 21 (6);
3. Revocation of production certification referred to in Article 22 (3);
4. Revocation of airworthiness certification referred to in Article 23 (6);
5. Revocation of airworthiness approval referred to in Article 24 (3);
6. Revocation of certification of compliance with noise standards referred to in Article 25 (3);
7. Revocation of type approval for articles with technical standard order design approval referred to in Article 27 (4);
8. Revocation of parts manufacturer certification referred to in Article 28 (5);
9. Revocation or suspension of the effect of certification of qualification, etc., referred to in Article 43 (1) or aviation medical certification referred to in Article 43 (2);
10. Revocation of instrument flight certification or flight instructor certification referred to in Article 43 (1) which is applied mutatis mutandis in Article 44 (4);
11. Revocation of certification of proficiency in aviation English referred to in Article 43 (1) which is applied mutatis mutandis in Article 45 (6);
12. Revocation of the designation of an Approved Training Organization (ATO) referred to in Article 48 (4);
13. Revocation of the designation of an aviation medical examiner or the suspension of the effect thereof referred to in Article 50 (1);
14. Revocation of certification of qualification referred to in Article 63 (3);
15. Revocation of the designation of an agency responsible for inspecting packaging and containers referred to in Article 71 (5);
16. Revocation of the designation of a training center specializing in dangerous goods referred to in Article 72 (5);
17. Revocation of certification for air traffic services referred to in Article 86 (1);
18. Revocation of Air Operator Certificate (AOC) referred to in Article 91 (1) or 95 (1);
19. Revocation of certification of Approved Maintenance Organization (AMO) referred to in Article 98 (1);
20. Revocation of approval for Air Operator Certificate (AOC) referred to in the proviso to Article 105 (1);
21. Revocation of certification of qualification, etc., referred to in Article 114 (1) or of aviation medical certification under Article 114 (2);
22. Revocation of flight instructor certification referred to in Article 114 (1) which is applied in Article 115 (3);
23. Revocation of the designation of a training center specializing in light sport aircraft referred to in Article 117 (4);
24. Revocation of certification of ultra-light vehicle pilot referred to in Article 125 (2);
25. Revocation of the designation of a training center specializing in ultra-light vehicle referred to in Article 126 (4).

Article 135 (Delegation and Entrustment of Authority) (1) The Minister of Land, Infrastructure and Transport may partially delegate his/her authority under this Act to the Special Metropolitan City Mayor, Metropolitan City Mayor, Special Self-Governing City Mayor, Do Governor, Special Self-Governing Province Governor, or the head of an agency under his/her jurisdiction, as prescribed by Presidential Decree.

(2) The Minister of Land, Infrastructure and Transport may designate an Approved Training Organization (ATO) inspection agency and entrust it with duties concerning certification, approval or inspection referred to in Articles 20 through 25, 27, 28 and 30, as prescribed by Presidential Decree.

(3) The Minister of Land, Infrastructure and Transport may entrust authority over approval for repair or remodeling of aircraft of State agencies, etc., among authority over approval for repair or remodeling under Article 30, to the head of a related central administrative agency, as prescribed by Presidential Decree.

(4) The Minister of Land, Infrastructure and Transport may entrust services referred to in Article 89 (1) to the Korea Aviation Association (hereinafter referred to as the "Association") referred to in Article 68 (1) of the Aviation Business Act, as prescribed by Presidential Decree.

(5) The Minister of Land, Infrastructure and Transport may entrust the following services to the Korea Transportation Safety Authority under the Korea Transportation Safety Authority Act, or an institution or organization related to aviation, as prescribed by Presidential Decree:

1. Services concerning examinations for certification of qualification, limited review of certification of qualification, and the issuance of certificates of qualification referred to in Article 38;
2. Services concerning instrument flight certification, flight instructor certification, and the issuance of certificates referred to in Article 44;
3. Services concerning the issuance of certificates of proficiency in aviation English referred to in Article 45 (3);
4. Services concerning web-based integrated aviation education and training management systems referred to in Article 48 (5) and (6);
5. Services concerning the receipt, analysis, and dissemination of the voluntary reporting of aviation safety referred to in Article 61;
6. Services concerning examinations for certification of qualification of light sport aircraft pilot, limited review of certification of qualification, and the issuance of certificates of qualification referred to in Article 112;
7. Services concerning light sport aircraft flight instructor certification and the issuance of certificates, and training of persons who have obtained light sport aircraft flight instructor certification referred to in Article 115 (1) and (2);
8. Services concerning certification of ultra-light vehicle pilot referred to in Article 125 (1).

(6) The Minister of Land, Infrastructure and Transport may entrust the following services to an institution or organization specializing in aviation medicine, as prescribed by Presidential Decree:
1. Services concerning aviation medical certification under Article 40;
2. Services concerning training of aviation medical examiners under Article 49 (3);

(7) The Minister of Land, Infrastructure and Transport may entrust services concerning the implementation of certifying examinations for certification of proficiency in aviation English referred to in Article 45 (2) to an institution or organization specializing in the evaluation of English proficiency, as prescribed by Presidential Decree.

(8) The Minister of Land, Infrastructure and Transport may entrust the following services to the Korea Institute of Aviation Safety Technology under the Korea Institute of Aviation Safety Technology Act, or an institution or organization related to aviation, as prescribed by Presidential Decree: <Newly Inserted by Act No. 14551, Jan. 17, 2017>
1. Research to establish aircraft technology standards, flight rules, procedures and methods for handling dangerous goods, and navigation technology standards referred to in Articles 19, 67, 70 and 77 in accordance with standards adopted and methods recommended by the Convention on International Civil Aviation and
Annexes to the aforesaid Convention;
2. Analysis of data related to matters concerning the identification of potential aviation safety hazards referred to in Article 58 (1) 5;
3. Other services prescribed by Presidential Decree, which are research and analysis for the safe navigation of aircraft.

Article 136 (Fees, etc.) (1) Any of the following persons shall pay fees prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport to the Minister of Land, Infrastructure and Transport: Provided, That where authority has been entrusted pursuant to Article 135 (2) and (4) through (7), he/she shall pay fees to such institutions entrusted with authority:
1. A person who intends to obtain verification, approval, certification, or undergo an inspection (hereinafter referred to as "inspection, etc.") under this Act;
2. A person who applies for the issuance or reissuance of a certificate or permit under this Act.
(2) Where it is necessary to make a business trip to the field of inspection, etc., the travel expenses incurred in making the business trip shall be borne by an applicant. In such cases, criteria for travel expenses shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 137 (Legal Fiction of Public Officials When Penal Provisions Apply)
Any of the following persons shall be deemed a public official when Articles 129 through 132 of the Criminal Act apply:
1. A person who is not a public official among inspectors referred to in Article 31 (2);
2. Executives and employees of an Approved Training Organization (ATO) inspection agency, the Association, an Approved Training Organization (ATO) institution or organization engaged in duties entrusted by the Minister of Land, Infrastructure and Transport pursuant to the provisions of Article 135 (2) and (4) through (8).
CHAPTER XII PENAL PROVISIONS

Article 138 (Crime of Endangering Aircraft in Flight) (1) A person who crashes, capsize, or destroys an aircraft, light sport aircraft, or ultra-light vehicle in flight with people aboard shall be punished by death, life imprisonment, or imprisonment with prison labor for at least five years.

(2) A person who crashes, capsizes, or destroys an aircraft, light sport aircraft, or ultra-light vehicle in flight with people aboard for committing a crime referred to in Article 140 shall be punished by death, life imprisonment, or imprisonment with prison labor for at least five years.

Article 139 (Crime of Causing Injuries or Deaths by Causing Danger to Aircraft in Flight)
A person who causes injuries or deaths of people by committing a crime referred to in Article 138 shall be punished by death, life imprisonment, or imprisonment with prison labor for at least seven years.

Article 140 (Crime of Endangering Aviation)
A person who endangers aviation by destroying aerodrome, airfield, airport facilities or navigation safety facilities or by other means shall be punished by imprisonment with prison labor of at least two years.

Article 141 (Attempted Criminal)
Persons attempting to commit an offense referred to in Articles 138 (1) and 140 shall be punished.

Article 142 (Crime of Interfering with Exercise of Rights of Persons on Board by Pilot in Command, etc.) (1) The pilot in command or a pilot who has a person on board an aircraft do work that is not his/her duty or interferes with the exercise of the right of the person by abusing his/her authority shall be punished by imprisonment with prison labor for neither less than one year nor more than ten years.

(2) The pilot in command or a pilot who commits a crime referred to in paragraph (1) by using violence shall be punished by imprisonment with prison labor for at least three years.

Article 143 (Crime of Deserting Aircraft by Pilot in Command)
The pilot in command (including a person who is to perform duties of the pilot in command) who deserts an aircraft, in violation of Article 62 (4), shall be punished by imprisonment with prison labor for not more than five years.

**Article 144 (Crime of Using Aircraft That Has not Obtained Airworthiness Certification)**

Any of the following persons shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding 50 million won:

1. A person who fails to obtain airworthiness certification or certification of compliance with noise standards or controls the flight of an aircraft whose airworthiness certification or certification of compliance with noise standards was revoked or suspended, in violation of Article 23 or 25;
2. A person who manufactures or sells articles with technical standard order design approval that have not obtained type approval for articles with technical standard order design approval or uses such articles on an aircraft, etc., in violation of Article 27 (3);
3. A person who manufactures or sells fitments or parts that have not obtained parts manufacturer certification or uses such fitments or parts on an aircraft, etc., or such parts on fitments, in violation of Article 28 (3);
4. A person who controls the flight of an aircraft, etc. that has not obtained approval for repair or remodeling, or uses fitments or parts that have not obtained approval for repair or remodeling on the aircraft, etc., in violation of Article 30;
5. A person who controls the flight of an aircraft, etc. on which maintenance, etc. has been performed without obtaining confirmation of airworthiness or uses fitments or parts on the aircraft, etc., without obtaining confirmation of airworthiness, in violation of Article 32 (1).

**Article 145 (Crime concerning Violation of Air Operator Certificate, etc.)**

Any of the following persons shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding 30 million won:

1. An air operator or aircraft use business entity who begins the operation of aircraft without obtaining the Air Operator Certificate (AOC) referred to in Article 90 (1) (including cases where it is applied mutatis mutandis in Article 96 (1));
2. An aircraft maintenance service provider or foreign aircraft maintenance service provider who has performed maintenance of aircraft, etc., fitments or parts without
obtaining certification of Approved Maintenance Organization (AMO), in violation of Article 97.

**Article 146 (Crime of Consumption, Use, etc. of Alcohol, etc.)**

Any of the following persons shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding 30 million won:

1. A person engaged in aviation duties (including a person who receives flight training referred to in Article 46 or undergoes air traffic control practice referred to in Article 47; hereinafter the same shall apply) or cabin crew who is engaged in duties under the condition where he/she is unable to normally perform aviation duties (including flight training referred to in Article 46 and air traffic control practice referred to in Article 47) or the duties of cabin crew under the influence of alcohol, etc., in violation of Article 57 (1);  
2. A person engaged in aviation duties or cabin crew who consumes or uses any alcohol, etc., in violation of Article 57 (2);  
3. A person engaged in aviation duties or cabin crew who refuses to undergo a breath test conducted by the Minister of Land, Infrastructure and Transport, in violation of Article 57 (3).

**Article 147 (Crime of Violation of Certification for Air Traffic Services)** (1) A person who provides air traffic services without obtaining certification for air traffic services, in violation of Article 85 (1), shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding 30 million won.  
(2) Any of the following persons shall be punished by a fine not exceeding 10 million won:  
1. A person who fails to maintain a system for the provision of air traffic services or to comply with criteria for certification for air traffic services, in violation of Article 85 (4);  
2. A person who alters a system for the provision of air traffic services without reporting or obtaining approval, in violation of Article 85 (5).

**Article 148 (Crime of Performance, etc. of Aviation Duties by Unqualified Persons)**

Any of the following persons shall be punished by imprisonment with prison labor for not more than two years or by a fine not exceeding 20 million won:
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1. A person who is engaged in aviation duties without obtaining certification of qualification, in violation of Article 34;
2. A person who is engaged in duties beyond the scope of services based on the kind of certification of qualification he/she has obtained, in violation of Article 36 (2);
3. A person who violates an order to suspend the effect referred to in Article 43 (including cases which are applied mutatis mutandis in Articles 46 (4) and 47 (4));
4. A person who is engaged in duties referred to in Article 45 (1) without obtaining certification of proficiency in aviation English, in violation of Article 45.

Article 149 (Crime of Endangering Aviation due to Negligence) (1) A person who destroys an aircraft, light sport aircraft, ultra-light vehicle, aerodrome, airfield, airport facilities or air navigation facilities due to negligence, or a person who endangers aviation, crashes, capsizes or destroys an aircraft in flight by other means, shall be punished by imprisonment with prison labor for not more than one year or by a fine not exceeding ten million won. <Amended by Act No. 14551, Jan. 17, 2017>
(2) Where a person commits a crime referred to in paragraph (1) due to professional negligence or gross negligence, he/she shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding 50 million won.

Article 150 (Crime of Failure to Display, etc.)
An owner, etc. who operates an aircraft without attaching nationality, etc. of the aircraft pursuant to Article 18 or attaching false nationality, etc. of the aircraft shall be punished by imprisonment with prison labor for not more than one year or by a fine not exceeding ten million won.<Amended by Act No. 14551, Jan. 17, 2017>

Article 151 (Crime of Failure to Have Flight Crew Aboard)
An owner, etc. who has a person without certification of qualification aviation personnel aboard an aircraft and provide services, or who fails to have flight crew aboard an aircraft and provide services pursuant to this Act shall be punished by imprisonment with prison labor for not more than one year or by a fine not exceeding ten million won.<Amended by Act No. 14551, Jan. 17, 2017>
Article 152 (Crime of Unqualified Instrument Flight)
A person who violates Article 44 (1) or (2), or 55 shall be punished by a fine not exceeding 20 million won.

Article 153 (Crime of Uninstallation or Disuse of Radio Equipment, etc.)
A person who violates Articles 51 through 54 shall be punished by a fine not exceeding 20 million won.

Article 154 (Crime of Transporting Hazardous Materials without Permission)
A person who violates Article 70 (1) shall be punished by a fine not exceeding 20 million won.

Article 155 (Crime of Operation of Aircraft within Reduced Vertical Separation Minima Airspace, etc. without Approval)
An owner, etc. who operates an aircraft within airspace falling under Article 75 (1) without obtaining approval from the Minister of Land, Infrastructure and Transport, in violation of Article 75, shall be punished by a fine not exceeding ten million won.

Article 156 (Crime concerning Services, etc. of Air Transport Service Providers)
In any of the following cases an air operator or aircraft use business entity shall be punished by a fine not exceeding ten million won:
1. Where it operates an aircraft without obtaining approval, in violation of Article 74;
2. Where it operates or maintains an aircraft without complying with regulations for navigation or regulations for maintenance, in violation of the latter part of Article 93 (5) (including cases where it is applied mutatis mutandis in Article 96 (2));
3. Where it fails to implement an order for safety of air transport referred to in Article 94 (including cases where it is applied mutatis mutandis in Article 96 (2)).

Article 157 (Crime concerning Services, etc. of Foreign Providers of International Air Transport Services)
In any of the following cases, a foreign provider of international air transport services shall be punished by a fine not exceeding ten million won:
1. Where it operates an aircraft without carrying documents referred to in Article 104 (1) on board the aircraft, in violation of Article 104 (1);
2. Where it violates an order to suspend the operation of an aircraft referred to in Article 105;
3. Where it fails to implement an order for the safety of air transport referred to in Article 94 that is applied in Article 106.

Article 158 (Crime concerning Violation of Duty, etc. of Pilot in Command to Make Reports)
Any of the following persons shall be punished by a fine not exceeding five million won:
1. A person who fails to report or makes a false report on an aircraft accident, serious incident or safety occurrence, in violation of Article 62 (5) or (6);
2. A person who performs the airfield or alters a flight plan without obtaining approval referred to in Article 65 (2).

Article 159 (Crime concerning Duties of Flight Crew, etc.) (1) Any of the following persons, including flight crew member, etc. shall be punished by a fine not exceeding five million won:
1. A person who violates Articles 66 through 68, 79 or 100 (1);
2. A person who fails to comply with instructions referred to in Article 84 (1);
3. A person who fails to comply with a request for landing under Article 100 (3).
(2) Where a flight crew member other than the pilot in command commits a crime referred to in paragraph (1), not only the person who commits the crime but the pilot in command also shall be punished by a fine not exceeding five million won.

Article 160 (Crime of Unlawful Use, etc. of Light Sport Aircraft) (1) Any of the following persons shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding 30 million won:
1. A person who operates the flight using light sport aircraft under the condition that he/she is unable to normally operate the flight using the light sport aircraft under the influence of any alcohol, etc., in violation of Article 57 (1) which is applied mutatis mutandis in Article 121 (2);
2. A person who consumes or uses any alcohol, etc. during flight of light sport aircraft, in violation of Article 57 (2) which is applied mutatis mutandis in Article 121 (2);
3. A person who fails to comply with a request to undergo a breath test made by the Minister of Land, Infrastructure and Transport, in violation of Article 57 (3) which is applied mutatis mutandis in Article 121 (2).

(2) A person who performs duties other than light sport aircraft flight control, in violation of the main sentence of Article 110, shall be punished by imprisonment with prison labor for not more than two years or by a fine not exceeding 20 million won.

(3) A person who operates the flight or requires another person to operate the flight using light sport aircraft to which safety certification referred to in Article 108 (1) has not been provided, shall be punished by imprisonment with prison labor for not more than one year or by a fine not exceeding ten million won.

(4) Any of the following persons shall be punished by imprisonment with prison labor for not more than six months or by a fine not exceeding five million won:
   1. A person who operates the flight using light sport aircraft without obtaining certification of qualification of a light sport aircraft pilot, in violation of Article 109 (1);
   2. A person who operates the flight using light sport aircraft that has not been registered, in violation of Article 7, which is applied in Article 121 (1);
   3. A person who operates the flight using light sport aircraft on which nationality and registration mark are not attached or false nationality and registration mark are attached, in violation of Article 18 (1), which is applied in Article 121 (1).

(5) A person who conducts flight training without obtaining light sport aircraft flight instructor certification, in violation of Article 115 (1), shall be punished by a fine not exceeding 20 million won.

(6) A person who fails to install and operate radio equipment, in violation of Article 119, shall be punished by a fine not exceeding five million won.

(7) Any of the following persons shall be punished by a fine not exceeding three million won:
   1. A person who performs the takeoff or landing of light sport aircraft at an area other than an airfield or an airfield of which use is suspended, in violation of Article 118;
   2. A person who conducts the flight of an aircraft in controlled airspace, in violation of Article 79 (2) which is applied mutatis mutandis in Article 121 (4).
Article 161 (Crime of Unlawful Use, etc. of Ultra- Light Vehicle) (1) Any of the following persons shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding 30 million won:
1. A person who operates the flight using an ultra- light vehicle under the condition where he/she is unable to normally operate the flight using the ultra- light vehicle under the influence of any alcohol, etc., in violation of Article 57 (1) which is applied mutatis mutandis in Article 131;
2. A person who consumes or uses any alcohol, etc. during flight of an ultra- light vehicle, in violation of Article 57 (2) which is applied mutatis mutandis in Article 131;
3. A person who fails to comply with a request to undergo a breath test devised by the Minister of Land, Infrastructure and Transport, in violation of Article 57 (3) which is applied in Article 131.
(2) A person who conducts the flight using an ultra- light vehicle for which safety certification that the ultra- light vehicle meets technical standards for flight safety referred to in Article 124 has not been provided without obtaining ultra- light vehicle pilot certification under Article 125 (1) shall be punished by imprisonment with prison labor for not more than one year or by a fine not exceeding ten million won.
(3) A person who operates the flight without reporting an ultra- light vehicle or reporting the alteration thereof, in violation of Article 122 or 123, shall be punished by imprisonment with prison labor for not more than six months or by a fine not exceeding five million won.
(4) A person who flies an unmanned aerial vehicle without obtaining permission from the Minister of Land, Infrastructure and Transport, in violation of Article 129 (2), shall be punished by a fine not exceeding five million won.
(5) A person who operates the flight of an ultra- light vehicle within restricted airspace without obtaining approval from the Minister of Land, Infrastructure and Transport, in violation of Article 127 (2), shall be punished by a fine not exceeding two million won.

Article 162 (Crime of Violation of Orders) An ultra- light vehicle use business entity who fails to comply with orders for the safety of ultra- light vehicle use business referred to in Article 130 shall be punished
by a fine not exceeding ten million won.

**Article 163 (Crime of Refusal, etc. of Inspection)**

A person who refuses, interferes with or avoids inspection or access referred to in Article 132 (2) and (3) shall be punished by a fine not exceeding five million won.

**Article 164 (Joint Penal Provisions)**

Where the representative of a juristic person, or an agent, employee or other servant of a juristic person or individual commits an offense falling under Articles 144, 145, 148, 150 through 154, 156, 157 and 159 through 163 in connection with the business of the juristic person or the individual, not only shall such violator be punished, but the juristic person or the individual shall also be punished by a fine under the relevant provisions: Provided, That this shall not apply where the juristic person or the individual has not neglected to pay due attention and supervision concerning the relevant business in order to prevent such violation.

**Article 165 (Exceptions to Application of Penal Provisions)**

Where the provisions concerning penal provisions under Articles 144, 156 and 163 apply, a public action may be brought only when the Minister of Land, Infrastructure and Transport brings an accusation of an act on which a penalty surcharge may be imposed pursuant to Article 92 (including cases where it is applied mutatis mutandis in Article 106) or 95 (4), and no administrative fine shall be imposed on an act on which a penalty surcharge has been imposed. <Amended by Act No. 14551, Jan. 17, 2017>

**Article 166 (Administrative Fines)** (1) Any of the following persons shall be punished by an administrative fine not exceeding five million won:

1. A person who fails to manage the fatigue of flight crew belonging to him/her by at least one of the means referred to in the subparagraphs of Article 56 (1) (excluding an air operator and aircraft use business entity), in violation of Article 56 (1);

2. A person who operates a fatigue risk management system or alters important matters without obtaining approval from the Minister of Land, Infrastructure and Transport (excluding an air operator and aircraft use business entity), in violation of Article 56 (2);
3. A person who falls under any of the following (only applicable to a person other than an air operator and aircraft use business entity among those who fall under Article 58 (2) 1 and 4), in violation of Article 58 (2):
   (a) A person who fails to devise an aviation safety management system before he/she begins the manufacture or the operation of aircraft;
   (b) A person who operates an aviation safety management system without obtaining approval from the Minister of Land, Infrastructure and Transport;
   (c) A person who operates an aviation safety management system differently from the approved details thereof;
   (d) A person who alters important matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport without obtaining approval from the Minister of Land, Infrastructure and Transport;
4. A person other than an air operator, who operates an aircraft without employing a flight dispatcher, in violation of Article 65 (1);
5. A person other than an air transport services provider, who requires a flight dispatcher to be engaged in duties without receiving education and training necessary to perform the relevant duties, in violation of Article 65 (3);
6. A person who handles dangerous goods without complying with procedures and adhering to methods for handling dangerous goods referred to in Article 70 (3);
7. A person who sells packaging and containers that have not undergone inspection referred to in Article 71 (1);
8. A person who handles dangerous goods without receiving training necessary to handle dangerous goods, in violation of Article 72 (1);
9. A person who conducts light sport aircraft flight training without receiving training, as prescribed by the Minister of Land, Infrastructure and Transport, in violation of Article 115 (2);
10. A person who operates the flight without obtaining safety certification that an ultra-light vehicle meets technical standards for the flight safety thereof (excluding cases to which Article 161 (2) applies), in violation of Article 124;
11. A person who fails to report, etc. under Article 132 (1) or makes a false report, etc.;
12. A person who makes a false statement in response to questions referred to in Article 132 (2);
13. A person who fails to comply with the suspension of navigation, operation, or business referred to in Article 132 (8);
14. A person who fails to comply with an order to take corrective measures, etc. referred to in Article 132 (9).

(2) Any of the following persons shall be punished by an administrative fine not exceeding three million won:
1. A person who operates the flight using light sport aircraft without obtaining certification that the light sport aircraft may be safely operated in accordance with the method prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, in violation of Article 108 (4);
2. A person who operates the flight using light sport aircraft without observing matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, in violation of Article 120 (1);
3. A person who operates the flight using an ultra-light vehicle without obtaining ultra-light vehicle pilot certification (excluding cases to which Article 161 (2) applies), in violation of Article 125 (1).

(3) Any of the following persons shall be punished by an administrative fine not exceeding two million won:
1. A person who fails to apply for registration of any alteration, in violation of Article 13, or to apply for de-registration, in violation of Article 15 (1);
2. A person who uses an aircraft without attaching the aircraft registration mark, in violation of Article 17 (1);
3. A person who fails to comply with a request to conform to amended aircraft technology standards, in violation of Article 26;
4. A person, who is not a person engaged in aviation, causes aviation safety hazards referred to in Article 61 (1) by design or gross negligence;
5. A person who fails to comply with instructions given by the Minister of Land, Infrastructure and Transport or a person who has obtained certification for air traffic services for the safety of air traffic, in violation of Article 84 (2) (including cases applied mutatis mutandis in Article 121 (5));
6. A person who performs services concerning the navigation or maintenance of aircraft without complying with regulations for navigation or regulations for maintenance, in violation of the latter part of Article 93 (5) (including cases applied
mutatis mutandis in Article 96 (2));
7. A person who operates the flight using light sport aircraft without complying with the scope of operation based on the rating of safety certification granted, in violation of Article 108 (3);
8. A person who operates the flight using an ultra-light vehicle without observing matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, in violation of Article 129 (1).

(4) Any of the following persons shall be punished by an administrative fine not exceeding one million won:
1. A person who fails to report under Article 33 or makes a false report;
2. A person who fails to report an aviation accident, serious incident or safety occurrence or makes a false report thereon, in violation of Article 59 (1) (including cases where it is applied mutatis mutandis in Article 106);
3. A light sport aircraft owner, etc. who fails to attach the light sport aircraft registration mark, in violation of Article 17 (1) which is applied mutatis mutandis in Article 121 (1);
4. An ultra-light vehicle owner, etc. who fails to attach the report number on the relevant ultra-light vehicle or attaches the false report number thereon, in violation of Article 122 (3);
5. A person who operates the flight using an ultra-light vehicle without installing or carrying equipment prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport, in violation of Article 128.

(5) Any of the following persons shall be punished by an administrative fine not exceeding 500,000 won:
1. A light sport aircraft pilot or the light sport aircraft owner, etc. who fails to report a light sport aircraft accident or makes a false report thereon, in violation of Article 120 (2);
2. A light sport aircraft owner, etc. who fails to apply for registration of any alteration or de-registration of light sport aircraft, in violation of Article 13 or 15 which is applied mutatis mutandis in Article 121 (1).

(6) Any of the following persons shall be punished by an administrative fine not exceeding 300,000 won:
1. An ultra-light vehicle owner, etc. who fails to report the cancellation of the ultra-light vehicle, in violation of Article 123 (2);
2. An ultra-light vehicle pilot or the ultra-light vehicle owner, etc. who fails to report an ultra-light vehicle accident or makes a false report thereon, in violation of Article 129 (3).

<<Enforcement Date: Mar. 30, 2019>> Article 166 (1) 1 (only applicable to the part concerning Article 56 (1) 2) and 2.

**Article 167 (Procedures for Imposing and Collecting Administrative Fines)**

The Minister of Land, Infrastructure and Transport shall impose and collect administrative fines under Article 166, as prescribed by Presidential Decree.

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**ADDENDA <No. 14551, 17. Jan, 2017>**

**Article 1 (Enforcement Date)**

This Act shall enter into force on March 30, 2017: Provided, That the amended provisions of Articles 71 (5) 2 and 3, 135 (8), subparagraph 2 of Article 137, Articles 148, 149 (1), 150 and 151 shall enter into force six months after the date of their promulgation.

**Article 2 (Applicability to Revocation, etc. of Designation of Packaging and Container Inspection Agency)**

The amended provision of Article 71 (5) 2 shall begin to apply from the first inspection of packaging and containers of dangerous goods conducted by a packaging and container inspection agency after the aforesaid amended provision enters into force.